

ANNEXURE C

Samples of notices pursuant to section 56 of the CA 2016 and replies to the notices

(1) Notice to members holding any voting shares/voting rights to inform the company that the member is a beneficial owner or holds as trustee pursuant to section 56(1) of the Companies Act 2016

[Date]

[Addressee],

Re: [Company Name] ("company")

Pursuant to section 56(1) of the Companies Act 2016, as a member of the company you are required to inform and confirm the following information within **1 month** from the date of this notice:

- (a) Whether or not you are the beneficial owner (BO) of the company based on the type and one or more of the criteria set out below:

<p>Type of BO</p> <p><input type="checkbox"/> Direct</p> <p><input type="checkbox"/> Indirect</p> <p>Criteria of BO</p> <p><input type="checkbox"/> A</p> <p><input type="checkbox"/> B</p> <p><input type="checkbox"/> C</p> <p><input type="checkbox"/> D</p> <p><input type="checkbox"/> E</p>	
CRITERIA	DESCRIPTION
A	Has interest, direct or indirectly, in not less than 20% of the shares;

B	Hold, directly or indirectly, not less than 20% of the voting shares of the company;
C	Has the right to exercise ultimate effective control whether formal or informal over the company; or the directors or the management of the company;
D	Has the right or power to directly or indirectly appoint or remove a director(s) who hold a majority of the voting rights at meeting of directors; or
E	Is a member of the company and, under an agreement with another member of the company, controls alone a majority of the voting right in the company.

(b) If you are the BO of the company, kindly provide the following information:

- (i) Full name :
- (ii) Residential address :
- (iii) Nationality :
- (iv) Date of birth :
- (v) NRIC/ Passport No. :
- (vi) Date of becoming a BO :
- (vii) Email address (optional) :

(c) Whether you are holding the voting shares/voting rights on behalf of another person as a trustee.

(d) If you are a trustee, kindly provide the details of the BO as per paragraphs (a) and (b) above.

2. Please be informed that a person who fails to comply with this notice or provides false or misleading information commits an offence under section 56(7) of the CA 2016.

Yours faithfully,

[Name]

[Director/Company Secretary]

For and behalf of

[Name of the company]

Note:

- (a) Please tick (✓) where applicable. For criteria of BO, you may tick more than one.
- (b) If you are the BO, respond to paragraphs (a) and (b) only.
- (c) If you are a trustee, respond to paragraphs (c) and (d).
- (d) If the BO is more than 1, provide details of all the BOs.

(II) Notice to any person when the company is informed that the person that has an interest in the voting shares of the company is a beneficial owner or holds as a trustee pursuant to section 56(2) of the Companies Act 2016

[Date]

[Addressee],

Re: [Company Name] ("company")

We have been informed that you are a person having interest in the voting shares/voting rights of our company.

2. Pursuant to section 56(2) of the Companies Act 2016, you are required to inform and confirm the following information within **1 month** from the date of this notice:

- (a) Whether or not you are the beneficial owner (BO) of the company based on the type and one or more of the criteria set out below:

<p>Type of BO</p> <p><input type="checkbox"/> Direct</p> <p><input type="checkbox"/> Indirect</p> <p>Criteria of BO</p> <p><input type="checkbox"/> A</p> <p><input type="checkbox"/> B</p> <p><input type="checkbox"/> C</p> <p><input type="checkbox"/> D</p> <p><input type="checkbox"/> E</p>	
CRITERIA	DESCRIPTION
A	Has interest, direct or indirectly, in not less than 20% of the shares;
B	Hold, directly or indirectly, not less than 20% of the voting shares of the company;
C	Has the right to exercise ultimate effective control whether formal or informal over the company; or the directors or the management of the company;
D	Has the right or power to directly or indirectly appoint or remove a director(s) who hold a majority of the voting rights at meeting of directors; or
E	Is a member of the company and, under an agreement with another member of the company, controls alone a majority of the voting right in the company.

(b) If you are the BO of the company, kindly provide the following information:

- (i) Full name :
- (ii) Residential address :
- (iii) Nationality :
- (iv) Date of birth :
- (v) NRIC/Passport No. :
- (vi) Date of becoming a beneficial owner :
- (vii) Email address (optional) :

(c) Whether you are holding the voting shares on behalf of another person as a trustee.

(d) If you are a trustee, kindly provide the details of the BO as per paragraph (b) above.

3. Please be informed that a person who fails to comply with this notice or provides false or misleading information commits an offence under section 56(7) of the CA 2016.

Yours faithfully,

[Name]

[Director/Company Secretary]

For and behalf of

[Name of the company]

Note:

- (a) Please tick (✓) where applicable. For criteria of BO, you may tick more than one.
- (b) If you are the BO, respond to paragraphs 2(a) & (b) only.
- (c) If you are a trustee, respond to paragraphs 2(c), (d) and then (b).
- (d) If the BO more than 1, provide details of all the BOs.

(III) Notice to any member to inform the company whether the voting rights carried by any voting shares held by the member are subject to any agreement or arrangement that will control the member in exercising those rights pursuant to section 56(3) of the Companies Act 2016

[Date]

[Addressee],

Re: [Company Name] ("company")

Pursuant to section 56(3) of the Companies Act 2016, you as a member of the company are required to inform and confirm within **1 month** from the date of this notice the following information:

- (a) Whether or not you have entered into any agreement or arrangement with another person who is entitled to control you as a member of the company in exercising your voting rights carried by your voting shares.

- (b) If you are under an agreement or arrangement with another person who is entitled to control you as a member of the company in exercising your voting rights carried by your voting shares, kindly provide the following particulars:
 - (i) Details of the agreement or arrangement (including title of the agreement and date);
 - (ii) Full name of the party(s) to the agreement or arrangement;

- (iii) Citizenship;
- (iv) NRIC/ Passport No.;
- (v) Correspondence address;
- (vi) Nature of the agreement or arrangement;
- (vii) Email address (optional).

3. Please be informed that a person who fails to comply with this notice or provides false or misleading information commits an offence under section 56(7) of the CA 2016.

Yours faithfully,

[Name]

[Director/Company Secretary]

For and behalf of

[Name of the company]

Note:

If there is more than 1 person controlling the members, provide details of all the persons.