

## REQUIREMENTS FOR FOREIGN TRADE IN SERVICES

### MALAYSIA

#### General Requirements

- Approval is required for the following cases of acquisition of assets or interests of Malaysian companies and businesses, including mergers and take-overs:
  - the acquisition of the voting rights of a Malaysian corporation by any single foreign interest or associated group of 15% or more, or an aggregate foreign interest of 30% or exceeding RM5 million in value;
  - any proposed acquisition of any assets or interests by any means which will result in ownership or control passing to foreign interest; and
  - control of Malaysian corporations through any form of joint-venture agreement, management agreement, technical assistance agreement or other arrangements.
- Entry and temporary stay are allowed for the following natural persons:
  - Intra-corporate Transferees, covering Senior Managers and Specialists or Experts
    - Each organisation is allowed to employ two specialists or experts.
    - Additional specialists or experts may be allowed subject to market test and the training of Malaysians through an acceptable training programme
    - Such persons shall be employees of the foreign service supplier and have been in the employment of that foreign service supplier for a period of not less than one year immediately preceding the date of their application for a work permit and he shall serve in at least a similar capacity.
  - Others, covering Specialist or Experts, Professionals and Business Visitors
    - Specialists or experts are subject to market test and the employment of Malaysians as counterparts and/or training of Malaysians through acceptable training programmes
    - Professionals shall have been duly recognised by the professional bodies in Malaysia and registered with those respective professional bodies; and
    - Business visitors' entry and temporary stay shall only be for the purposes of negotiating for the sale of services or entering into agreements to sell services and shall not engage in direct sales to the general public.
- Entry and stay of natural persons shall not exceed a total of five years, except for business visitors, whose period of stay shall not exceed a total of 90 days.
- Measures and special preferences granted to Bumiputera, Bumiputera status companies, trust companies, and institutions set up to meet the objectives of the New Economic Policy (NEP) and the National Development Policy (NDP), shall be observed.
- Corporations in which the Government has an interest shall, in acquiring services, give first consideration to service suppliers in which the Government has an interest, except for other service suppliers whose services are competitive in terms of price, quality and delivery.
- Land, Property and Real Estate: Approval may be denied if their acquisition, disposal or dealing is undertaken for speculative or non-productive purpose or for purposes which may conflict with the interest of the State.

## **Business Services**

### Legal Services

- Legal services shall only be supplied to offshore corporations established in the Federal Territory of Labuan, and only through a corporation incorporated in the Federal Territory of Labuan.
- Foreign law firms are not allowed to operate in Malaysia except as minority partners with local legal firms:
  - foreign equity in any partnership is limited to 30%.
  - partnership firm is required to state the name of the local partner ahead of the international company's name.
- Special Admission Certificate as an advocate and solicitor of the High Court may be issued by the Attorney General subject to the following requirements:
  - The foreign lawyer is a qualified person; or
  - The foreign lawyer possesses an equivalent qualification which renders him eligible to practise as a legal practitioner by in any country outside Malaysia; and
  - has been practising as a legal practitioner within Malaysia or outside Malaysia, for a period of not less than seven years.
- Foreign lawyers' consultancies are limited to services to advice concerning home country and international law.

### Accounting, Auditing and Bookkeeping Services

- Services shall be provided only through a locally registered partnership with Malaysian accountants or Malaysian accounting firms and aggregate foreign interests is limited to 49%.
- Only 8 specialists/experts are allowed for each institution, and subject to fulfilment of residency requirements.
- Entry is limited to maximum period of two years.

### Taxation Services

- Commercial presence is only allowed through a locally registered partnership or private limited company with Malaysian authorised tax agents/firms, and aggregate foreign interests is limited to 49%.
- Only 2 specialists/experts are allowed for each institution, and subject to registration as a tax agent under Section 153 of the Income Tax Act 1967 and fulfilment of residency requirements.
- Entry is limited to maximum period of two years.
- Citizenship or permanent residency is required for registration with Malaysian Institute of Accountants (MIA).

### Architectural Services

- Architectural services may be supplied only by natural person.

