

APPENDIX 1 TO ANNEX XIII

REFERRED TO IN ARTICLE 7.17 (SCHEDULES OF SPECIFIC COMMITMENTS)

MALAYSIA - SCHEDULE OF SPECIFIC COMMITMENTS

HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE UNLESS OTHERWISE INDICATED	<p>3) <u>Acquisition, Mergers and Take-overs</u></p> <p>The acquisition of assets or interests of Malaysian companies and businesses, mergers or take-overs requires approval and apply to the following:</p> <p>a) 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 more or exceeding RM5 million in value;</p> <p>b) any proposed acquisition of any assets or interests by any means which will result in ownership or control passing to foreign interest; and</p> <p>c) control of Malaysian corporations through any form of joint-venture agreement, management agreement, technical assistance agreement or other arrangements.</p>	<p>3) <u>Land, Property and Real Estate</u></p> <p>Approval may be denied if the acquisition, disposal or dealing of land or any interest in land, property and real estate is undertaken for speculative or non-productive purpose or for purposes which may conflict with the interest of the State.</p> <p><u>Incentives/Preferences</u></p> <p>Incentives are limited to eligible Malaysian-owned corporations engaged in service sectors promoted by the Government.</p> <p>Any measure and special preference 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 unbound.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>Approval is normally granted. However, it may be denied in circumstances where the proposed investment conflicts with the interest of the State.</p> <p>4) Unbound except for measures affecting the entry and temporary stay of natural persons defined below:</p> <p>1. <u>Intra-corporate Transferees</u></p> <p>a) senior managers being persons within an organisation having proprietary information of the organisation and who exercise wide latitude in decision making relating to the establishment, control and operation of the organisation being directly responsible to the CEO and receive only general supervision or direction from the board of directors or partners of the organisation; and</p>	<p>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. This requirement does not prevent the acquisition of services from other service suppliers where their services are competitive in terms of price, quality and delivery.</p> <p>4) Unbound except for the categories of natural persons referred to under market access</p>	
	<p>b) two specialists or experts per organisation being persons within the organisation who possess</p>		

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organisation's new service products and technology, research equipment and techniques or management.</p> <p>Additional specialists or experts may be allowed subject to market test and the training of Malaysians through an acceptable training programme in the relevant services sector or sub sector: Provided that such persons are 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 is to serve in at least a similar capacity.</p>		
	<p>2. <u>Others</u></p> <p>a) specialists or experts being persons who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organisations' products and services subject to market test and the employment of Malaysians as</p>		

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>counterparts and/or training of Malaysians through acceptable training programmes in the relevant services sector or sub sector;</p> <p>b) professionals being persons who possess necessary academic credentials, professional qualifications, experience and/or expertise which have been duly recognised by the professional bodies in Malaysia and registered with those respective professional bodies; and</p>		

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	<p>c) business visitors being persons not based within Malaysia, receiving no remuneration from a source located within Malaysia, who have been employed for at least one year by a foreign service supplier, whose entry and temporary stay is for the purposes of negotiating for the sale of services or entering into agreements to sell services for that service supplier and who will not engage in direct sales to the general public.</p> <p>d) <u>Installers and maintainers</u></p> <p>Installers and maintainers mean persons who are installer or servicer of machinery and/or equipment who are employed or appointed by a supplying company, where such installation and/or servicing by the supplying company is a condition of purchase of the said machinery and/o equipment, and are not performing activities which are not related to the installing or servicing activities which is the subject of the contract, and receives his or her remuneration from the supplying company.</p> <p>3. Entry and stay of natural persons defined in categories 1 a) and b) and</p>		

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	2 a) and b) shall not exceed a total of five years. For category 2 c) and d), the period of stay shall not exceed a total of 90 days.		

