

OPEN
ENROLMENT
PROGRAM

Corporate Governance Regulatory Updates for the Capital Markets

FACULTY

Shanti Geoffrey

WHO SHOULD ATTEND

- Board of Directors
- Compliance Officers
- Legal counsel
- Anyone else who might find it helpful.

www.asb.edu.my/executive-education

Course Fee: RM1,500 before SST



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PROGRAM OVERVIEW

Calls for higher standards of corporate governance have been rising in recent years – coming from both the regulators as well as investors particularly, institutional investors.

This program is designed to help directors and anyone else with interest in the capital markets to keep abreast with the latest in corporate governance laws and regulations. This would include recent changes to the Companies Act 2016 and the Listing Requirements of Bursa Malaysia, as well as pertinent aspects of the Malaysian Code on Corporate Governance issued by the Securities Commission. The program will discuss various case studies on corporate fraud, insider trading and market manipulation. The focus will be on highlighting aspects of the law or regulations that are often overlooked or misunderstood.

Additionally, given the dynamic nature of financial markets, the program will also explore the rise of digital assets, equity crowdfunding and peer-to-peer lending as new forms of investments; as well as the laws and regulations surrounding them. Particularly for directors of existing financial institutions who may be looking to either partner or acquire such companies, or else, develop such capabilities and technologies in-house, understanding the regulations behind their set-up and under which they operate is critical. Even for existing financial institutions with no such plans, understanding the competition is also important.

At the end of the program, participants will be able to:

- Articulate trends in the area of corporate governance within the capital markets;
- Understand what the law prohibits in terms of market manipulation, insider trading and corporate fraud;
- Appreciate how the capital market laws treat the use of digital assets, equity crowdfunding and peer-to-peer lending;
- Give directors a handle on what to look out for when considering new forms of investments such as digital assets, equity crowdfunding and peer-to-peer lending – whether as an investor or as a competitor.

PROGRAM OUTLINE

Sessions 1 & 2: Corporate Governance – Trends and Challenges

This session provides an overview of best practices of corporate governance, specific requirements imposed on public listed companies as well as recent changes to the MACC Act on corporate liability. It is vital to know the impact of these changes on companies. The session will cover:

- Changes in the Corporate Governance Code
- Changes to the Companies Act 2016
- Requirements under the Listing rules (applicable to PLCs only)
- Corporate fraud - specific provisions in the CMAA that are applicable to PLCs
- Corporate liability provision under the MACC Act
- Socially Responsible Investing (SRI)

Session 3: Developing Trends in Digital Platforms

Clarity in understanding the laws governing new digital offerings such as blockchain, equity crowdfunding and peer-to-peer lending is critical for anyone involved in such set-ups or keen to partner such companies or even, from the standpoint of a competitor. This session will provide an overview of recent changes in the regulatory framework to accommodate these new platforms.

Session 4: Insider Trading and Market Manipulation

Staying on the right side of the law is important and it is critical to know what the law provides on capital market offences. Recent cases in court have provided an opportunity to understand how the law is applied in practical terms. This session will cover the elements of the key market abuse provisions in the law and available defences.

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Shanti Geoffrey is the author of *Capital Market Laws of Malaysia*, a book which is widely used as a handbook by capital market intermediaries and professionals. A second edition of the book was published recently which covers changes in the capital market regulatory framework in detail.

Shanti graduated with an LLB and a LLM from the University Malaya and was admitted to the Malaysian Bar in 1990. She was a practicing lawyer before joining the Securities Commission Malaysia (SC) in 1994. During her 25-year career at the SC, she headed several departments including the Law Reform and Advisory Department as well as the Prosecution and Civil Enforcement Department. During her stint at the SC, she conducted prosecution cases for capital market offences as a gazetted Deputy Public Prosecutor.

Shanti retired from the SC in 2019. In May 2021, she joined the legal practice Christopher & Lee Ong specializing in securities laws.

REGISTRATION FORM

Corporate Governance Regulatory Updates for
the Capital Markets

FEE: RM1,500 before SST

NAME

DESIGNATION

COMPANY

ADDRESS

CONTACT TEL. NO. (COMPANY)

CONTACT TEL. NO. (PERSONAL)

EMAIL ADDRESS *(email address of participant and not a representative)*

NAME OF SECRETARY

CONTACT TEL. NO.

EMAIL ADDRESS

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