- For multi-disciplinary practices (architecture, engineering and/or quantity surveying), joint venture is required with foreign equity up to a maximum of 30%. The foreign professionals shall be registered in their countries of origin.
- Malaysian architectural firms are not allowed to have foreign architectural firms as registered partners.
- Only 2 specialists/experts are allowed per country, and registration is required.
- Foreign partner architects may not be licensed in Malaysia but are allowed to be managers, shareholders, or employees of Malaysian firms.
- Foreign directorship is not allowed.
- Architectural services must be authenticated by a licensed architect in Malaysia.

#### Engineering Services

- Engineering services may be supplied only by natural person.
- For multi-disciplinary practices (architecture, engineering and/or quantity surveying), joint venture is required with foreign equity up to a maximum of 30%. The foreign professionals shall be registered in their countries of origin.
- Foreign Directorship is not allowed.
- Engineering services must be authenticated by a registered professional engineer in Malaysia.
- Foreign engineer must be registered as a professional engineer in his or her home country, have a minimum of 10 years experience, and have a physical presence in Malaysia of at least 180 days in one calendar year.
- Professional engineers are subject to temporary registration for a period of one year per temporary registration.
- Foreign engineers are not allowed to operate independently of Malaysian partners or serve as directors or shareholders of an engineering consulting company.
- Foreign engineers may be licensed by the Board of Engineers only for specific projects and must be sponsored by the Malaysian company carrying out the project. The license is only valid for the duration of a specific project. To obtain temporary licensing for a foreign engineer, a Malaysian company must demonstrate to the Board that they cannot find a Malaysian engineer for the job.

#### Integrated Engineering Services

- Commercial presence is only allowed through a representative office, regional office or locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, for the purpose of services contract awarded in Malaysia.

- The aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%.
- Establishment of joint-venture corporation is only for duration necessary to complete the services contract.
- Employment of foreign engineering professionals is subject to temporary registration for a period of one year per temporary registration.
- Integrated engineering services must be authenticated by the relevant registered professionals in Malaysia.

#### Landscape Architectural Services:

- Commercial presence is only allowed through a locally registered partnership with Malaysian individuals or Malaysian controlled corporations or both, and aggregate foreign shareholding in the joint venture corporation is limited to 40 per cent.
- For the provision of advisory, planning and designing services for the aesthetic landscaping of golf courses and theme parks: the aggregate foreign shareholding in the joint-venture corporation is limited to 30%.
- Only two specialists/experts are allowed for each institution.

#### Building cleaning services:

- Covering disinfecting and exterminating services.
- Foreign equity is limited to 49%.

#### Specialty photography except aerial photography:

- Foreign equity is limited to 49%.

#### Packaging Services:

- Excludes services that consists solely of printing information on packaging materials.
- Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both.
- Foreign equity is limited to 49%.

#### Research and development services on natural sciences and engineering

- Exclude medical sciences and pharmacy, research and development on Malaysia's natural resources, biodiversity and genetic materials.
- Limited to industrial activities covering all science and engineering disciplines and does not include:
  - Quality control of products or routine testing of materials, devices, products or produce;
  - Research in the social sciences or humanities;

- Routine data collection;
  - Efficiency surveys or management studies; and
  - Market research or sales promotion.
- The aggregate foreign shareholding in the joint-venture corporation shall not exceed 49%.

#### Research and development services on medical sciences and pharmacy

- Research and experimental development on medical sciences and pharmacy limited to clinical trials and study which involves any investigation in human subjects intended:
  - to discover or verify the clinical, pharmacological and/or other pharmaco-dynamic effects of an investigational product(s), and/or
  - to identify any adverse reactions to an investigational products(s), and/or
  - to study absorption, distribution, metabolism, and excretion of an investigational product(s) with the object of ascertaining its safety and/or efficacy.
 (*This will also include pre-clinical contract research organization and contract manufacturing organization*)

Only for contract research and development company and research and development company locally incorporated as a joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both.

- The aggregate foreign shareholding in the joint-venture corporation shall not exceed 49%.

