

# Conclusion

It is highly important for you to be aware of your investor rights. This is to protect you, the shareholder, against poor management and wrong actions or inactions of the existing management team. Be alert and lodge proper complaints with the relevant bodies to ensure that you are protected against misconduct.

## Reference Chart

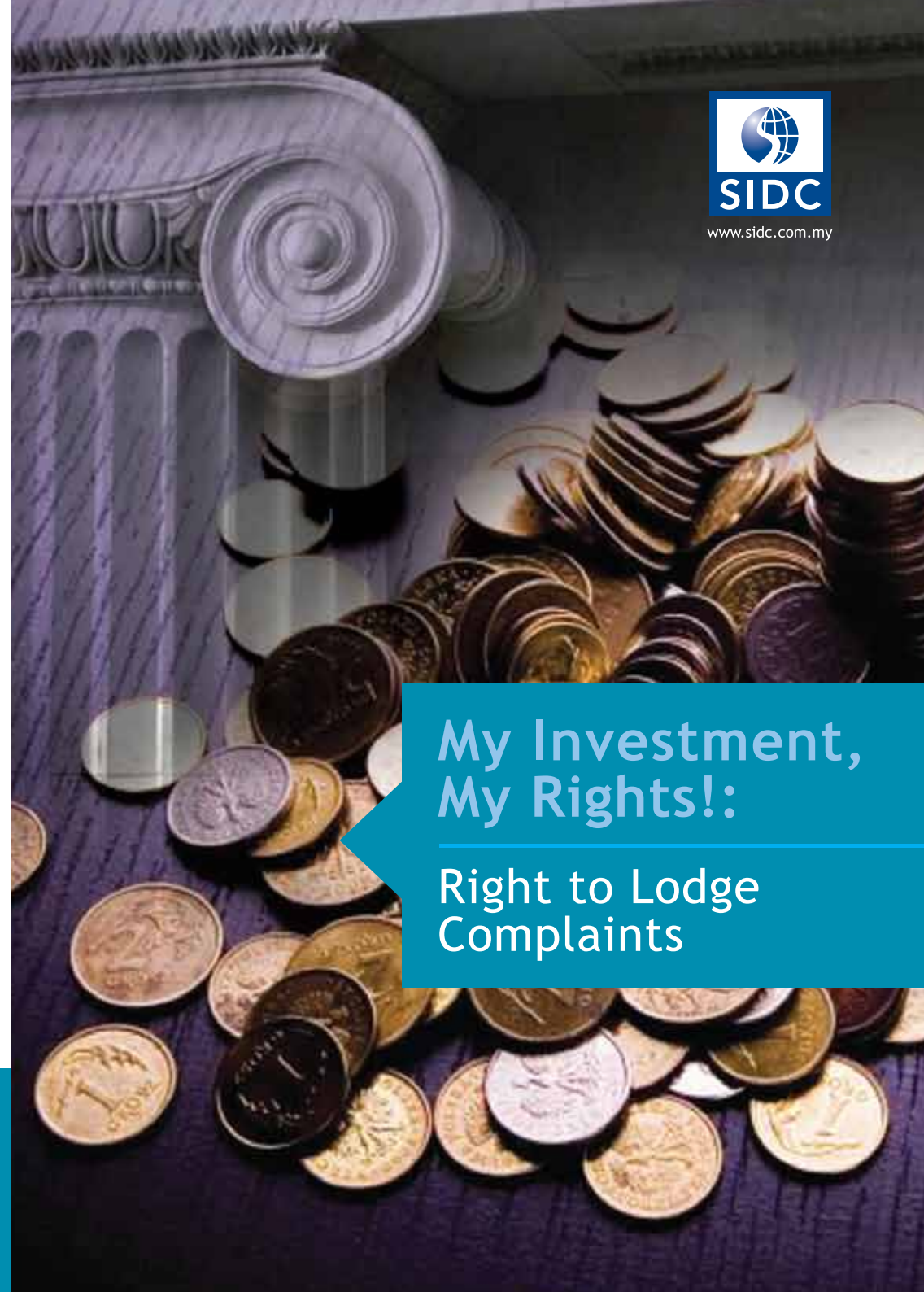
Organisation	Types of complaints
Bursa Malaysia	<ul style="list-style-type: none"><li>• Issues with stock broking companies</li><li>• Complaints against PLCs</li></ul>
FIMM	<ul style="list-style-type: none"><li>• Issues with unit trust agents</li></ul>
MDTCC	<ul style="list-style-type: none"><li>• Consumer rights issues (including direct selling and multi-level-marketing)</li></ul>
CCM	<ul style="list-style-type: none"><li>• Issues related to company conduct and legality</li></ul>
BNM	<ul style="list-style-type: none"><li>• Issues related to conventional and Islamic banking, insurance and takaful, advisory services for small and medium enterprises, FOREX</li></ul>
SC	<ul style="list-style-type: none"><li>• Issues related to securities and futures markets</li></ul>

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My Investment,  
My Rights!:

Right to Lodge  
Complaints



# About Us

SECURITIES INDUSTRY DEVELOPMENT CORPORATION (SIDC), the leading capital markets education, training and information resource provider in ASEAN, is the training and development arm of the Securities Commission Malaysia (SC). It was established in 1994 and incorporated in 2007.

