GOVERNANCE OF CORPORATIONS AND BUSINESS ASSOCIATIONS - ISSUES AND RECENT DEVELOPMENTS

GEN EDITOR

AIMAN NARIMAN MOHD SULAIMAN

IIUM Press
CONTENTS

Foreword ............................................................................................................. i
Biodata of Contributors .................................................................................. iii
Contents ............................................................................................................. vii
Table of Cases .................................................................................................. ix
Table of Statutes ............................................................................................... xi

PART A

ISLAMIC PERSPECTIVES: REGULATORY FRAMEWORK
AND WEALTH MANAGEMENT

CHAPTER 1 ........................................................................................................ 1
Liabilities of Partners: The Malaysian Law and the
Islamic Law Perspectives
Engku Rabiah Adawiah Engku Ali and Zuhairah
Ariff Abd Ghadas

CHAPTER 2 .................................................................................................... 17
Legal Infrastructure of Islamic Capital Market in
Malaysia
Rusni Hassan

CHAPTER 3 .................................................................................................... 37
Wealth Purification and Disposition: A Special
Reference to the Creation of Waqf on Land
Akmal Hidayah Halim

CHAPTER 4 .................................................................................................... 57
Islamic Perspective on Corporate Governance:
Identifying Theories and Challenges
Abdul Hamid Oba Yusof
PART B

GOVERNANCE: THEORIES AND APPLICATION

CHAPTER 5 ................................................................. 95
Recent Developments on Directors’ Remuneration-
Lessons for Malaysia
Aiman Nariman Mohd Sulaiman

CHAPTER 6 ................................................................. 119
Board Structure and Composition for Banking
Institutions- An Indonesian Perspective
Indira Retno Aryanti and
Aiman Nariman Mohd Sulaiman

CHAPTER 7 ................................................................. 141
Takeovers and Mergers: The New Landscape for Malaysia
Mushera A Khan

CHAPTER 8 ................................................................. 153
Financial Reporting Failures, Listing Requirements and
Duty of Care
Aiman Nariman Mohd Sulaiman

CHAPTER 9 ................................................................. 165
Corporate Social Responsibility: Government-Linked
Corporations and Government Led Initiatives in Malaysia
Halyani Hassan

CHAPTER 10 ............................................................... 181
Limited Liability Partnership in Malaysia with Special
Reference to the Labuan Limited Partnership and
Labuan Limited Liability Partnership Act 2010
Zuhairah Ariff Abd Ghadas.
CHAPTER TEN

LIMITED LIABILITY PARTNERSHIP IN MALAYSIA
WITH SPECIAL REFERENCE TO THE LABUAN
LIMITED PARTNERSHIP AND LABUAN LIMITED
LIABILITY PARTNERSHIP ACT 2010

ZUHAIRAH ARIFF ABD’GHADAS

INTRODUCTION

In Malaysia, the business vehicles are merely confined to sole proprietorships, partnerships and company. However, a new business vehicle known as Limited Liability Partnership (LLP) is going to be introduced in Malaysia soon as the i.L.P Bill 2011 has been scheduled for Parliamentary readings in the 2011 session.\(^1\) However, in January 2010, Labuan, which is part of Malaysia, introduced the Labuan Limited Partnerships and Limited Liability Partnerships Act (LLP and LLiP Act 2010) which enabled LLP to be form in Labuan. The new Act renamed offshore limited partnership as Labuan limited partnership and provides for the establishment and conversion of Labuan companies into Labuan LLP.

---

1 Assoc Professor, Ahmad Ibrahim Kulliyyah of Laws, International Islamic University Malaysia.