#### Research and Experimental Development Services on Social Sciences and Humanities

- Commercial presence is allowed through a locally incorporated joint-venture with Malaysian individuals or Malaysian-control corporation or both, and aggregate foreign interests is limited to 49%.

#### Interdisciplinary Research and Development Services<sup>1</sup>

- Only for contract research and development company and research and development company locally incorporated: commercial presence is only allowed through joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and foreign equity is limited to 49%.

#### Rental/leasing Services Relating to Ships without Operator (Excluding Cabotage and Offshore Trades) and Rental of cargo Vessels without crew (Bareboat Charter) for international shipping:

- Commercial presence is allowed through a representative office, regional office or Malaysian-controlled corporation acting as an agent.

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<sup>1</sup> Limited to industrial activities covering all science and engineering disciplines, including biotechnology and information communication technology; and defined as any systematic or intensive study carried out in the field of science or technology with the object of using the results of the study for the production or improvement of materials, devices, products, produce or processes but does not include:

- (i) Quality control of products or routine testing of materials, devices, products or produce;
- (ii) Research in the social sciences or humanities;
- (iii) Routine data collection;
- (iv) Efficiency surveys or management studies; and
- (v) Market research or sales promotion.

Leasing or Rental Services Concerning Construction Machinery and Equipment Without Operator:

- Commercial presence is allowed through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian-controlled corporation acting or both, and foreign equity is limited to 30%.

Leasing or rental services concerning other machinery and equipment without operator and Leasing or rental services concerning personal and household goods:

- Foreign shareholding shall not exceed 49 per cent.

Advertising Services

- Commercial presence is allowed through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and aggregate foreign shareholding is limited to 49%.
- Advertisement through electronic media must have at least 80% local content and be made in Malaysia.

Market Research Services

- Commercial presence is allowed through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both, and foreign equity is limited to 49%.

Public Opinion Polling Services

- Commercial presence is allowed through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and foreign equity is limited to 49%.

Project management services other than for construction

- Foreign equity is limited to 49%.

Management Consulting Services (Transmission of Non-Conventional Energy, Environmental Management Services, Pharmacy and International Value-Added Network Services)

- Commercial presence is allowed through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and requires Bumiputera shareholding of at least 30%.

Technical Testing and Analysis Services

- Commercial presence is allowed through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and requires Bumiputera shareholding of at least 30%

Packaging Services

- Commercial presence is allowed through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and foreign equity is limited to 49%.

### Convention Services

- For Convention Centres with over 5,000 seating capacity: Commercial presence is only allowed through joint venture with Malaysian individuals or Malaysian controlled corporations or both, and foreign shareholding is limited to 51%.

### Translation and Interpretation:

- Joint venture corporation with Malaysian individuals or Malaysian – controlled corporations or both and aggregate foreign shareholding shall not exceed 49% foreign equity.

### Operational Headquarters (OHQ) Services

- Commercial presence is allowed through a locally incorporated wholly foreign-owned company.
- The following companies may seek to qualify as an OHQ:
  - a regional office of a foreign-owned company which transfers its OHQ services to Malaysia;
  - a regional office of a foreign-owned company established in Malaysia; or
  - a foreign-owned company which is already incorporated in Malaysia.
- OHQ must operate in Malaysia and fulfil the following criteria:
  - carry out at least 3 of the OHQ service activities<sup>2</sup>
  - have a sizeable network of companies outside Malaysia which includes the parent company or its head office and related companies
  - have a well established foreign-owned company which is have a network of companies with substantial number of qualified executives, professionals, technical and other supporting personnel;
  - be able to make decisions independently without consultations with its head office or parent company located outside Malaysia;
  - must be able to contribute to the Malaysian economy by:
    - using services such as legal, accounting etc. provided by Malaysians;
    - creating job opportunities for Malaysians
    - enabling greater inflow of foreign funds

### International Procurement Centre (IPC) & Regional Distribution Centre (RDC)

- IPC/RDC must be locally incorporated, conducts its business in Malaysia and fulfils the criteria of an IPC<sup>3</sup>/RDC<sup>4</sup>.