SIDC has been delivering professional excellence for more than 15 years. We organise training programmes for Malaysian and foreign regulators, company directors and market professionals as well as conduct public investor education seminars on wise investing and investors' rights.


We develop and facilitate training both locally and internationally through a range of programmes and activities, including conferences, seminars and workshops. In collaboration with the SC, we develop examination questions and modules and conduct licensing examinations as part of the licensing regime for Malaysian capital market intermediaries.

For more information, visit [www.sidc.com.my](http://www.sidc.com.my) and [www.min.com.my](http://www.min.com.my).

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# Introduction



Investment is all about putting your money in places where you hope to be able to make profits and to obtain good returns. As an investor, it is important for you to have basic knowledge in the kinds of investment you venture into. Equip yourself with the necessary information about the investment to make informed investment decisions.

For example, when investing in stocks you should know about the rights and responsibility attributed to you as a shareholder. Some basic due diligence would provide you with the necessary knowledge to monitor the performance of the company you have invested in. This would allow you to prevent your investment from shrinking due to some failure in corporate governance by the controlling shareholders or corporate managers. Even as a minority shareholder, you should be able to recognise circumstances where your rights as a shareholder have been oppressed.

There are also instances where, as a retail investor you are influenced to buy investment products that do not suit your risk appetite or investment objective. In such cases, you may end up losing a lot of money as your investment generates more losses than profit. Sometimes, in your effort to build your wealth, you may be conned by the cunning scammers who use various tactics to lure you with get-rich-quick schemes. Not only can these scams ruin your entire portfolio, they can also ruin your life.

As an investor, you should not remain passive and ignore any wrongdoings against the law or against your own personal right. Upon recognising such misdeeds, you must be aware of the appropriate steps and remedies to take in securing your beneficial rights. Action must be taken without any delay so that you are not bound by the statutory time bar.

In this leaflet, you will be introduced to the various bodies related to investments and where you can channel your complaints to in case you are faced with a sticky investment situation.

## Know the Laws



Malaysian laws provide several avenues for an investor to voice his complaints. It is important that you should opt to settle your complaints amicably with the party in dispute. In the event an amicable agreement cannot be reached, you can bring the matter up to the relevant authorities for further action.

You must therefore be equipped with sufficient knowledge of the laws and regulations that protect your rights as an investor.

The following Acts of Parliament govern the securities and futures industries in Malaysia :

- **Capital Markets and Services Act 2007 (CMSA)**
- **Securities Commission Act 1993 (SCA)**
- **Securities Industry Central Depository Act 1991 (SICDA)**

Within these acts, investors would be able to understand the laws relating to the securities industry in Malaysia. For example, the Securities Commission Act 1993 establishes the Securities Commission as the regulator of all matters relating to the securities and futures industries. Understanding the Securities Commission's role and function enables investors to see how the securities and futures industries in Malaysia are regulated.



## Where to Lodge Complaints

### 1 / Bursa Malaysia

Bursa Malaysia is responsible for enforcing its business rules and regulations on its members, including the listing requirements which spell out the criteria for listing, disclosure requirements and standards to be maintained by companies listed on the Main Market and ACE Market.

If you are unable to solve your investment problem directly with your intermediary, you can bring your complaint against the intermediary to Bursa Malaysia. Examples of such complaints are:

- fraudulent misuse of money or other property by a director, officer, employee or representative of a licensed stock broking company
- defalcation by a stock broking company
- insolvency of a stock broking company
- improper trading practices by a stock broking company

Investors can also lodge complaints against public-listed companies (PLC) on matters such as:

- misleading/inaccurate/insufficient disclosure of information
- failure to disclose material information in financial statements or annual reports
- actions/inaction detrimental to the interest of shareholders
- improper business conduct by directors/management/share registrars of the PLC

All complaints to Bursa Malaysia should be addressed to:

#### **Customer Care Centre**

Bursa Malaysia Berhad, Lower Ground Floor  
Bukit Kewangan, 50200 Kuala Lumpur

Tel : 03-2732 0067

Fax : 03-2732 5258

Email : [aduan@bursamalaysia.com](mailto:aduan@bursamalaysia.com)



## 2 / Federation of Investment Managers Malaysia (FIMM)

FIMM was formerly known as the Federation of Malaysian Unit Trust Managers (FMUTM). It holds responsibility to register all individuals who distribute and market any form of unit trust products. It is your right as an investor to request agents to show their Authorisation Card issued by the FIMM before proceeding with your investment discussions. This would help you avoid getting cheated by irresponsible scammers.

