

For immediate release.

Kuala Lumpur, 6 March 2023

## **PUBLIC REPRIMAND AGAINST A UNIT TRUST & PRIVATE RETIREMENT SCHEMES CONSULTANTS**

The Federation of Investment Managers Malaysia (FIMM) recently reprimanded two Unit Trust Schemes (UTS) and Private Retirement Schemes (PRS) Consultants for their misconduct/breach of FIMM's Code of Ethics and Rules of Professional Conduct (Unit Trust Funds), Second Edition dated 22 January 2013 (FIMM's Code) and FIMM's Code of Ethics, 3rd Edition dated 13 January 2020 (FIMM's Revised Code), respectively, as follows:

<b>No.</b>	<b>Person Reprimanded</b>	<b>Facts</b>
1.	Najhi Bin Abdul Hamid (Najhi), who was at the material time a UTS and PRS Consultant of Public Mutual Berhad (Public Mutual) (FIMM No: 022-0-24229 & P-022-0-21050)	Najhi was found to be in breach of Clauses 3.1.3(a) and 3.1.11(g) of FIMM's Code for committing the following misconducts:  (i) requested pre-signed switching forms from an investor (Investor); and  (ii) performed switching transactions in respect of the Investor's UTS investment with Public Mutual without the Investor's prior authorization.
2.	Yap Zhen Khang (Yap), who was at the material time a UTS and PRS Consultant of Public Bank Berhad (PBB) (FIMM No: 547-I-23041 & P-547-I-20835)	Yap was found to be in breach of Paragraphs 3.1 and 4.1(c) of FIMM's Revised Code for committing the following misconducts:  (i) Forged a customer's signature on the Request for Switching Form dated 30 November 2020 and performed unauthorised switching transaction of the customer's UTS investment; and  (ii) Forged 18 other customers' signatures on the Request for Switching Forms involving 20 switching transactions between 4 June 2020 and 30 November 2020.

Clause 3.1.3(a) of FIMM's Code requires UTS/PRS Consultants at all times to act with honesty, dignity and integrity.

Clause 3.1.11(g) of FIMM's Code requires UTS/PRS Consultants to conduct all dealings with every care, skill and diligence and should not request or allow an investor to pre-sign (or pre-thumbprint) any form relating to their investment.

Paragraph 3.1 of FIMM's Revised Code requires Consultants to act honestly and with integrity at all times.

Paragraph 4.1(c) of FIMM's Revised Code prohibits Consultants from committing forgery including forging signature of an investor or any other person.

Additionally, Najhi has been suspended from FIMM's registration for a period of one (1) month effective 13 February 2023 pursuant to Rule 6.6.1(b)(viii) of FIMM's Consolidated Rules (FCR), and is required to attend training / courses relating to "FIMM's Code of Ethics" pursuant to Rule 6.6.1(b)(v) of the FCR.

During the Suspension Period, Najhi is not allowed to be involved in the marketing, promoting and/or distributing of UTS and PRS directly, or indirectly through other UTS/PRS Consultants.

Yap on the other hand has been barred from registration with FIMM for a period of five (5) years with effect from 18 March 2021 pursuant to Rule 6.6.1(b)(x) of the FCR and is required to attend training on "FIMM's Code of Ethics" pursuant to Rule 6.6.1(b)(v) of the FCR, should Yap decide to be re-registered with FIMM.

This Public Reprimand is imposed to send a strong message that FIMM will take action against those who fail to comply with any rules issued by FIMM. This is to deter UTS and PRS Consultants from committing any misconducts and reminding them that it is crucial to observe FIMM's rules when marketing and distributing UTS and PRS in Malaysia to protect the interests of the investing public.

The public is reminded to refrain from giving cash or have it credited into UTS or PRS Consultants' personal account for investment purposes. The public is also advised not to pre-sign any investment application form and ensure that the official receipt of investment is received from the Distributor of the UTS/PRS. If any detail or information in the receipt is inaccurate, please check with the Distributor.

Yap's misconduct was detected via referral from PBB.

For more information on matters related to UTS/PRS and investor protection, please visit [www.fimm.com.my](http://www.fimm.com.my).

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**Media enquiries**

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**Note to Editors**

**About Federation of Investment Managers Malaysia**

The Federation of Investment Managers Malaysia (FIMM) was established on 7 August 1993. By a gazette order dated 20 January 2011, FIMM was recognised by the Securities Commission Malaysia (SC) as a Self-Regulatory Organisation (SRO).

As an SRO, FIMM regulates and supervises its members and registered persons to strive for the highest level of integrity and standards of practice that will best serve the investment management industry and promote investor protection.

**FIMM's Code of Ethics and Rules of Professional Conduct (Unit Trust Funds)**

[FIMM's Code of Ethics and Rules of Professional Conduct \(Unit Trust Funds\)](#), Second Edition dated 22 January 2013 (FIMM's Code) can be downloaded from our website [www.fimm.com.my](http://www.fimm.com.my). FIMM's Code was implemented to ensure that UTS and PRS Consultants conduct themselves and act with professionalism, integrity, and honesty when dealing with investors.

**FIMM's Code of Ethics**

FIMM's Code of Ethics (Third Edition) dated 13 January 2020 can be downloaded from our website [www.fimm.com.my](http://www.fimm.com.my).

**FIMM's Consolidated Rules**

FIMM's Consolidated Rules dated 1 June 2016 can be downloaded from our website [www.fimm.com.my](http://www.fimm.com.my)