

Form D-2A | Proposed notice to members of meeting concerning remuneration or other benefits

Section 188(b), Myanmar Companies Law 2017

Note

If there is insufficient space on the form to supply the information required, attach a separate sheet containing the information set out in the prescribed format.

For office use only

Name of company

Registration number

1. General instructions

Section 188(a) of the Myanmar Companies Law 2017 provides that the board of a company may (subject to its constitution and the law), authorise a payment or benefit or loan or guarantee or contract referred to in section 187(a) to a director or other related party of the company if it is approved by members. The proposed notice of a member meeting must first be filed with the Registrar. Section 188(b) of the Myanmar Companies Law 2017 provides:

“Before the notice convening the relevant meeting is given, the company must file with the Registrar:

- (i) a proposed notice of meeting setting out the proposed resolution;
- (ii) a proposed explanatory statement setting out all information known to the company that is material to the decision on how to vote on the resolution, including details of the director or related party receiving the payment or benefit or loan or guarantee or contract and details of such the payment or benefit or loan or guarantee or contract; and
- (iii) any other document that is proposed to accompany the notice convening the meeting and that relates to the proposed resolution.”

2. Attach copy of the proposed notice of meeting

3. Attach copy of the proposed explanatory statement

4. Attach copy of any other document that will accompany the notice of meeting to be sent to the members

5. Procedure after filing this form with the Registrar

Section 188(c) of the Myanmar Companies Law 2017 provides that the Registrar will have 28 days following the filing of this form to determine if the company may release the proposed notice of meeting to the members. If the Registrar determines that the notice may be sent, or a determination is not issued within this period, then the company may send the notice of meeting.

Section 188(d) of the Myanmar Companies Law 2017 provides that the Registrar may direct the company to clarify or vary any document submitted under section 188(b) where this is considered reasonably necessary for the protection of members.

6. Signed by authorised person

I certify that the information provided on this form and any document attached to this form are true and correct.

Name:

Signature: _____

Capacity: Director Secretary

7. Lodged by

Name:
Address:

Telephone:

Email:

8. Checklist

The following must accompany this form—

- Copy of the proposed notice to members of meeting.
- Copy of the proposed explanatory statement.
- Copies of any additional documents that will accompany the notice of meeting, if applicable.
- The prescribed filing fee.