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Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
BUSINESS SERVICES			
A. Professional Services			
Legal Services (CPC 8619) covering advisory and consultancy services relating only to home country laws, international law and offshore corporation laws of Malaysia	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a corporation incorporated in the Federal Territory of Labuan.</p> <p>Legal services shall only be supplied to offshore corporations established in the Federal Territory of Labuan.</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
Accounting, auditing and bookkeeping services (CPC 862)	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally registered partnership with Malaysian accountants or Malaysian accounting firms and aggregate foreign interests shall not exceed 49%.</p> <p>(4) Unbound except as indicated in the horizontal section</p> <p>In respect of 2 b), residency is required for registration</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	<p>(4) The qualifying examination to determine the competence and ability to supply the service for the purposes of registration with the MIA will be conducted in the English language.</p>

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Taxation Services (CPC 863 / 8630)	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally registered partnership or private limited company with Malaysian authorised tax agents/firms and aggregate foreign interests in the partnership shall not exceed 49%.</p> <p>(4) Unbound except as indicated in the horizontal section</p> <p>In respect of 2 b), residency is required for registration</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	<p>(4) The qualifying examination to determine the competence and ability to supply the services for the purposes of registration with the professional bodies will be conducted in the English language.</p>
Architectural services (CPC 8671)	<p>(1) None</p> <p>(2) None</p> <p>(3) a) Architectural services may be supplied only by natural person;</p> <p>b) For multi-disciplinary practices (Architecture, Engineering and/or Quantity Surveying), foreign equity up to a maximum of 30% for joint ventures by professionals who are registered in the country of origin. Foreign Directorship is not allowed</p>	<p>(1) Architectural services must be authenticated by a licensed architect in Malaysia.</p> <p>(2) None</p> <p>(3) a) None</p> <p>b) None</p>	<p>(4) The qualifying examination to determine the competence and ability to supply the services for the purposes of registration with the professional bodies will be conducted in the English language.</p>

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	(4) Unbound except as indicated in the horizontal section and, in respect of 2 b), only an architect who is a consultant to a wholly foreign funded project subject to temporary registration for a period of one year.	(4) Unbound, except for the categories of natural persons referred to under market access	
Engineering services (CPC 8672) covering: (CPC 86721- 86729)	<p>(1) None</p> <p>(2) None</p> <p>(3) For multi-disciplinary practices (Architecture, Engineering and/or Quantity Surveying), foreign equity up to a maximum of 30% for joint ventures by professionals who are registered in the country of origin. Foreign Directorship is not allowed.</p> <p>(4) Unbound, except as indicated in the horizontal sector and in respect of 2 b), subject to temporary registration for a period of one year per temporary registration.</p>	<p>(1) Engineering services must be authenticated by a registered professional Engineer in Malaysia</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Engineering services must be authenticated by a registered professional engineer in Malaysia.</p>	(4) The qualifying examination to determine the competence and ability to supply the service for the purpose of registration with the professional bodies will be conducted in English language.
Integrated engineering services (CPC 8673) covering:	(1) None	(1) Integrated engineering services must be authenticated by the relevant registered professionals in Malaysia	(4) The qualifying examination to determine the competence and ability to supply the

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
(CPC 86731, 86732, 86733, 86739)	<p>(2) None</p> <p>(3) Only 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.</p> <p>The aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%.</p> <p>Establishment of such joint-venture corporation is only for a duration necessary to complete the services contract.</p> <p>(4) Unbound, except as indicated in the horizontal section and in respect of 2 b), for a period of up to one year or the duration necessary to complete the services contract.</p>	<p>(2) Integrated engineering services must be authenticated by the relevant registered professionals in Malaysia</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	<p>service for the purpose of registration with the professional bodies will be conducted in English language.</p>
Landscape architectural services (CPC 86742)	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally registered partnership with Malaysian Registered Landscape Architects or Malaysian-</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	<p>(4) Qualifying examination to determine the competency and ability to supply the service for the purposes of registration with the professional bodies will be conducted</p>