Your rights as a unit trust holder, are explained in the prospectus of the unit trust fund and they include the right to:

- information
- receive a distribution from the unit trust fund (if declared)
- call for meetings of unitholders
- vote for the removal of Unit Trust Management Companies (UTMC) or trustees through a resolution at the unitholders' meeting
- exercise the cooling-off rule
- receive the unit trust fund's annual and interim reports
- have units repurchased back by UTMC

If you feel doubtful or unsatisfied with the services provided by your unit trust agent, you may lodge a complaint with the FIMM at:

### Complaints Bureau

Legal, Secretarial & Regulatory Affairs  
Federation of Investment Managers Malaysia  
19-07-3, 7th Floor PNB Damansara  
No. 19, Lorong Dungun Damansara Heights  
50490 Kuala Lumpur  
Tel : 03-2092 3800  
Fax : 03-2093 2700  
Email : legalcomp@fimm.com.my



## 3 / Ministry of Domestic Trade, Co-operatives and Consumerism (MDTCC)

The MDTCC is a strong platform for you to voice out your concerns and exercise your consumer rights. It aims to promote and encourage the competitive and ethical development of domestic trade while protecting the interests of consumers at large.

If you have qualms or concerns with regard to the issues below, the MDTCC is the best avenue for you to contact:

- price of necessity items
- copyrights, trademarks and intellectual property
- consumer protection
- legitimacy of direct selling / multi-level-marketing businesses

Channel your complaints to:

### Ministry of Domestic Trade, Co-operatives and Consumerism

No 13, Persiaran Perdana, Presint 2, 62623 Putrajaya  
Hotline : 1-800-886-800  
Website : <http://eaduan.kpdnkk.gov.my>  
Email : [e-aduan@kpdnkk.gov.my](mailto:e-aduan@kpdnkk.gov.my)



## 4 / Bank Negara Malaysia (BNM)

The Central Bank of Malaysia or BNM has always placed emphasis on efficient and effective work culture and delivery of services to stakeholders, including the public. To promote better understanding of the public's rights and responsibilities, BNM has established the one-stop Integrated Contact Centre (ICC).

The public may contact BNM for enquiries or complaints in the following areas:

- conventional and Islamic banking
- insurance and takaful
- advisory services for small and medium enterprises
- foreign exchange administration
- and other matters under BNM's purview

You can seek assistance at:

### Contact Centre (BNMTELELINK)

Corporate Communications Department

Bank Negara Malaysia, P.O. Box 10922, 50929 Kuala Lumpur

Tel : 1-300-88-5465 (1-300-88-LINK)

Fax : 03-2174 1515

Email : [bnmtelelink@bnm.gov.my](mailto:bnmtelelink@bnm.gov.my)



## 5 / Companies Commission of Malaysia (CCM)

For instances where improper conduct occurs within a company, investors can also approach the Companies Commission of Malaysia (CCM). It administers the Companies Act, which provides facilities for the incorporation of companies, their constitutions, companies' relations with members and creditors, management issues as well as the winding-up process. The act also protects the rights and interests of shareholders and investors.

Investors can turn to CCM to check the legality of a certain company and also to verify its status as a registered company.

The CCM can be reached at:

### Menara SSM@Sentral

No 7, Jalan Stesen Sentral 5, Kuala Lumpur Sentral,  
50623 Kuala Lumpur

Tel : 03-2299 4400

Fax : 03-2299 4411

Hotline : 03-2299 5500

Email : [enquiry@ssm.com.my](mailto:enquiry@ssm.com.my)

## 6 / Securities Commission Malaysia (SC)

The SC accepts all types of related complaints, as such complaints can assist in alerting it of irregular activities occurring within the industry or new fraudulent investment scams targeted at the public. The Investor Affairs & Complaints Department of the SC inquires into complaints on improper conduct and other irregularities in the securities and futures markets to assess whether they disclose offences under the securities laws.

The following are examples of the categories of complaints:

- Complaints against public-listed companies
- Complaints against licensed intermediaries
- Complaints against share registrars
- Complaints against issuing houses
- Complaints against exchanges
- Complaints concerning dealings in unit trust
- Complaints concerning dealings in securities
- Complaints concerning dealings in futures



## How to Lodge a Complaint



To lodge a complaint with the SC, you can call or email:

### Investor Affairs & Complaints Department

Securities Commission Malaysia  
No 3 Persiaran Bukit Kiara  
Bukit Kiara, 50490 Kuala Lumpur

Tel : 03-6204 8999

Fax : 03-6204 8991

E-mail : aduan@seccom.com.my

Alternatively, you can download and complete the complaint form available on the SC website ([www.sc.com.my](http://www.sc.com.my)) and send it to the address above.

### What should be in the complaint?

To expedite matters, remember to provide the following information in your complaint:

- The name of the complainant, mail and email addresses, and telephone numbers
- The name, mail and email addresses, telephone numbers, and any website address of party(ies) mentioned in the complaint
- Specific details of how, why and when the issue of concern arose

## What happens after a complaint is filed?



Once your complaint reaches the SC, the following will happen:

1. The complaint will be reviewed and evaluated
2. The complaint will be referred to the appropriate department within the SC
3. If a possible breach of securities law is detected, the Investigation Department of the SC will run further investigations

All investigations done by the SC are conducted on a strictly confidential basis. This is done to protect the investigative process and the persons involved.

The SC cannot under its laws disclose the existence or non-existence of an investigation and any information gathered.

The SC does not conduct arbitrations and will not act as a lawyer or adviser. Any action taken by the SC is taken on its own behalf.