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PART A OVERVIEW

1. Introduction

1.1 The Guidelines address requirements on the application of financial reporting standards and information to be disclosed in the financial statements of banking institutions.

1.2 In August 2008, the Malaysian Accounting Standards Board (MASB) announced the convergence policy with International Financial Reporting Standards (IFRS) in 2012. Convergence with IFRS would entail full compliance with IFRS as a basis for financial reporting in Malaysia for interim and annual financial statements beginning on and after 1 January 2012, both in content and timing of implementation. The Bank has engaged in constructive dialogue with MASB on the application of financial reporting standards to financial institutions, and the most suitable approaches to meet the financial reporting objectives under financial reporting standards and the objectives of prudential supervision which focus on financial institutions' financial soundness and the overall stability of the financial system. Where the objectives diverge, adjustments to accounting information or policies for prudential purposes may be needed, with appropriate disclosures to the market.

1.3 For statistical reporting under the Financial Institutions Statistical System (FISS), banking institutions shall refer to the *Guidelines on Submission of FISS Reports*.

2. Applicability

2.1 The Guidelines are applicable to all banking institutions (commercial banks and investment banks) licensed under the Banking and Financial Institutions Act 1989 (BAFIA) in the preparation of an institution's own and consolidated financial statements.

3. Legal Provision

3.1 The Guidelines are issued pursuant to sections 41, 42 and 126 of the BAFIA.

4. Effective Date and Transition

4.1 The Guidelines are effective for financial years beginning on and after 1 January 2012.

4.2 Notwithstanding the restatement or adjustment to the opening balances at the beginning of the financial year in which these Guidelines and/or applicable financial reporting standards are first applied, retrospective restatement of the statutory reserves maintained in compliance with section 36 of the BAFIA is not required.

4.3 Banking institutions are not allowed to early apply MFRS 9 *Financial Instruments* for financial years beginning before 1 January 2015.

PART B REGULATORY REQUIREMENTS

5. Compliance with Financial Reporting Standards

5.1 Banking institutions shall ensure that financial statements are prepared in accordance with the financial reporting standards approved by MASB subject to any accounting requirements specified in these Guidelines.

5.2 The board of directors is responsible to ensure that the financial statements are drawn up so as to give a true and fair view of the state of affairs and of the results of the banking institutions. This is consistent with the fiduciary and statutory duties placed on the board as persons responsible for managing the affairs of the banking institution. Hence, the board shall be satisfied that a sound financial reporting structure is in place to ensure the integrity and credibility of financial statements.

5.3 Where a specific accounting requirement is prescribed in these Guidelines for prudential reasons, banking institutions shall comply with the prescribed requirement and disclose a statement to that effect.

6. Specific Accounting Requirements

6.1 For the financial statements and financial reports referred to under Part C and Part D of these Guidelines, the presentation currency shall be in Ringgit Malaysia.

6.2 For the purpose of disclosures of non-compliance with externally imposed capital requirements, the capital adequacy requirements prescribed under paragraph 5.1 of the Guidelines on *Risk-Weighted Capital Adequacy Framework and Capital Adequacy Framework for Islamic Banks (General Requirements and Capital Components)* shall apply.

6.3 Banking institutions that are member institutions of Perbadanan Insurans Deposit Malaysia (PIDM) shall also comply with disclosure requirements specified by PIDM.

7. Requirements on the Use of Fair Value Option for Financial Instruments

7.1 MFRS 139 specifies that a financial instrument shall be classified as *financial asset or financial liability at fair value through profit or loss*[1] if the financial instrument is either classified as *held for trading,* or upon initial recognition it is *designated* as at fair value through profit or loss (thereafter referred as 'fair value option'). The requirements in this section refer to financial instruments designated at fair value under the fair value option.

7.2 Banking institutions applying the fair value option for portfolios of financial assets and liabilities and individual financial asset and liability shall do so in a manner that is consistent with both applicable financial reporting standards and the banking institution's risk management and controls framework.

7.3 Banking institutions should ensure that the effect of the use of the fair value option is understood by the board and its use is managed, monitored and reported to the senior management and the board in an effective and transparent manner. In this regard, banking institutions are required to provide a one-time notification to the Bank of the intention to apply the fair value option and the scope of the fair value application on financial instruments as approved by the board, at least 1 month before the option is first applied.