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 40%.		in the English language.
	(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	(4) Unbound, except for the categories of natural persons referred to under market access	
Landscaping services, covering the provision of advisory, planning and designing services for the aesthetic landscaping of golf courses and theme parks (CPC 86742*)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation with Malaysian Registered Landscape Architects or Malaysian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 30%. (4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
B. Computer and Related Services	(1) None	(1) None	
Consultancy services related to the installation of computer hardware (CPC 841)	(2) None	(2) None	
	(3) None	(3) None	
Software implementation service (CPC 842)	(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal	(4) Unbound, except for the categories of natural persons referred to under	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Data processing services (CPC 843)</p> <p>Data base services (CPC 844 / 84400)</p> <p>Maintenance and Repair Services of Computers (CPC 845)</p> <p>Other computer services (CPC 849**)</p> <ul style="list-style-type: none"> - Data preparation services from clients not involving data processing services (CPC 84910) - Other computer services not elsewhere classified (CPC 84990**) <p>Specifically training services for staff of clients; data recovery services; and development of creative content.</p>	section	market access	
<p>C. Research and Development Services</p> <p>Research and development services on natural sciences and engineering (CPC 851** except for CPC 85105 medical sciences and pharmacy and does not include research and development on Malaysia's natural resources, biodiversity and genetic materials)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) 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 and aggregate foreign equity shall</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

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Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
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:	not exceed 70%.		
(i) Quality control of products or routine testing of materials, devices, products or produce;	(4) Unbound except as indicated in 1(a) and (b) and 2 (a) and (c) in the horizontal commitments.	(4) Unbound, except for the categories of natural persons referred to under market access	
(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.			
Research and development services on medical sciences and pharmacy (CPC 85105**)	(1) None	(1) None	
	(2) None	(2) None	
Research and experimental development on medical sciences and pharmacy	(3) None	(3) None	

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<p>limited to clinical trials and study which evolves 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.</p> <p>(This will also include pre-clinical contract research organization and contract manufacturing organization)</p>	<p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
<p>Research and experimental development services on social sciences and humanities</p> <p>(CPC 8520 except 85203 and 85204)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 70%.</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
<p>Research and experimental development services on economics</p>	<p>(1) None</p>	<p>(1) None</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
(CPC 85202)	<p>(2) None</p> <p>(3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both and the aggregate foreign shareholding in the joint venture corporation shall not exceed 51%</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
<p>Interdisciplinary research and development services (CPC 8530**)</p> <p>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:</p> <p>(i) Quality control of products or routine testing of materials, devices, products or produce;</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) 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 and aggregate foreign equity shall not exceed 70 per cent.</p> <p>For interdisciplinary research and development services involving Malaysia's natural resources, biodiversity and genetic materials the</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
(ii) Research in the social sciences or humanities;	aggregate foreign equity shall not exceed 49 per cent.		
(iii) Routine data collection;	(4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal commitments.	(4) Unbound, except for the categories of natural persons referred to under market access	
(iv) Efficiency surveys or management studies; and			
(v) Market research or sales promotion.			
E. Rental/Leasing Services without Operator Relating to ships exclude cabotage and offshore trades (CPC 83103)	(1) None (2) None (3) Only through a representative office, regional office or Malaysian-controlled corporation acting as an agent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Rental of cargo Vessels without crew (Bareboat Charter) for international shipping (CPC 83103)	(1) None (2) None (3) Only through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation of at least 40%.	(1) None (2) None (3) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	(4) Ship's crew (for vessels with crew) is permitted to disembark only for duration of berth subject to applicable domestic regulations	(4) Unbound except for the categories of natural persons referred to under market access.	
Leasing or rental services concerning construction machinery and equipment without operator (CPC 83107)	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian-controlled corporation acting or both. Aggregate foreign shareholding in the joint venture corporation shall not exceed 51%.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
Leasing or rental services concerning other machinery and equipment without operator (CPC 83109)	<p>(1) None</p> <p>(2) None</p> <p>(3) Foreign shareholding shall not exceed 51%.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

