**APPENDIX 3**

**FORM 2(a)**

**DECLARATION FORM**

Chairman

Securities Commission Malaysia

3 Persiaran Bukit Kiara

Bukit Kiara

50490 Kuala Lumpur

(Attention: Islamic Capital Market Development)

Dear Sir

**APPLICANT** (Individual/ Shariah Officer)

I, (NRIC/Passport No ), hereby declare that:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. | Has the individual, in Malaysia or elsewhere - | | | |
|  | been convicted of any offence, or are there any proceedings now pending that may lead to a conviction of any offence involving fraud or other dishonesty, or violence? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| b. | has judgement involving findings of fraud or other dishonesty, violence, misrepresentation, breach of contract, breach of fiduciary duty or professional negligence given against him in any civil proceedings, or are there any proceedings now pending that may lead to such a judgement or finding? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| c. | contravened any written law for protecting members of the public against financial loss due to dishonesty, incompetence, malpractice or negligence by persons concerned in the provision of financial services or the management of companies, or against financial loss due to the conduct of discharged or undischarged bankrupts? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| d. | been declared a bankrupt or entered into a composition or arrangement with creditors? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| e. | been subjected to any form of disciplinary proceedings or actions by, or entered into a settlement with, any regulatory, supervisory or professional body? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| f. | acted in any manner which may make him unfit to act as a Shariah adviser? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| *\* To indicate the date of conviction / judgement / contravention / bankruptcy / discharge, nature of offence, jurisdiction where the offence was committed and any other relevant information (where applicable)* | | | | |

|  |  |
| --- | --- |
| **DECLARATION OF TRUTH AND ACCURACY OF INFORMATION** | |
|  | I am aware that any representation to the Securities Commission Malaysia (SC) by whatever means or in any form that includes false or misleading statement can result in the SC taking action under section 369 of the Capital Markets and Services Act 2007 or other provisions under the securities laws. In addition, it can adversely affect my (i) application or submission; and (ii) fit and proper standing to participate in the capital market industry. |
|  | *Section 369 is in relation to the submission of any false and misleading statement to the SC. Examples of information submitted to the SC include, but not limited to, notification and reporting to the SC, provision of supplementary information or clarification regarding a submission, and any other information the SC may request. Contravention of section 369 may result in imprisonment for a term not exceeding 10 years and shall also be liable to a fine not exceeding three million ringgit upon conviction.* |
|  | I hereby declare that all information provided in this submission is true and correct and I have neither concealed nor omitted any material fact or information. |
| **……………………………..**  **Signature :** | |
| **Full Name :** | |
| **Date of Signature** *(dd mmm yyyy)* **:** | |

**FORM 2 (b)**

**DECLARATION FORM**

Chairman

Securities Commission Malaysia

3 Persiaran Bukit Kiara

Bukit Kiara

50490 Kuala Lumpur

(Attention: Islamic Capital Market Development)

Dear Sir

**APPLICANT** (Director or Senior Management\*)

I, (NRIC/Passport No ), Director/ Senior Management\*\* of

, hereby declare that:

*\*In the event there is more than one Director or Senior Management, please submit complete Form 2(b) for each Director or Senior Management.*

*\*\*Strike where not applicable.*

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1. | | Has the individual been involved in the management of a corporation, in Malaysia or elsewhere, which at the time of his involvement, the corporation - | | | | | | |
| a. | | been convicted of any offence, or are there any proceedings now pending that may lead to a conviction of any offence involving fraud or other dishonesty, or violence? | | | | | | |
|  | |  | | No | |  | | Yes (please provide details\*) |
|  | | | | | | | | |
| b. | | has judgement involving findings of fraud or other dishonesty, violence, misrepresentation, breach of contract, breach of fiduciary duty or professional negligence given against him in any civil proceedings, or are there any proceedings now pending that may lead to such a judgement or finding? | | | | | | |
|  | |  | | No | |  | | Yes (please provide details\*) |
|  | | | | | | | | |
| c. | | contravened any written law for protecting members of the public against financial loss due to dishonesty, incompetence, malpractice or negligence by persons concerned in the provision of financial services or the management of companies, or against financial loss due to the conduct of discharged or undischarged bankrupts? | | | | | | |
|  |  | | No | |  | | Yes (please provide details\*) | |
|  | | | | | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| d. | been declared a bankrupt or entered into a composition or arrangement with creditors? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| e. | been subjected to any form of disciplinary proceedings or actions by, or entered into a settlement with, any regulatory, supervisory or professional body? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| f. | acted in any manner which may make him unfit to act as a Director or Senior Management of the said corporation? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| *\* To indicate the date of conviction / judgement / contravention / bankruptcy / discharge, nature of offence, jurisdiction where the offence was committed and any other relevant information (where applicable)* | | | | |

