

STATUTORY DECLARATION

PART A

BANKRUPTCY, LITIGATION AND AUTHENTICITY OF DOCUMENTS

I, [*insert name and identity card/passport number of director*], a director of [*insert name of applicant company*] (*insert company number*), a company incorporated in Malaysia and having its registered office at [*insert registered address of applicant company*] (the “**Company**”) **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 directors or any of the secretaries of the Company:-

- (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 Company 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 Company. There are also no such unresolved disputes, litigation, arbitration and/or investigations as aforesaid which involves the Company’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 Company.

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 Company 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 Company (or its agent) is a party.

7. That all agreements to which the Company is a party and which are in connection (in any manner whatsoever) with the Company’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 Company, its employees, agents and consultants in connection with the Company’s application to **PNS** for financing, are true, complete, accurate and valid.

9. That the Company has fully disclosed all information, facts and circumstances which the Company knows or should reasonably know and which might reasonably be expected to influence **PNS** in deciding whether to provide financing to the Company.

STATUTORY DECLARATION

PART B

NON-CONFLICT OF INTEREST WITH PERBADANAN NASIONAL BERHAD

I, [*insert names and identity card / passport numbers of directors*], being the director of [*insert name of the company*] (Company No. []), a company incorporated in Malaysia and having its registered office at [*insert registered address of applicant*] (the “**Company**”) have been duly authorised to affirm this Statutory Declaration for and on behalf of the Company. We **DO HEREBY SOLEMNLY AFFIRM AND DECLARE** as follows:-

- (1) that none of the directors of the Company is a director of PERBADANAN NASIONAL BERHAD (“PNS”);
- (2) that none of the directors of the Company is a shareholder of PNS;
- (3) that none of the directors of the Company is in the employment of PNS;
- (4) that none of the members of any of the Company’s director’s family is a director of PNS;
- (5) that none of the members of any of the Company’s director’s family is a shareholder of PNS;
- (6) that none of the members of any of the Company’s director’s family is in the employment of PNS;
- (7) that none of the shareholders of the Company is a director of PNS;
- (8) that none of the shareholders of the Company is a shareholder of PNS;
- (9) that none of the shareholders of the Company is in the employment of PNS;;
- (10) that none of the members of any of the Company’s shareholder’s family is a director of PNS;
- (11) that none of the members of any of the Company’s shareholder’s family is a shareholder of PNS;
- (12) that none of the employees of the Company is a director of PNS;
- (13) that none of the employees of the Company is a shareholder of PNS;
- (14) that none of the employees of the Company is in the employment of PNS;
- (15) that none of the members of any of the Company’s employee’s family is a shareholder of PNS;

STATUTORY DECLARATION

(continued)

which for the purposes herein, we confirm that:-

(a) “**members of family**” 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 Company**” 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 Company or any directors or shareholders of the Company 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.

STATUTORY DECLARATION

PART C

STATUTORY DECLARATION OF NON-PAYMENT OF 3RD PARTY INTERMEDIARY FEES

I, [*insert names and identity card / passport numbers of directors*], being the director of [*insert name of the company*] (Company No. []), a company incorporated in Malaysia and having its registered office at [*insert registered address of applicant*] (the “**Company**”) have been duly authorised to affirm this Statutory Declaration for and on behalf of the Company. We **DO HEREBY SOLEMNLY AFFIRM AND DECLARE** as follows:-

- (1) that the Company, in procuring a credit facility from PERBADANAN NASIONAL BERHAD (“PNS”) shall not at any time paid and/or make and/or offer to pay and/or make any fees and/or other form of incentive/inducement, whether in cash or in kind, to any employee, director and/or shareholder of PNS and/or to any third party intermediaries;
- (2) that none of the directors, shareholders and/or employees of the Company, in procuring a credit facility from PNS shall not at any time pay and/or make and/or offer to pay and/or make any fees and/or other form of incentive/inducement, whether in cash or in kind, to any employee, director and/or shareholder of PNS and/or to any third party intermediaries.

AND I make all the above solemn declarations conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1960.

SUBSCRIBED AND SOLEMNLY DECLARED)
 by the above named)
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 at)
 this day of 2013)

Before me,

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