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Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Leasing or rental services concerning personal and household goods (CPC 832)	(1) None (2) None (3) Foreign shareholding shall not exceed 51%. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
F. Other Business Services Advertising services (CPC 8711, 8712, 8719)	(1) Commercial presence is required (2) None (3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 51%. <u>Advertisement through electronic media</u> Advertisement must have at least 80% local content and be made in Malaysia (4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	(1) Unbound (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Market research services (CPC 86401)	(1) None (2) None	(1) None (2) None	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal commitments</p>	<p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
Public opinion polling services (CPC 86402)	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign equity shall not exceed 49%.</p> <p>(4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal commitments</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access column</p>	
<p>Management Consulting Services</p> <p>a) covering advisory, guidance and operational assistance services concerning management of the transmission of non-conventional energy (CPC 8650*)</p> <p>b) covering advisory, guidance and operational assistance on environmental management services</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>including risk assessment services (CPC 8650*)</p> <p>c) covering advisory and guidance in the field of pharmacy as follows:</p> <ul style="list-style-type: none"> - Basic material manufacturing consultancy in the manufacture of drugs in raw material form; - New systems of drug delivery; - Biotechnology-new techniques for influencing the process and products of living cells; - New techniques in drug development and methods of producing drugs and vaccine; and - Vaccine production (CPC 8650*) <p>d) covering advisory and guidance on International Value-Added Network Services, rural telecom development and human resource development in telecommunications (CPC 8650*)</p>			
<p>Project management services other than for construction (CPC 86601)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Foreign equity shall not exceed 49%</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
		market access	
Technical Testing and Analysis Services (CPC 8676 except 86764)	(1) None (2) None (3) None (4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Technical inspection services (CPC 86764)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the foreign shareholding in the joint-venture corporation shall not exceed 49%. (4) Unbound, except as indicated in 1 a) and b) and 2 a) in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access.	
Services incidental to agriculture and fishing (CPC 881*, 882*) Covering only specialised consultancy, advisory and operational assistance on	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation with	(1) None (2) None (3) None	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
crop and fisheries management, including, value-added services such as preservation techniques, etc.	Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 per cent.		
	(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	(4) Unbound, except for the categories of natural persons referred to under market access.	
Services incidental to manufacturing (CPC 884, 885 except 8842)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 per cent. (4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal section.	(1) None (2) None (3) None (4) Unbound except as indicated in the market access column.	
Services incidental to energy distribution (CPC 887*) Covering only consulting services related to the advisory, guidance and operational assistance concerning management of the	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation with Malaysian	(1) None (2) None (3) None	