|  |  |
| --- | --- |
| **DECLARATION OF TRUTH AND ACCURACY OF INFORMATION** | |
|  | I am aware that any representation to the Securities Commission Malaysia (“SC”) by whatever means or in any form that includes false or misleading statement can result in the SC taking action under Section 369 of the Capital Markets and Services Act 2007 or other provisions under the securities laws. In addition, it can adversely affect my (i) application or submission; and (ii) fit and proper standing to participate in the capital market industry. |
|  | *Section 369 is in relation to the submission of any false and misleading statement to the SC. Examples of information submitted to the SC include, but not limited to, notification and reporting to the SC, provision of supplementary information or clarification regarding a submission, and any other information the SC may request. Contravention of section 369 may result in imprisonment for a term not exceeding 10 years and shall also be liable to a fine not exceeding three million ringgit upon conviction.* |
|  | I hereby declare that all information provided in this submission is true and correct and I have neither concealed nor omitted any material fact or information. |
| **……………………………..**  **Signature :** | |
| **Full Name :** | |
| **Date of Signature** *(dd mm yyyy)* **:** | |

**FORM 2(c)**

**DECLARATION FORM**

Chairman

Securities Commission Malaysia

3 Persiaran Bukit Kiara

Bukit Kiara

50490 Kuala Lumpur

(Attention: Islamic Capital Market Development)

Dear Sir

**APPLICANT** (Corporation)

We,

(i) (NRIC/Passport No ); and

(ii) (NRIC/Passport No ),

authorised signatories of , hereby declare that:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| For Corporation, the declaration must be signed by the authorised signatories pursuant to the authority granted by the resolution of the Board of Directors of the Corporation. | | | | |
| 1. | Has the corporation, in Malaysia or elsewhere - | | | |
| a. | been convicted of any offence, or are there any proceedings now pending that may lead to a conviction of any offence involving fraud or other dishonesty? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| b. | has judgement involving findings of fraud or other dishonesty, misrepresentation, breach of contract, breach of fiduciary duty or professional negligence given against the corporation in any civil proceedings, or are there any proceedings now pending that may lead to such a judgement or finding? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| c. | contravened any written law for protecting members of the public against financial loss due to dishonesty, incompetence, malpractice or negligence by persons concerned in the provision of financial services or the management of companies, or against financial loss due to the conduct of discharged or wind up? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| d. | has a receiver and/or manager been appointed in respect of any of the assets of the said corporation? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| e. | entered into a compromise or arrangement with creditors or members? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| f. | has a petition presented in a court for its winding up? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| g. | been subjected to any actions by, or entered into a settlement with, any regulatory, supervisory or professional body? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| h. | acted in any manner which may make the corporation unfit to act as a Shariah adviser? | | | |
|  |  | No |  | Yes (please provide details\*) |
|  | | | | |
| *\* To indicate the date of conviction / judgement / contravention / bankruptcy / discharge, nature of offence, jurisdiction where the offence was committed and any other relevant information (where applicable)* | | | | |

|  |  |  |
| --- | --- | --- |
| **DECLARATION OF TRUTH AND ACCURACY OF INFORMATION** | | |
|  | We are aware that any representation to the Securities Commission Malaysia (“SC”) by whatever means or in any form that includes false or misleading statement can result in the SC taking action under Section 369 of the Capital Markets and Services Act 2007 or other provisions under the securities laws. In addition, it can adversely affect our (i) application or submission; and (ii) fit and proper standing to participate in the capital market industry. | |
|  | *Section 369 is in relation to the submission of any false and misleading statement to the SC. Examples of information submitted to the SC include, but not limited to, notification and reporting to the SC, provision of supplementary information or clarification regarding a submission, and any other information the SC may request. Contravention of section 369 may result in imprisonment for a term not exceeding 10 years and shall also be liable to a fine not exceeding three million ringgit upon conviction.* | |
|  | We hereby declare that all information provided in this submission is true and correct and we have neither concealed nor omitted any material fact or information. | |
|  | In addition to the declaration of truth and accuracy of information above, on the basis of a due and diligent enquiry made of the background of the named individual (Shariah Officer) in Form 2 (a) and other information available, we believe him to be a good character and reputation and have the competence and experience to perform the identified functions. | |
| **……………………………………………**  **Signature** *(Authorised signatory)* **:** | | **………………………………………………**  **Signature** *(Authorised signatory)* **:** |
| **Full Name :** | | **Full Name :** |
| **Designation :** | | **Designation :** |
| **Date of Signature***(dd mmm yyyy)* **:** | | **Date of Signature***(dd mmm yyyy)* **:** |