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<sup>2</sup> covering general management and administration, business planning, procurement of raw materials, technical support, marketing control and sales promotion planning, training and personnel management, provision of treasury and fund management services and research and development carried out by a foreign company in Malaysia for its offices and related companies outside Malaysia.

<sup>3</sup> IPC refers to a locally incorporated company which carries on the business in Malaysia to undertake procurement and sales of raw materials, components and finished products for its group of related and unrelated companies in Malaysia and abroad.

<sup>4</sup> An RDC is a collection and consolidation centre for finished goods, components and spare parts produced by its own companies for its own brand to be distributed to dealers, importers or subsidiaries or other unrelated companies within or outside the country. Among the activities are bulk breaking, re-packaging and labelling.

## **Communication**

### Telecommunication Services

- Commercial presence is allowed through acquisition of shares of existing licensed public telecommunications operators for:
  - Voice service (wired or wireless)
  - Packet-switched data transmission services, including frame-relay services
  - Circuit switched data transmission services
  - Facsimile Service
  - Private leased circuit service
  - Domestic/International satellite services and satellite links/capacities (inclusive of mobile satellite)
  - Satellite earth station
  - International switching and other international gateway
  - Mobile services analogue/digital cellular
  - Trunked radio services
  - Video transport services
  - Foreign shareholding is limited to 51%
- Commercial presence may also be through acquisition of shares of existing licensed operators/corporations for:
  - Mobile telephone services
  - Telegraph services
  - Telex services
  - Foreign shareholding is limited to 51%
- Commercial presence may also be through acquisition of shares of an existing licensed VAS operators/corporations for:
  - Data and message transmission services
  - Mobile data services
  - Foreign shareholding is limited to 51%
- For data and message transmission services, simple resale is not permitted.
- Foreign Companies may only provide facilities-based services.
- Two specialists/experts are allowed for each institution, for a maximum period of two years for:
  - Mobile Data Services
  - Data and Message Transmission Services (covering Electronic mail, Voice mail, Online information and database retrieval, Enhanced facsimile, Code and protocol conversion)

### Audiovisual Services (Motion Picture, Video Tape and Audio Recording Distribution Services)

- Commercial presence is allowed through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and aggregate foreign shareholding is limited to 49%.
- Foreign investment in terrestrial broadcast networks is prohibited.
- In order to obtain a license to operate, video rental establishments shall have 30% local content in their inventories.
- 80% of television programming must originate from local production companies owned by Bumiputeras and 60% of radio programming must be of local origin.



Broadcasting Services (Covering Transmission from Foreign Broadcast Station of Foreign Broadcast Matter from Foreign Territory through Television or Radio)

- 20% of total screening time; and dubbing into the national language may be required.
- 80% of television programming must originate from local production companies owned by Bumiputeras and 60% of radio programming must be of local origin.

**Construction**

- Commercial presence is allowed through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both, and aggregate foreign shareholding is limited to 51%.
- Foreign construction companies will be given the status of a locally incorporated company if the company foreign equity does not exceed 30%. If the foreign equity exceeds the 30% requirement, the company will be given a status as a foreign company thus only allowed to participate on per project basis.
- Foreign contractors require provisional registration before participation in the tendering exercise and certificate of registration as a foreign contractor if awarded a particular project.

**Distribution**

Wholesale Trade Services

- The foreign company involved in wholesale and retail businesses must be incorporated locally under the Companies Act 1965.
- The aggregate of foreign equity is limited to 30%, while local shareholding in the joint-venture corporation should be 70% out of which 30% must be for Bumiputeras.
- Minimum capital investment in terms of company's shareholding funds should be:
  - RM 10 million for departmental stores/hypermarkets.
  - RM 5 million for supermarkets.
  - For other types of distributive business, the minimum capital requirement will be considered on the merit of each case with particular reference to their contribution to the socio-economic development of Malaysia.
- For direct selling, local companies must have paid-in capital of RM 1.5 million, while companies with foreign shareholders must have paid-in capital of RM 5 million in order to obtain licenses.
- For Commission agents' services: Only for textiles, clothing and footwear and foreign shareholding is limited to 49%.
- For Franchising services: foreign shareholding is limited to 49%.
- Only one hypermarket is allowed for every 350,000 people, and impact study on the local retail sector is required.
- One key post and a maximum of ten time posts per company subject to the following conditions:

