

SURUHANJAYA SYARIKAT MALAYSIA  
COMPANIES COMMISSION OF MALAYSIA

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A FORMER ENGINEERING  
COMPANY DIRECTOR  
CHARGED BY SSM FOR  
CONTRAVENTION UNDER  
THE COMPANIES ACT 1965

SHARE

## A FORMER ENGINEERING COMPANY DIRECTOR CHARGED BY SSM FOR CONTRAVENTION UNDER THE COMPANIES ACT 1965

Malim bin Mohamed, the former director of Satang Jaya Sdn Bhd (now known as Destini Prima Sdn Bhd) was charged in Shah Alam Sessions Court on Friday 26 April 2013 for contravening section 132(2)(d) of the Companies Act 1965.

The charge alleged that he had used the corporate opportunity that he became aware of in the performance of his function as Satang Jaya Sdn Bhd's director when he had given the contract awarded by the Government of Malaysia to Satang Jaya Sdn Bhd to GSE Engineering Sdn Bhd and Kobat Engineering Sdn Bhd to gain benefit for himself without the approval from the general meeting.

Malim bin Mohamed was also charged with an alternative charge under section 132(2)(c) of the Companies Act 1965 for using his position as a director to gain benefit for himself in relation to the same matter as alleged in the principal charge above.

Malim bin Mohamed pleaded not guilty to the charges and claims trial. He was released on a bail bond of RM15,000.00 with one (1) surety.

Earlier on 25th April 2013, Malim bin Mohamed was charged in the Kuala Lumpur Sessions Court with two counts of using false documents in applying for a loan amounting to RM9.44 million from a bank. In addition he was also charged with two additional charges of criminal breach of trust involving an amount of RM1.1 million.

SSM will make an application to the Shah Alam Sessions Court for the trial to be heard jointly with all the charges in the Kuala Lumpur Sessions Court. Mr. Steve Chin Yun Cheong prosecuted on behalf of SSM.

SSM hopes the above case will send out a clear message that officers of companies have a great responsibility to discharge their functions responsibly and with high integrity. SSM will continue its enforcement action so as to encourage and promote proper conduct amongst directors, secretaries, managers and officers of a corporation in Malaysia.

ISSUED BY : SURUHANJAYA SYARIKAT MALAYSIA  
DATED : 29th April 2013

### BEKAS PENGARAH SYARIKAT KEJURUTERAAN DI DAKWA OLEH SURUHANJAYA SYARIKAT MALAYSIA (SSM) KERANA MELAKUKAN KESALAHAN DI BAWAH AKTA SYARIKAT 1965

Jumaat, 26hb April 2013: Bekas pengarah syarikat Satang Jaya Sdn Bhd (yang kini dikenali sebagai Destini Prima Sdn Bhd) iaitu Malim bin Mohamed, telah dituduh di bawah 132(2)(d) Akta Syarikat 1965 di Mahkamah Sesyen Shah Alam kerana telah menggunakan peluang yang beliau sedari dalam melaksanakan tanggungjawab beliau sebagai pengarah syarikat dengan memberikan pelaksanaan kontrak yang dimetrai oleh Kerajaan Malaysia dan syarikat Satang Jaya Sdn Bhd kepada syarikat GSE Engineering Sdn Bhd dan Kobat Engineering Sdn Bhd untuk maafaat peribadi tanpa kelulusan ahli dalam mesyuarat agung syarikat.

Malim bin Mohamed juga dituduh dengan pertuduhan alternatif di bawah seksyen 132(2)(c) Akta Syarikat 1965 iaitu beliau dikatakan telah menggunakan jawatan beliau sebagai pengarah syarikat berkaitan perkara yang sama seperti pertuduhan di atas untuk maafaat peribadi.

Beliau mengaku tidak bersalah ke atas kedua-dua pertuduhan di atas dan mohon untuk dibicarakan. Hakim Mahkamah Sesyen Shah Alam melepaskan beliau dengan ikat jamin RM15,000.00 dengan seorang penjamin.

Sebelum ini pada 25 April 2013, Malim bin Mohamed juga telah dituduh dengan empat (4) pertuduhan di bawah Kanun Keseksaan di Mahkamah Sesyen Kuala Lumpur. SSM akan membuat permohonan kepada Mahkamah Sesyen supaya kesemua kes di atas dibicarakan bersama.

Pendakwaan telah dikendalikan oleh Pegawai Pendakwa SSM iaitu En. Steve Chin Yun Cheong.

Pihak SSM ingin mengingatkan pegawai-pegawai syarikat bahawa mereka mempunyai tanggungjawab untuk melaksanakan tanggungjawab mereka dengan telus dan berintegriti. SSM akan mengambil tindakan penguatkuasaan yang berterusan dalam memastikan tadbir urus korprat yang baik diterapkan di kalangan pegawai-pegawai syarikat.

DIKELUARKAN OLEH : SURUHANJAYA SYARIKAT MALAYSIA (SSM)  
TARIKH : 29 APRIL 2013

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