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Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
transmission of nonconventional energy, power plant and network.	individuals or Malaysian controlled corporations or both and the foreign shareholding in the joint-venture corporation shall not exceed 49%.		
	(4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal section.	(4) Unbound except as indicated in the market access column.	
<p>Subsurface surveying services</p> <p>Covering Offshore 3-D Seismic Site Surveys - 3-D Seismic Site Surveys Offshore in Support of Resource Exploration and Development (CPC 86752)</p> <p>Surface surveying services</p> <p>Covering Building Surveying Services only in the provision of the survey of buildings in the investigation and assessment of the construction, condition and dilapidation of building(s), including diagnosis of building defects, costs of repair and guidance on remedial works for the Commercial and Industrial sub-sector of the Property (Real Estate) Sector (CPC86753)</p>	<p>(1) Unbound due to lack of technical feasibility</p> <p>(2) None</p> <p>(3) Unbound</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) Unbound due to lack of technical feasibility</p> <p>(2) None</p> <p>(3) Unbound</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
Surface surveying services	(1) None	(1) Unbound due to lack of technical feasibility	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Covering Quantity Surveying (Cost Engineering) Specialist Services in the provision of Arbitration/litigation, Tax Depreciation, Pre/Post Contract Audits, Technical Due Diligence, Resource analysis, Construct ability Analysis (CPC 86753)	(2) None (3) Unbound (4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	(2) None (3) Unbound (4) Unbound, except for the categories of natural persons referred to under market access	
Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 8866) Covering only medical, precision and optical instruments, watches and clocks	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent. (4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access.	
Building cleaning services (CPC 8741) Covering disinfecting and exterminating services	(1) None (2) None (3) Foreign equity shall not exceed 49% (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Specialty photography except aerial photography (CPC 875*)	(1) None (2) None	(1) None (2) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(3) Foreign equity shall not exceed 49%</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
<p>Packaging Services (CPC 8760)</p> <p>(excludes services that consists solely of printing information on packaging materials)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 49%.</p> <p>(4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal commitments.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access column.</p>	
<p>Convention Centre (CPC 87909)</p> <p>(convention and exhibition management services covering the provision of planning, organisational, management and marketing services or conventions and other similar events)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) For Convention Centres with over 5,000 seating capacity, only through joint venture with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 51%.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	(4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section	(4) Unbound except for the categories of natural persons referred to under market access	
Translation and interpretation services (CPC 87905)	(1) None (2) None (3) Joint venture corporation with Malaysian individuals or Malaysian – controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 49% foreign equity. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Specialty design services (CPC 87907**) covering only interior designs and decorations and aesthetic designs.	(1) Commercial presence is required. (2) None (3) Only through joint-venture corporations with Malaysia individuals or Malaysia-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 49% foreign equity. (4) Unbound, except as indicated in 1 (a) and (b), and 2 (a) in the horizontal	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	section.	market access	
Student Placement Services, covering promoting, recruiting and facilitating students for studies outside Malaysia (CPC 87909)	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture corporation with Malaysian individuals or Malaysian – controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 49% foreign equity.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
Operational Headquarters (OHQ) Services 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 company in Malaysia for its offices and related companies outside Malaysia (CPC 87909)	<p>(1) None</p> <p>(2) None</p> <p>(3) None except OHQ must operate in Malaysia and fulfil criteria as set out in the Guidelines on Setting up Operational Headquarters in Malaysia.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
International Procurement Centre (IPC) (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)	(1) None (2) None (3) None except that an IPC must be locally incorporated, conducts its business in Malaysia and fulfils the criteria of an IPC (4) Unbound except as indicated in 2(a) in the horizontal section	(1) None (2) None (3) None (4) Unbound except for the categories of natural persons referred to under market access	
Regional Distribution Centre (RDC) (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)	(1) None (2) None (3) None except that an RDC must be locally incorporated, conducts its business in Malaysia and fulfils the criteria of an RDC (4) Unbound except as indicated in 2(a) in the horizontal section	(1) None (2) None (3) None (4) Unbound except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
COMMUNICATIONS SERVICES			
C. Telecommunication Services			
<u>Basic Telecommunication</u> Based on domestic regulations, Malaysia has reclassified its communications services sector on the basis of provision of Network Service Provider (NSP), provision of Application Service Provider (ASP) Basic local, interexchange and international services; supplied over public telecommunications transport networks using any network technology, facilities regardless of whether the means of delivery services are wired or wireless are mapped into the aforementioned three categories. <i>Individual license</i> 1. <i>NFP(I)</i> ¹ 2. <i>NSP(I)</i> ² 3. <i>ASP(I)</i> ³	(1) None (2) None (3) With respect to Network Facilities Provider (NFP) and NSP components of the service, only through an acquisition of shares of existing licensed NFP(I), NSP(I). With respect to ASP(I), through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled Corporations; or through acquisition of shares of an existing licensed ASP(I) operator/corporations. - For NFP(I), NSP(I) and ASP(I), foreign shareholding of up to 49 per cent in these services providers is allowed	(1) None (2) None (3) None	Pro-competition regulatory principle in respect of interconnection

Explanatory Note for Individual Licence Categories

¹ Network facilities provider (NFP) individual licence enables the provision of network facilities services such as earth stations, fixed links and cables public payphone facilities, radio communications transmitters and links, satellite hubs and towers, duct and pits used in conjunction with other network facilities.