- Key Post: the person applying for the post must hold or has held a management position in the company's wholesale or retail business outside Malaysia for a period of not less than 3 years preceding the date of application for the work permit.
- Time Post: these posts are for executives or experts who must possess the necessary qualification and practical experience including holding equivalent or related position in the company's business for not less than 3 years and subject to the condition that Malaysians are trained to eventually take over the post concerned through an acceptable training programme

## Education

- Commercial presence is required through joint venture, and foreign equity is limited to 49%. However, for other higher education and adult education services, needs test may be required and not more than 51% foreign equity can be considered subject to additional criteria which include:
  - courses deemed important to attain Malaysia's educational objective
  - Potential to generate export revenues
- International schools are allowed only for:
  - Primary Education Services
  - General Secondary Education Services
- National curriculum is required for:
  - Technical and Vocational Secondary Education
  - Technical and Vocational Secondary School-type Education Services for Handicapped Students
- For other higher education and adult education services, entry and temporary stay are allowed for the following natural persons :
  - Intra-Corporate Transferees:
    - Senior managers
    - 10 lecturers and/or experts but not more than 20% of lecturers employed in an educational institution
  - Others: Professionals, Business Visitors
    - 2 professionals being persons who possess necessary professional qualifications, industry and/or who are employed on the basis of their expertise in an educational institution
  - Contractual service suppliers:
    - Independent professionals
    - Employees of juridical person

## Environmental Services

- Commercial presence is allowed through a locally incorporated, joint-venture with Malaysian individuals or Malaysian control corporations or both, and aggregate foreign shareholding is limited to 49%, for these services:
  - wastewater management (covering removal, treatment and disposal of industrial effluents);
  - protection of ambient air climate (covering services provided at industrial premises to remove air pollutants including monitoring of mobile emissions and implementation of control systems or reduction programmes);
  - noise abatement services (covering monitoring programmes, and installation of noise reduction and screen in residential, commercial and industrial premises); and

- nature and landscape protection services (covering only contaminated soil clean-up and remediation).
- Only for services contracted by the private sector. Does not include public works functions owned and operated by federal, state, district or municipalities or contracted out by them.

## **Healthcare-Related and Social Services**

### Specialised Medical Services:

- Medical specialty services may be supplied only by a natural person.
- Setting up of individual or joint group practices is not permitted.
- The Malaysian Medical Council (MMC) is a statutory body responsible for the registration of foreign medical practitioners to practice in Malaysia.
- Foreign medical specialists are limited to practice:
  - only in private hospitals of at least 50 beds;
  - only at a specified location and a change of location requires approval.

### Veterinary Services (Limited to Equine Animals in Equestrian and Turf Clubs):

- Commercial presence is allowed through a locally incorporated joint-venture with Malaysian individuals or Malaysian-control corporation or both, and aggregate share is limited to 51%.

### Dental Services:

- Foreign equity is limited to 49%.
- Establishment of branch clinics is not permitted.
- Specialist Dental Centre is allowed only through a locally incorporated joint-venture corporation with Malaysian dental practitioners and the Board of Directors shall include at least 1 Malaysian Practitioner.
- Establishment of private dental specialist centre with multidisciplinary specialty services should include at least 5 of the following specialties:
  - Oral Surgery,
  - Orthodontics,
  - Periodontics,
  - Pediatric Dentistry,
  - Restorative Dentistry,
  - Oral Pathology,
  - Oral Medicine, and
  - Special Care Dentistry.
- The Dental Specialist Centre may only operate in specified location.
- The private dental specialist centre must have at least 5 different dental specialists with a minimum of 25 dental chairs.

- Only 2 foreign dental specialists are allowed to practice in the private dental specialist centre.
- The foreign dental specialists are not allowed to open, operate or practice at any other private healthcare facility.

#### Private Hospital Services:

- Commercial presence is allowed through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and aggregate foreign shareholding is limited to 51%.
- The joint-venture corporation shall operate a hospital with a minimum of 100 beds.
- Establishment of feeder outpatient clinics is not permitted.

