

## STATUTORY DECLARATION

### PART A

#### **BANKRUPTCY, LITIGATION AND AUTHENTICITY OF DOCUMENTS**

I, *[insert name and identity card/passport number of director]* of *[insert address as per stated in identity card]* trading in the name and style of *[insert name of applicant business]* (*[insert business registration number]*), and having its principal place of business at *[insert registered address of applicant business]* (the “**Business**”) **DO HEREBY SOLEMNLY AFFIRM AND DECLARE** as follows:

1. That:-
  - (a) I have not been adjudged a bankrupt; and
  - (b) I have not committed any acts of bankruptcy; and
  - (c) there is no bankruptcy notice or bankruptcy petition filed against me; within or outside Malaysia.
2. That to the best of my knowledge, none of the other partners in the business (if any) or any of the secretaries of the Business:-
  - (a) have been adjudged a bankrupt; and
  - (b) have committed any acts of bankruptcy; and
  - (c) have any bankruptcy notice or bankruptcy petition filed against them; within or outside Malaysia.
3. There is no winding-up petition pending and/or threatened against the Company nor has the committed any acts of insolvency, within or outside Malaysia.
4. There are no unresolved disputes, litigation and/or arbitration (in any tribunal, court or any other forum) or investigations by any Government agency, body, or other regulatory authority of any kind, in or outside Malaysia, which involves the Business. There are also no such unresolved disputes, litigation, arbitration and/or investigations as aforesaid which involves the Business’s agents, directors (including myself) and the secretaries in so far as such disputes, litigation, arbitration and/or investigations relate to the functions, duties and obligations of such persons and myself, in and to the Business.
5. That all authorisations, approvals, consent, licence, exemption, registration, recording or filing and all action, conditions and things required to be taken, fulfilled and done in order to carry out the business activity or activities of the Business have been taken, fulfilled and done.
6. There is no default or breach (whether actual or threatened) of any agreement or undertaking to which the Business (or its agent) is a party.
7. That all agreements to which the Business is a party and which are in connection (in any manner whatsoever) with the Business’s application to **PERBADANAN NASIONAL BERHAD** (“**PNS**”) for financing, are valid and subsisting, and have not been terminated.
8. That all information, documents and oral representations furnished or to be furnished by or on behalf of the Business, its employees, agents and consultants in connection with the Business’s application to **PNS** for financing, are true, complete, accurate and valid.
9. That the Business has fully disclosed all information, facts and circumstances which the Business knows or should reasonably know and which might reasonably be expected to influence **PNS** in deciding whether to provide financing to the Business.

## STATUTORY DECLARATION

### PART B

#### NON-CONFLICT OF INTEREST WITH PERBADANAN NASIONAL BERHAD

I, [*insert name and identity card/passport number of director*] of [*insert address as per stated in identity card*] trading in the name and style of [*insert name of applicant business*] ([*insert business registration number*]), and having its principal place of business at [*insert registered address of applicant business*] (the “**Business**”) **DO HEREBY SOLEMNLY AFFIRM AND DECLARE** as follows:

- (1) that neither myself nor the partners of the Business (if any) is a director of PERBADANAN NASIONAL BERHAD (“PNS”);
- (2) that neither myself nor the partners of the Business (if any) is a shareholder of PNS;
- (3) that neither myself nor the partners of the Business (if any) is in the employment of PNS;
- (4) that neither my family members nor the partners of the Business (if any) family members is a director of PNS;
- (5) that neither my family members nor the partners of the Business (if any) family members is a shareholder of PNS;
- (6) that neither my family members nor the partners of the Business (if any) family members is in the employment of PNS;
- (7) that none of the employees of the Business is a director of PNS;
- (8) that none of the employees of the Business is a shareholder of PNS;
- (9) that none of the employees of the Business is in the employment of PNS;
- (10) that none of the employee’s family members of the Business is a shareholder of PNS;

which for the purposes herein, I confirm that:-

- (a) “**family members**” shall include spouse, parent, child (including adopted child and step-child), brother, sister and the spouse of such child, brother or sister.

; and

(b) **“body corporate associated with the Business”** shall include a Company / corporation:

(i) which is the holding Company of the Company; or

(ii) which is the subsidiary Company of the Company; or

(iii) which is the subsidiary of the holding Company of the Company; or

(iv) which is, or the directors of which are, accustomed or under an obligation (whether formal or informal) to act in accordance with the directions, instructions or wishes of the Company or of any directors or shareholders of the Company; or

(v) in accordance with the directions, instructions or wishes of which, or of the directors of which, the Business or any directors or shareholders of the Business is accustomed or under an obligation (whether formal or informal) to act; or

(vi) which holds not less than 15% of the voting shares in the Company; or

(vii) in which the Company holds not less than 15% of the voting shares; or

(viii) which any of the said Company/ corporation’s director, shareholder and/or persons connected with him are entitled to exercise, or control the exercise of, no less than 15% of the voting shares in the Company; or

(ix) in which any of the Company’s director, shareholder and/or persons connected with him are entitled to exercise, or control the exercise of, no less than 15% of the voting shares.