² Network service provider (NSP) individual licence enables the provision of network services such as bandwidth services, broadcasting transmission services, cellular mobile services, customer access services and mobile satellite services.

³ Application Service Provider (ASP) individual licence enables the provision of applications services such as PSTN telephony, public cellular telephone telephony services, IP telephony, public payphone service and public switched data service.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	The management control of such companies shall be in the case of Telekom Malaysia, the foreign shareholding permitted shall not exceed 30 per cent with not one single country holding more than 5 per cent of the equity at any one time.		
	(4) Unbound, except as indicated in the horizontal section	(4) Unbound, except for the categories of natural persons referred to under market access	
Value-Added Services Telecommunication services of which enhanced value-added services must be provided from channels or lines obtained only from licensed NFP(I) and NSP(I) operators and are also mapped into the three categories below: Class License 1. NFP(C) ⁴	(1) None (2) None (3) With respect to NFP and NSP components of the service, only through an acquisition of shares of existing licensed NFP(C), NSP(C). With respect to ASP, through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled Corporations; or	(1) None (2) None (3) None	

⁴ NFP class license enables the provision of niched or limited purpose network facilities such as radio communications transmitters for public mobile radio network services, radio communications transmitters for public radio paging network services, radio communications transmitters and links for public wireless data network services, for sole purpose of end users in buildings or a single clustered building complex.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
2. NSP(C) ⁵ 3. ASP(C) ⁶	through acquisition of shares of an existing licensed ASP(C) operator/corporations. - For NFP(C), NSP(C) and ASP(C), foreign shareholding of up to 49 per cent in these services providers is allowed		
	(4) Unbound, except as indicated in the horizontal section	(4) Unbound, except for the categories of natural persons referred to under market access	

Explanatory Note

- 1) This sector is governed by the Communications and Multimedia Act 1998 and its subsidiary rules and regulations.
- 2) Definitions as per Communications and Multimedia Act 1998
 - a. Network facilities mean any element or combination of elements of physical infrastructure used principally for, or in connection with, the provision of network services, but does not include customer equipment.

Network facilities provider means a person who is an owner of any network facilities.
 - b. Network services means a service for carrying communications by means of guided and/or unguided electromagnetic radiation.

Network service provider means a person who provides network services.

⁵ NSP class license enables the provision of niched customer access or niched connection services such as public mobile radio work services, one or two way radio paging network services, radio communications transmitters for public radio paging network services, radio communications transmitters and links for public wireless data network services, for sole purpose of end users in buildings or a single clustered building complex.

⁶ ASP class license enables the provision of application services such as audio text hosting services provided on an opt-in basis, directory services, messaging services.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>c. Application service means a service provided by means of, but not solely by means of, one or more network services.</p> <p>Application service provider means a person who provides an applications service.</p> <p>3) Definitions as per Communications and Multimedia (Licensing) (Amendment) Regulations 2001</p> <p>a. Network facilities provider class licensee means a person who is registered with the Commission to provide a network facility in accordance with the provisions of the Act and these Regulations.</p> <p>Network facilities provider individual licensee means an individual licence granted to a network facilities provider in accordance with the provisions of the Act and these Regulations.</p> <p>b. Network service provider class licensee means a person who is registered with the Commission to provide a network service in accordance with the provisions of the Act and these Regulations.</p> <p>Network service provider individual licensee means an individual licence granted to a network service provider in accordance with the provisions of the Act and these Regulations.</p> <p>c. Application service provider class licensee means a person who is registered with the Commission to provide an application service in accordance with the provisions of the Act and these Regulations.</p> <p>Application service provider individual licensee means an individual licence granted to an applications service provider in accordance with the provisions of the Act and these Regulations.</p>			
D. Audiovisual Services			
Motion picture, video tape and audio recording distribution services (CPC 96113)	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	corporations or both and the aggregate foreign shareholding shall not exceed 49%		
	(4) Unbound, except as indicated in 1a) and b) and 2a) and c) in the horizontal section	(4) Unbound, except for the categories of natural persons referred to under market access	
Broadcasting services covering transmission from foreign broadcast station of foreign broadcast matter from foreign territory through television or radio (CPC 7524*)	(1) 20% of total screening time; and dubbing into the national language may be required (2) None (3) Unbound (4) Unbound due to lack of technical feasibility	(1) Unbound for government channel (2) None (3) Unbound (4) Unbound due to lack of technical feasibility	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
CONSTRUCTION AND RELATED ENGINEERING SERVICES			
Pre-erection Work at Construction Site (CPC 511)	(1) Unbound due to lack of technical feasibility	(1) Unbound due to lack of technical feasibility	
Construction Work for Buildings (CPC 512)	(2) None	(2) None	
Construction Work for Civil Engineering (CPC 513)	(3) Only through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both. Aggregated foreign shareholding in the joint venture corporation shall not exceed 51%	(3) None	
Assembly and Erection of Prefabricated Constructions (CPC 514)			
Special Trade Construction (CPC 515)	(4) Unbound except as indicated in the horizontal section	(4) Unbound, except for the categories of natural persons referred to under market access	
Installation Work (CPC 516)			
Building Completion and Finishing Work (CPC 517)			

