



Ecomate Holdings Berhad

(Registration No.
202001036445 (1392766-X))

Factory A : Lot 3611 (Ptd 4447), Kawasan Perindustrian Bukit Bakri, Mukim Bakri, 84200 Muar, Johor, Malaysia

Factory B : Lot PTD 7274, Kawasan Perindustrian Bakri Batu 7 1/2, Jln Bakri, 84200 Muar, Johor.

Tel : 06-986 8558 / 06-986 8668 Fax : 06-986 8787

Website : www.ecomate.com.my

POLICY ON ASSESSING THE COMPANY SECRETARIES

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POLICY ON ASSESSING THE COMPANY SECRETARIES

A company secretaries as an officer of the company is accountable to the board. They are best placed to guide boards on proper corporate governance practices given their knowledge and familiarity with the records and charters of the board, the process and procedures in accordance with the Company's Constitution, and legal and regulatory requirements. The Companies Act 2016 sets out the qualification, duties and responsibilities of a company secretaries. The board will make use of The Companies Act 2016 as a benchmark to assess the company secretaries.

1. Qualification for Company Secretaries.

No person shall act as a secretaries of a company unless: -

a) He/she is a member of a professional body, or any other body, which has for the time being been prescribed by the Minister by notification published in the Gazette; or

b) He/she is licensed by the Registrar for that purpose:

Provided that a person who is a secretaries of the company before the coming into operation of this section and who is not a member of a professional or other body as prescribed by the Minister may continue to act as the secretaries for the company for a period of not more than twelve months after the coming into operation of this section unless he has obtained a license pursuant to paragraph (b).

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2. Disqualification. (Please refer to section 238 of Companies Act 2016 on disqualification)

A person shall be disqualified to act as a secretaries if: -

- a) He/she is an undischarged bankrupt;
- b) He/she is convicted whether within or without Malaysia of any offence mentioned in subsection (1) of section 130;
- c) He/she ceases to be a member of the body prescribed by the Minister under section 139A; or
- d) He/she ceases to be a holder of a valid license issued under section 139B.

Notwithstanding subsection (1), the Registrar may require a person to show cause why his/her license issued under section 139B should not be revoked or why he should not be disqualified from acting as a secretaries of a company, if he is of the opinion that person has failed to act honestly or has failed to use reasonable diligence in the discharge of his duties as a secretaries.

If a person continues to act as a secretaries for a company after he is so disqualified under this section without leave of the Court, he and every director who knowingly permits him to act in that capacity shall be guilty of an offence.