7.4 The use of the fair value option must be supported by a sound governance structure, risk management systems and related risk management policies and procedures which ensure that:

(a) there is an appropriate segregation of duties between those responsible for fair values used in the financial statements and those in the risk-taking functions;

(b) the use of the fair value option is consistent with the way the banking institution measures and manages risk;

(c) the circumstances and conditions under which the fair value option is exercised by the banking institution are within the defined parameters and risk

[1] Refer to sub-paragraph (b) of the *Definitions of Four Categories of Financial Instruments* under paragraph 9 of MFRS 139 *Financial Instruments: Recognition and Measurement*.

limits established and approved by its board for the use of the fair value option;

(d) appropriate valuation methods are being used;

(e) fair values are reliable for instruments in the fair value option category;

(f) risk management and control policies, as approved by the board, relating to the use of the fair value option and related valuation methodologies are consistently applied and complied with; and

(g) appropriate information is provided periodically to the board or the audit committee on the use of the fair value option in particular where the fair value option is applied to illiquid instruments, and its impact on the bank's financial condition and performance. Documented procedures should be in place for the escalation of issues and exceptions to the board or the audit committee.

7.5 Banking institutions shall not apply the fair value option to instruments where reliable estimates of fair values cannot be made or where the valuation methodology has proven to be unreliable.

7.6 Banking institutions should also establish procedures for approving the use of the fair value option for new items, products or transactions, as well as the related controls. When determining whether to apply the fair value option to a particular new instrument or class of instruments, a banking institution should ascertain whether reliable fair values can be determined for those instruments. Existing risk management policies, procedures, and controls (including those related to valuation) may need to be revised or expanded to address the characteristics and risks of the new items, products or transactions to which the fair value option will be applied. New approvals must be consistent with the banking institution's established parameters for using the fair value option.

7.7 Financial assets and liabilities designated at fair value under the fair value option should be captured in the banking institution's risk measurement systems. The resulting exposure amounts should be included in internal reports that compare actual overall exposure to approved overall risk management limits.

7.8 Banking institutions should ensure sufficient documentation to support the use of the fair value option. In particular, the policies for measurement and management of risk and reliable valuation should be well documented and applied to individual (and

portfolios of) financial assets and liabilities designated at fair value through profit and loss. Where banking institutions use supplementary risk management information that is not based on financial reporting principles (e.g. Value-at-Risk) for internal risk management purposes and significant differences arise between the measurement and management of risk and financial reporting, this should be properly documented and deliberated by the board or audit committee.

7.9 Banking institutions shall assign specific responsibility for the determination of fair values used in the financial statements to persons outside the risk-taking functions. Financial assets and liabilities designated at fair value under the fair value option should be subject to the same rigorous valuation policies and practices applicable to other financial assets and liabilities measured at fair value. However, when applying the fair value option to illiquid instruments, banking institutions should employ a more rigorous valuation process than is used for liquid instruments, including documenting the process for estimating fair value and reliability of valuation.

7.10 Where models are used (including changes to a valuation model) to value financial assets and liabilities designated at fair value under the fair value option, these should be verified by a qualified function (e.g. Model Verification Group) that is independent of risk-taking activities as part of a regular cycle of model validation. The validation process should include an assessment of the stability of models used in terms of performance over a variety of conditions and back-testing of model outputs. Model validation should be performed at regular intervals (e.g. annually) with regular reporting to senior management and the board.

7.11 The use of the fair value option should be monitored by a function (e.g. the finance or control functions) that is independent of the risk-taking activities within the banking institution. The function should undertake the review of accounting policies and practices to ensure consistency with applicable financial reporting standards. Testing of individual transactions should also be taken to verify compliance with approved policies for the use of the fair value option. An independent process should be in place for approving and monitoring valuation adjustments for consistency and appropriateness. The results of independent reviews performed (including price verification differences and valuation adjustments and any changes to the method of determining such adjustments) should be documented and reported to senior management.

7.12 Where fair value is a critical component of financial performance, banking institutions should establish a process for the review and reporting to senior management on profit or loss and the resulting impact on the overall financial condition at sufficiently frequent intervals during the financial reporting cycles (e.g. daily or weekly).

7.13 The appropriateness of a banking institution's use of the fair value option, including the adequacy of the independent price verification procedures and controls, should be subject to a periodic review by internal audit. Banking institutions shall promptly address any deficiencies identified in the use of the fair value option by internal and external auditors.

7.14 The Bank may require banking institutions to submit supplemental information (including related risk management and valuation policies and practices) for the purpose of assessing the impact of the use of fair value option on risk, earnings and capital adequacy.

