

Perhatian: borang ini adalah merupakan contoh sahaja. Sila sediakan akuan ini dalam kertas yang baru.

**STATUTORY DECLARATION MADE IN CONNECTION WITH
AN APPLICATION FOR RELIEF OF STAMP
DUTIES UNDER SECTION 15A OF
THE STAMP ACT 1949**

In the matter of Section 15A Stamp Act 1949

AND

In the matter of Bhd/Ltd. (Parent Company)
[] Bhd/Ltd. (Transferor Company)
[] Bhd/Ltd. (Transferee Company)
[] Bhd/Ltd. (Intermediary Company)
or; [] Bhd/Ltd. (Aset)

I,(2)... NRIC No.
..... of
..... do solemnly
and sincerely declare as follows:

1. I am the(3)... of
Bhd/Ltd. (hereinafter called [parent] [transferee] having its registered office at
.....(5)... which position I have held since the day
of19 and after consulting the records of
.....Bhd/Ltd. and ofBhd/Ltd; and
of.....Bhd/Ltd., I am able to declare that the following statements
are true.

2. The parent company is a company incorporated with limited liability in
.....(7)... under the(7)... on the
..... day of19

3. Bhd/Ltd. (hereinafter called the "transferor
company") is a company incorporated with limited liability in

(7)... under the (7)... on the day of 19 and as at day of 19 (8)... had an authorised share capital ofdivided into(9)... shares of each [all of which] [of which](6) have been issued and have been fully paid up. [The said shares] [Out of the said shares,(10)... shares](6) have been registered in the name of(4).

4. Bhd/Ltd.] (6) (hereinafter called the "transferee company") is a company incorporated with limited liability in(7) under the(7) on theday of 19..... and as at day of19(8)... had an authorised share capital of divided into(9)... shares of each [all of which] [of which](6)... have been issued and have been fully paid up. [The said shares] [Out of the said shares, shares](6) have been registered in the name of (11).

5. Bhd/Ltd.](6) (hereinafter called the "intermediary company") is a company incorporated with limited liability in(7)... under the(7) on the day of 19 and as at day of19.....(8)... had an authorised share capital ofdivided into(9)... shares of each (all of which) [of which.....](6) have been issued and have been fully paid up. [The said shares] [Out of the said shares,.....(10)...shares](6) have been registered in the name of[Parent] [Transferor] [Transferee] (6) Company.

6. The transferor and transferee companies are associated companies by reason that as at (8)... not less than 90% of the issued share capital of(12)... was held by(13)... and the condition stipulated by subsection (2) of Section 15A of Stamp Act 1949 is therefore satisfied (copies of are enclosed and marked).[Share Certificate] [Shareholders' Register].

7. Pursuant to resolutions adopted on.....day of 19.....(14) by the Board of Directors of the transferor company and on day of19.....(14)... by the Board of Director of the transferee company (copies of which resolutions are enclosed and marked) and an agreement was entered into between the companies on..... day of

19.....for the sale and purchase of.....
.....(15)...
(copies of which agreement are enclosed and marked.....)

8. The instrument(s) of transfer, which are attached and submitted for adjudication⁽¹⁶⁾, were executed on.....day of.....19 and the sum of RM being the agreed consideration, [has been entered into the books of both companies as an unsecured loan payable on demand by the transferee company to the transferor company] [as a set off an equal amount owing by the transferor company to the transferee company] [was paid by the transferee company with the issuance and allotment of unit share of RM.....each to the transferor company] [was paid by the transferee company out of its own resource in cash to the transferor company].

9. [The transfers are not subject to control by the regulatory bodies of Government on the grounds that]⁽¹⁷⁾ [The transfers are of a kind requiring prior approval by a regulatory body of Government. A certified true copy of [the] [each of the] letter(s) of approval is annexed and marked.....]

10. The transfer (s) is/are being undertaken for organisational reasons only and it is intended that the beneficial interest in the [property] [properties] which will be so transferred will be retained by the transferee company and that there will be no change in the relationship between the companies.

11. The instrument(s) of transfer was/were not executed in pursuance of or in connection with an arrangement whereunder:-

- (a) the consideration or any part of the consideration, for the transfer/transfers was to be provided or received, directly or indirectly, by a person other than a company which at the time of the execution of the instruments was associated within the meaning of subsections (2) and (3) of Section 15A with either the transferor or the transferee; or
- (b) the beneficial interest was previously transferred directly or indirectly, by such a person; or
- (c) the transferor and the transferee were to cease to be associated within the meaning of subsections (2) and (3) of Section 15A by reason of a change in the percentage of the issued share capital of the transferee in the beneficial ownership of the transferor or a third company.

12. It is submitted that the effect of the instrument(s) attached hereto is to transfer a beneficial interest in [property] [properties] between associated companies and that the conditions of Section 15A are satisfied in relation thereto.

AND I MAKE THIS SOLEMN DECLARATION, with the consent of my Board of Directors, conscientiously believing the same to be true and in accordance with the provisions of the Statutory Declaration Act 1960.

Subscribed and solemnly)
declared by the abovenamed)
.....))
at in the)
thisday of 19.....)

Before me,
.....
Commissioner of Oath

Guide notes:

1. In the case where the transferor and transferee companies are associated through ownership by a third company (the parent company) this declaration must be made by the Chief Executive or Principal Officer of the Group or by the Secretary of the parent company. Where the transferor and the transferee companies are directly associated, this declaration should be made by the Secretary of the transferee company.
2. State full name, NRIC number and address.
3. State the appointment held.
4. State either "parent company" or "transferee company".
5. State its present address.
6. Adopt either as appropriate.
7. State the place of incorporation and the law under which it was incorporated eg. if in Malaysia "The Companies Act 1965".
8. Being the date the transactions between the companies was agreed to. [Date of execution of instrument of transfer].
9. If more than one class give appropriate particulars of each class.
10. State the number of shares so held.
11. State either "parent company" or "transferor company". Enclose a copy of Form 24 or annual return of shares where appropriate.
12. State either "each of these companies" or ["transferor"] [transferee] company".
13. State either "the parent company" or "[transferor] [transferee] company". However where the minimum percentage (90%) of ownership of one of the companies by either company is present through an intermediary company, e.g. where A beneficially owns 60% of B and 75% of C and B own 25% of C giving A therefore a 90% ownership of C, full particulars including a sketch of the "family tree" should be provided in an appendix hereto.
14. State the dates of reach resolution.
15. Give particulars of the properties/undertakings that are the subject matters of the contract of sale and purchase.
16. State briefly on what grounds.