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
DISTRIBUTION SERVICES			
Commission agents' services (CPC 621*) Only for textiles, clothing and footwear	(1) None (2) None (3) Foreign equity shall not exceed 49% (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Wholesale, and Retail Trade Businesses (CPC 6111, 6113, 6121, 6130, 6221, 6222, 6223, 6224, 6225, 6226, 6227, 6228, 631, 632)	(1) Unbound (2) None (3) Entry is limited to: i. <u>Legal entity</u> The foreign company involved in wholesale and retail businesses must be incorporated locally under the Companies Act 1965; ii. <u>Equity Structure</u> The aggregate of foreign equity shall not exceed 51% and as for the local shareholding, 30% must be for Bumiputera. iii. <u>Minimum Capital Requirement</u> Minimum foreign capital investment in respective formats of businesses is as per the Guidelines on Foreign	(1) Unbound (2) None (3) Unbound	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	Participation in Distributive Trade Services.		
	<p>(4) One (1) key post and a maximum of ten (10) time posts per company subject to the following conditions:</p> <p>a) <u>Key Post</u> 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.</p> <ul style="list-style-type: none"> For hypermarket formats, only 10% of non-Malaysians are allowed for management positions (Key Post and Managerial Level) <p>b) <u>Time Post</u> 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</p>	(4) Unbound, except as indicated in the market access column.	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	training programme.		
Franchising (CPC 8929)	(1) None (2) None (3) Foreign equity shall not exceed 51% (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
EDUCATION SERVICES			
Primary education services, covering International School only (CPC 921)	(1) Unbound due to technical feasibility (2) None	(1) Unbound due to technical feasibility (2) None	
General secondary education services, covering International School only (CPC 9221)	(3) Only through a joint venture with foreign equity not exceeding 49%. (4) Unbound, except as indicated in the horizontal commitments	(3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Technical and vocational secondary education services, covering private education services only (CPC 9223)	(1) Unbound due to technical feasibility (2) None (3) Only through a joint venture with foreign equity not exceeding 49%.	(1) Unbound due to technical feasibility (2) None (3) None	For technical and vocational secondary education services (private education services) (CPC 9223)
Technical and vocational secondary school-type education services for handicapped students, covering private education services only (CPC 9224)	(4) Unbound, except as indicated in the horizontal commitments	(4) Unbound, except for the categories of natural persons referred to under market access	AND Technical and vocational secondary education school-type education services for handicapped students (private education) (CPC 9224), are required to use National curriculum.
Other Higher Education Services provided by privately funded higher education institutions excluding private higher education institutions with Government equity or that receive	(1) Unbound, except for requirement for commercial presence	(1) Unbound including for grant of federal or state funding or subsidies such as but not limited to land grants, tax benefits, scholarships and loans limited to institutions with government equity or	(3) Up to than 49% foreign equity will be considered subject to additional criteria which include: a) courses deemed