7.15 The Bank may also require any banking institution to obtain an independent validation from an external auditor on the institution's compliance with the expectations under these Guidelines. This may be exercised after taking into consideration the risk management systems, policies and procedures for the estimation of fair values or where the Bank has reason to believe that the expectations under these Guidelines have not been fully or satisfactorily met.

8. Minimum Disclosure Requirements

8.1 The requirements under this section refer specifically to disclosures which form part of the *financial statements* and do not deal with other disclosures provided by banking institutions as part of the Annual Report (e.g. Director's Report, Statement on Corporate Governance).

8.2 Banking institutions shall make disclosures in the financial statements in accordance with the requirements of the financial reporting standards, and include information specified under paragraphs 8.5 and 8.6 of these Guidelines.

8.3 Banking institutions shall comply with the following key principles on disclosure of information:

(a) information should be timely and up-to-date, to avoid undue delays in disclosure which may affect the relevance of the information being disclosed;

(b) the scope and content of information disclosed and the level of disaggregation and detail should be sufficient to provide comprehensive, meaningful[2] and relevant information;

(c) adequate disclosures should be provided on areas of uncertainty, in particular information on key estimates and if sensitivity analysis is used, a discussion on the assumptions and the probabilities of the occurrence of various scenarios; and

(d) disclosures should allow comparisons over time and between institutions.

8.4 Banking institutions shall present a statement of financial position that groups assets and liabilities by nature, listed in an order that reflects the relative liquidity of the groups of assets and liabilities. Similarly, a statement of comprehensive income should reflect income and expenses grouped by nature, quantifying the principal types of income and expenses.

8.5 The explanatory notes to be disclosed in the *annual* financial statements of banking institutions shall include the following information:

(a) deposits from customers with a breakdown by:

(i) types of deposits (e.g. demand, savings, term)

(ii) types of customers (e.g. Government, business enterprises)

(iii) maturity structures of term deposits[3] (e.g. < 6 months, 6-12 months, 1-3 years)

(b) loans, advances and financing with a breakdown by:

(i) measurement basis (e.g. amortised cost, fair value)

- for fair value through profit or loss, show separately those designated as fair value upon initial recognition, and those classified as held-for-trading

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[2] For example, given the heterogeneity of users of financial reporting, background information on the wider economic environment a banking institution operates in is often necessary to provide sufficient information to understand the context for specific disclosures. Information should also be useful to support decision-making by users.

[3] Including investment deposits and negotiable instruments of deposits.

(ii) types of loans/financing (e.g. overdrafts, term loans/financing, revolving credit, hire-purchase, housing loans/financing)

(iii) geographical distribution

(iv) interest rate/profit rate sensitivity (e.g. fixed rate, variable rate)

(v) sector or economic purpose

(vi) residual contractual maturity (e.g. up to 1 year, 1-5 years, > 5 years)

(c) a movement schedule of impairment provisions segregated between individual impairment and collective impairment and showing separately the amount charged and the amount utilised to write-off impaired loans during the year.

(d) loans, advances and financing classified as impaired[4] (irrespective of whether provisions are made) with separate disclosures of:

(i) a movement schedule showing separately the amount classified during the year as impaired, amount reclassified as non-impaired, amount recovered and amount written off

(ii) a breakdown of impaired loans, financing and advances by geographical area and by sector or economic purposes

(e) interest income and interest expenses with a breakdown by categories of financial assets or liabilities. Interest income recognised for impaired loans, advances and financing[5] should be disclosed separately.

(f) non-interest income and other operating expenses with a breakdown of major items of income or expense.

(g) CEO and Directors' remuneration with a breakdown of types of remunerations[6] (e.g. salary, fees, bonus, benefits-in-kind, retirement benefits), disclosed separately for the CEO and each individual director, distinguishing between executive and non-executive directors.

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4 Refer to paragraph 11.1 of the guidelines on *Classification and Impairment Provisions for Loans/Financing.*

5 Accrued in accordance with paragraph AG93 of MFRS 139 *Financial Instruments: Recognition and Measurement*.

6 Alternatively, to disclose under the Corporate Governance section.

(h) capital

(i) capital structure[7]

- eligible Tier 1 capital, with the following breakdown:
  - paid-up share capital
  - reserves, including retained earnings
  - minority interests in subsidiaries
  - innovative instruments
  - non-innovative instruments
  - other capital instruments
  - amounts deducted from Tier 1 capital

- the amount of Tier 2 capital, with the following breakdown:
  - subordinated term debt/sukuk
  - eligible reserves
  - amounts deducted from Tier 2 capital
- total capital base

(ii) capital adequacy

- total risk weighted capital ratio and Tier 1 capital ratio shown separately before and after payment of dividends

(i) reserves with a breakdown by type (e.g. statutory reserves[8]) and purpose of reserves maintained. A movement schedule shall also be disclosed.

