

On 28 March 2019, the Firm held a talk on 'Insolvency Sharing Session' by inviting two speakers, namely, Datuk Ng Seing Liong PJN JP and Ng Choon Jin who are the approved company auditors, liquidators and also tax agents.

Datuk Ng is the Senior Partner of S. L. Ng & Associates. He has more than 35 years experience in Fields of Audit, Tax, Business Advisory, Receivership and Liquidation for a wide variety of industry. He was the President of Real Estate and Housing Developers' Association Malaysia from 2006 to June 2010 and has been an Independent Non-Executive Director of Eversendai Corporation Berhad since 18 June 2010.

The talk was held at Azmilaw Academy and it was conducted with the purpose of sharing the knowledge on receivership, liquidation, corporate rescue mechanism and judicial management with the participants.

Receivership, as explained by Ng Choon Jin, indicates a form of insolvency administration. It is a private appointment of a receiver by a secured creditor under the terms of a deed of charge or debenture. He further explained on the statutory requirements on accepting appointment and the realization of assets.

The session continued with the topic on liquidation where Ng Choon Jin briefly defined liquidation as a method whereby the corporate structure of the company is dismantled and its property administered for the benefit of the creditors and members. He pointed out that the liquidator takes full control of the company by collecting and realizing all its assets, settle all the creditors' claims and distributes the surplus (if any) to its shareholders in accordance with their respective rights.

There are two modes of liquidation which are the compulsory winding up (known as court-ordered winding-up) and voluntary winding-up.

Ng Choon Jin then introduced the last two topics, namely, the corporate voluntary arrangement and judicial management. The talk on the former covers, among others, the documents to be submitted to the nominee and the duties of nominee before the arrangement.

On the other, a reference was made to Section 404 of the Companies Act 2016 when he

explained on the judicial management. The provision provides for the application for an order that a company should be placed under a judicial management and the appointment of a judicial manager.

The talk ended with an interactive Q&A session where the participants raised various issues and concerns.