

D.R. 34/97

Naskhah Sahih—Bahasa Inggeris

RANG UNDANG-UNDANG

b e r n a m a

Suatu Akta untuk meminda Akta Syarikat 1965.

MAKA INILAH DIPERBUAT UNDANG-UNDANG oleh Seri Paduka Baginda Yang di-Pertuan Agong dengan nasihat dan persetujuan Dewan Negara dan Dewan Rakyat yang bersidang dalam Parlimen, dan dengan kuasa daripadanya, seperti berikut:

1. (1) Akta ini bolehlah dinamakan Akta Syarikat (Pindaan) 1997. Tajuk ringkas dan mula berkuatkuasa.

(2) Akta ini hendaklah mula berkuatkuasa pada tarikh yang ditetapkan oleh Menteri melalui pemberitahuan dalam *Warta*.

2. Akta Syarikat 1965 adalah dipinda dengan memasukkan selepas seksyen 67 seksyen yang 67A seksyen baru
berikut: Akta 125

"purchase 67A. (1) Notwithstanding the provisions of by a section 67, a public company with a share capital company may, if so authorised by its articles, purchase of its own shares or give financial assistance to own any person for the purpose of purchasing its

(2) A company shall not purchase its own shares, or give financial assistance to a person for purchasing its shares under this section, unless—

- (a) it is solvent at the date of the purchase or the giving of financial assistance;
- (b) the purchase is made through the Stock Exchange on which the shares of the company are quoted; and
- (c) the purchase or the giving of financial assistance is made in good faith and in the interests of the company.

(3) Where the company purchases its own shares the company's issued capital shall be diminished by the cancellation of the shares so purchased and the amount by which the company's issued capital is diminished shall be transferred to the capital redemption reserve.

(4) The capital redemption reserve may be applied in paying up unissued shares of the company to be issued to members of the company as fully paid bonus shares.

(5) A cancellation of shares made pursuant to subsection (3) shall not be deemed to be a reduction of share capital within the meaning of this Act.

(6) A company shall, within fourteen days after the shares are purchased, lodge with the Registrar and the Stock Exchange a notice in the prescribed form.

(7) If default is made in complying with this section, the company, every officer of the company and any other person or individual who is in default shall be guilty of an offence against this Act.

Penalty: Imprisonment for **five** years or one **hundred** thousand ringgit or both."

HURAIAN

Rang Undang-Undang ini bertujuan meminda Akta Syarikat 1965 ("Akta").

2. *Fasal 1* memperkatakan tajuk ringkas dan tarikh mula berkuatkuasa Rang Undang-Undang ini.

3. *Fasal 2* bertujuan untuk memasukkan seksyen baru 67A ke dalam Akta untuk membolehkan syarikat membeli syernya sendiri dan juga memberi bantuan kewangan kepada seseorang untuk membeli syer di dalam syarikat itu jika ia dibuat dengan suci hati dan untuk kepentingan syarikat. Ia adalah bertujuan untuk menstabilkan bekalan dan permintaan serta harga bagi syer-syer syarikat itu di Bursa Saham dan seterusnya mewujudkan suasana pasaran saham yang sihat di negara ini.

IMPLIKASI KEWANGAN

Rang Undang-Undang ini tidak akan melibatkan Kerajaan dalam apa-apa perbelanjaan wang tambahan. [PN. (U³) 2029.]