(j) liquidity risk information[9] incorporating an analysis of assets and liabilities in the relevant maturity tenures based on remaining contractual maturities. Banking institutions may also provide the analysis of assets and liabilities in the relevant maturity tenures based on their behavioural profile.

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7 The definition should be similar to that prescribed under the guidelines on *Risk-Weighted Capital Adequacy Framework and Capital Adequacy Framework for Islamic Banks (General Requirements and Capital Components).*

8 Statutory reserves maintained in compliance with section 36 of the BAFIA.

9 Disclosures should be in line with Principle 13 of the *Principles for Sound Liquidity Risk Management and Supervision, Basel Committee on Banking Supervision, September 2008.*

(k) commitments and contingencies with a breakdown by types and amount distinguishing between contingent liabilities, commitments and derivative financial instruments.

(l) operations of Islamic banking with separate disclosures[10,12] of:
  (i) a statement of financial position;
  (ii) a statement of comprehensive income;
  (iii) a statement of changes in equity; and
  (iv) explanatory notes

8.6 The explanatory notes to be disclosed in the *interim* financial reports shall include the following information:
  (a) deposits from customers
  (b) loans, advances and financing
  (c) a movement schedule of impairment provisions
  (d) loans, advances and financing classified as impaired[11]
  (e) interest income and interest expenses
  (f) capital
  (g) commitments and contingencies
  (h) operations of Islamic banking[10, 12]

The breakdown for the above explanatory notes shall be consistent with that specified for annual financial statements (refer to paragraph 8.5).

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10 The breakdown should be similar to that prescribed under the *Guidelines on Financial Reporting for Licensed Islamic Banks.*

11 Refer to paragraph 11.1 of the guidelines on *Classification and Impairment Provisions for Loans/Financing.*

12 Banking institutions with full-fledged Islamic subsidiaries are not required to show the separate disclosures on operations of Islamic banking.

PART C SUBMISSION REQUIREMENTS

9. Annual Financial Statements

9.1 Pursuant to section 41 of the BAFIA, banking institutions shall submit audited financial statements to Jabatan Penyeliaan Konglomerat Kewangan or Jabatan Penyeliaan Perbankan, Bank Negara Malaysia, as applicable, within 3 months after the close of each financial year. Unless notified by the Bank in writing pursuant to section 41(4), banking institutions shall not publish or lay the audited financial statements at its annual general meeting.

9.2 Banking institutions shall submit to the Bank the annual financial statements with the following supporting schedules:

(a) management letter prepared by the external auditors;

(b) the (draft) annual financial statements of any subsidiaries which are major contributors to the group's profits;

(c) analysis, both in tabular and narrative form, of the overall assessment of the group's financial performance. The analysis of performance, for the current and preceding year, of each institution within the group which are major contributors to the group's profits shall at a minimum, include the following:

(i) total assets (in RM and % of group);

(ii) profit/(loss) before tax (in RM and % of group);

(iii) profit/(loss) after tax (in RM and % of group);

(iv) dividends (if any);

(v) ratio of Profit/(loss) before tax to average shareholders' funds; and

(vi) ratio of Profit/(loss) before tax to average total assets; and

(d) any other supplementary information as the Bank may specify.

9.3 Banking institutions shall include a statement in the Directors' Report on compliance with the Bank's expectations on financial reporting, including those applicable under these Guidelines and the guidelines on *Classification and Impairment Provisions for Loans/Financing*.

10. Interim Financial Reports

10.1 For interim financial reports prepared on a quarterly basis (applicable for first and third quarter reporting), banking institutions are required to submit the financial reports to Jabatan Penyeliaan Konglomerat Kewangan or Jabatan Penyeliaan Perbankan, Bank Negara Malaysia, as applicable, not later than 4 weeks after the end of each interim period. Unless notified by the Bank, banking institutions shall disclose the interim financial reports in their respective websites not earlier than 5 working days after the final submission of the interim financial reports and relevant schedules to the Bank.