#### Specialised Nursing Services:

- Specialised nursing services may be supplied by a natural person.
- The setting up of individual or joint group practices is not permitted.
- Practice is allowed only in private hospitals of at least 50 beds and at a specified location. Change of location requires approval.

#### Vocational rehabilitation services for the handicapped:

- Foreign equity is limited to 49%.

### **Tourism and Travel-Related Services**

#### Hotel and Lodging Services

- Limited to 4 and 5 star hotels.
- Covering the management and operational of hotels or resorts including, outlet which may not necessarily include ownership of such properties.
- Commercial presence is allowed through joint venture corporation with Malaysia individuals or Malaysia-controlled corporations or both, and aggregate foreign shareholding is limited to 51%.

#### Food Serving Services and Beverage Serving Services

- Commercial presence is allowed through joint venture corporation with Malaysia individuals is limited up to 51%.

#### Travel Agencies and Tour Operators Services

- Limited to inbound travel only.

- Commercial presence is allowed through of joint venture corporation with Malaysia individuals or Malaysia controlled corporations or both, and aggregate foreign shareholding is limited to 51%.

## **Recreational, Cultural and Sporting Services**

### Theme Park:

- Commercial presence is allowed only through joint venture corporation with Malaysia individuals or Malaysia controlled corporations or both, and aggregate foreign shareholding is limited to 51%.

### Other Entertainment Services<sup>5</sup>

- Entertainment services may be supplied only by a natural person.
- Participation of Malaysian entertainers/artistes may be required based on the guidelines of the Ministry of Culture, Arts and Tourism.

### Sports Events Management Services:

- Commercial presence is allowed only through a Malaysian-controlled corporation acting as the local sponsor.
- Foreign equity shall not exceed 49 per cent.

## **Transport Services**

### International Maritime Transportation Services (Excludes Cabotage):

- Commercial presence is allowed through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and aggregate foreign shareholding is limited to 49%.
- Ship crew is permitted to disembark only for duration of berth.
- To register a vessel in Malaysia, the following conditions must be met:
  - Owner of that vessel must be a Malaysian citizen or corporation incorporated in Malaysia;
  - Majority shareholding to be held by Malaysians;
  - Majority of the board of directors to be Malaysians; and
  - Principal place of business to be in Malaysia.

### Rental of Cargo Vessels (with and without Crew) for International Shipping, Rental and Leasing Services of All Types of Self-Propelled Seagoing Vessels with Operator

- Commercial presence is allowed through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, and participation of Bumiputera shareholdings is at least 40%.

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<sup>5</sup> Covering CPC 96191 (theatrical producer, singer group, band and orchestra). 96192 (services provided by authors, composers, sculptors, entertainers, and other individual artists) and 96194 (circus, amusement park, and similar attraction services).

- Limited to services of hiring of a vessel with crew under charter party terms for voyage or period of time.
- Ships crew (for vessels with crew) is permitted to disembark only for duration of berth subject to applicable domestic regulations.

#### Road transport services:

- Covering private carriers (Class C Licence).
- Foreign equity is limited to a maximum of 49%.

#### Maintenance and Repair Vessels, Storage and Warehousing, Maritime Freight Forwarding Services, Maritime Cargo Handling Services & Classification Societies

- Commercial presence is allowed through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both, and foreign equity is limited to 49%.

#### Classification Societies, Maritime Cargo Handling Services and Storage and warehousing services (Covering private bonded warehousing services only):

- Excluding statutory services for Malaysia flag vessels.
- Only through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both.
- Foreign equity is limited to a maximum of 49%.

#### Vessel Salvage and Refloating Services (Not Applicable In Harbour) & Maritime Agency Services

- Commercial presence is allowed through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and participation of Bumiputera shareholdings is at least 40%.

### **Other Services not Included Elsewhere**

#### Skills Training Services

- Commercial presence is allowed through a locally incorporated a joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both, with foreign equity is limited to 30%.
- Establishment of local branches requires additional licenses.