10.2 For interim financial reports prepared on a half-yearly basis (applicable for first half-year reporting), banking institutions are required to submit the financial reports to Jabatan Penyeliaan Konglomerat Kewangan or Jabatan Penyeliaan Perbankan, Bank Negara Malaysia, as applicable, not later than 4 weeks after the end of the interim period. Unless notified by the Bank in writing, banking institutions shall not disclose (and/or submit to Bursa Malaysia, in the case of a listed banking institution) the interim financial reports in their respective websites.

10.3 Where there is a proposed interim dividend, banking institutions shall not disclose (and/or submit to Bursa Malaysia, in the case of a listed banking institution) the interim financial reports in their respective websites unless the proposed dividend has been approved by the Bank.

10.4 In the submission of the interim financial reports, banking institutions shall attach the following supporting schedules:

(a) interim financial reports of principal subsidiaries;

(b) certification by the officer primarily responsible for the financial management of the banking institution that the interim financial reports are prepared in conformity with the financial reporting standards in Malaysia;

(c) where an interim dividend is proposed,

(i) a certification by the external auditor of the banking institution; and

(ii) a statement by the board certifying the banking institution's compliance with the Bank's expectations on financial reporting,

including those applicable under these Guidelines and the guidelines on *Classification and Impairment Provisions for Loans/Financing*;

(d) analysis, both in tabular and narrative form, of the overall assessment of the group's financial performance. The analysis of performance, for the current interim period and cumulatively for the current financial year to date and comparable interim period (current and year-to-date) of the preceding financial year, of each institution within the group which are major contributors to the group's profits shall at a minimum, include the following:

(i) total assets (in RM and % of group);

(ii) profit/(loss) before tax (in RM and % of group);

(iii) profit/(loss) after tax (in RM and % of group);

(iv) dividends (if any);

(v) ratio of Profit/(loss) before tax to average shareholders' funds; and

(vi) ratio of Profit/(loss) before tax to average total assets; and

(e) any other supplementary information as the Bank may specify.

PART D PUBLICATION REQUIREMENTS

11. Annual Financial Statements

11.1 Pursuant to section 42 of the BAFIA, banking institutions shall publish a complete set of the financial statements (both the institution's and consolidated financial statements) within 14 days after the laying of the financial statements at its general meeting, in at least two local daily newspapers.

11.2 The two approved local daily newspapers, one of which shall be in the national language and the other in English, are:

(a) Berita Harian or Utusan Malaysia; and

(b) The New Straits Times or The Star

11.3 Banking institutions may publish an abridged format of the annual audited financial statements in the newspapers if, and only if, the full text of the annual audited financial statements is made available on the respective banking institution's website. Banking institutions shall include a prominent note stating that the full set of the financial statements is available on the institution's website, together with the address of the website[13].

11.4 The abridged format of the financial statements (both the institution's and consolidated financial statements) to be published in the newspapers shall, at a minimum, consist of the following:

(a) a statement of financial position;

(b) a statement of comprehensive income;

(c) a statement of changes in equity;

(d) a statement of cash flows;

(e) Auditors' Report; and

(f) explanatory notes on:

(i) securities[14] portfolio;

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[13] For banking institutions which do not have a website, the full set of the financial statements may be made available on the corporate website of the parent company provided that the note accompanying the abridged format of the financial statements states clearly that the full set of the financial statements is available on the parent company's corporate website with details provided on the exact URL that points to the webpage carrying the financial statements of the banking institution.

[14] For example, financial instruments carried at fair value through profit or loss, available-for-sale and held-to-maturity.

(ii) loans, financing and advances including movements in the impaired loans and impairment provision accounts;

(iii) commitments and contingencies;

(iv) capital; and

(v) Islamic banking operations

- a statement of financial position; and
- a statement of comprehensive income

11.5 For the purpose of complying with the requirement to exhibit the audited financial statements under section 42 of the BAFIA, banking institutions may exhibit the abridged format of the financial statements at every office of the banking institution.

12. Interim Financial Reports

12.1 Banking institutions shall disclose in the websites the interim financial reports (both the institution's and consolidated financial statements) prepared on a quarterly (applicable for first and third quarter reporting) and half-yearly basis, not later than 8 weeks after the close of the interim period[15].

12.2 Where the audited financial statements for the preceding financial year has yet to be published by the end of the eighth week after the close of the interim period, banking institutions may disclose in the websites the first quarter interim financial reports on the same day or not later than 3 days after the publication of the annual audited financial statements.

[15] For banking institutions which do not have a website, the interim financial reports may be made available on the corporate website of its parent company.