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
government assistance (CPC 92390)		citizens/permanent residents	important to attain Malaysia's educational objective; and b) potential to generate export revenues.
Adult education services provided by privately funded education institutions excluding private education institutions with Government equity or that receive government assistance (CPC 924)	(2) None	(2) Unbound	
	(3) Only through a joint venture with foreign equity not exceeding 49% and subject to the requirement of a needs test if necessary	(3) Unbound including for grant of federal or state funding or subsidies such as but not limited to land grants, tax benefits, scholarships and loans limited to institutions with government equity or citizens/permanent residents.	
	(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	(4) Unbound, except for the categories of natural persons referred to under market access	
Other education services (CPC 929 / 9290 / 92900)	(1) Unbound due to technical feasibility (2) None (3) Only through a joint venture with foreign equity not exceeding 49%. (4) Unbound, except as indicated in the horizontal commitments	(1) Unbound due to technical feasibility (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
ENVIRONMENTAL SERVICES			
<p>Wastewater Management (CPC 9401)</p> <p>Covers only removal, treatment and disposal of industrial effluents.</p> <p>(Only for services contracted by the private sector. Does not include public works functions owned and operated by federal, provincial, district or municipalities or contracted out by them)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated, joint-venture with Malaysian individuals or Malaysian control corporations or both and aggregate foreign shareholding shall not exceed 51%.</p> <p>(4) Unbound except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access.</p>	
<p>Refuse disposal services (CPC 9402*)</p> <p>Covering private industrial waste management services covering treatment and disposal services.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the foreign shareholding in the joint-venture corporation shall not exceed 49%.</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access.</p>	
Refuse disposal services (CPC 9402*)	(1) None	(1) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Covering solid waste disposal services, only for:</p> <ul style="list-style-type: none"> - integrated biomass treatment facility services - the services provider must be equipped with high technology specifically built for biomass solid waste disposal services and fulfil all environmental safety requirements. The product will be used as a new material for energy purposes. 	<p>(2) None</p> <p>(3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the foreign shareholding in the joint-venture corporation shall not exceed 51%.</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p>	<p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access.</p>	
<p>Protection of Ambient Air Climate (CPC 9404 – corresponds to Cleaning Services of Exhaust Gases)</p> <p>Covers only services provided at industrial premises to remove air pollutants including monitoring of mobile emissions and implementation of control systems or reduction programmes.</p> <p>(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)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 51%.</p> <p>(4) Unbound, except as indicated in paragraph 1 (a), 1(b) and 2(a) of the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Noise Abatement Services (CPC 9405)</p> <p>Covers only monitoring programmes, and installation of noise reduction and screen in residential, commercial and industrial premises.</p> <p>(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)</p>	(1) None	(1) None	
	(2) None	(2) None	
	(3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 51%.	(3) None	
	(4) Unbound, except as indicated in paragraph 1 (a), 1(b) and 2(a) of the horizontal section.	(4) Unbound, except for the categories of natural persons referred to under market access.	
<p>Nature and Landscape protection Services covering only contaminated soil clean-up and remediation. (part of CPC 94060)</p> <p>(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)</p>	(1) None	(1) None	
	(2) None	(2) None	
	(3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 51%.	(3) None	
	(4) Unbound, except as indicated in paragraph 1 (a), 1(b) and 2(a) of the horizontal section.	(4) Unbound, except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
FINANCIAL SERVICES, INCLUDING INSURANCE			
<p>1. The commitments in the financial services sector are in accordance with the Malaysia-EFTA Economic Partnership Agreement on Trade in Services and the Annex on Financial Services.</p> <p>2. The limitations listed under the all-sector horizontal section shall not apply to financial services, unless otherwise indicated.</p> <p>3. In respect of offshore banks, offshore investment banks, commercial banks, investment banks, offshore direct insurance companies, offshore reinsurance companies, offshore insurance brokers, offshore insurance underwriting managers, offshore insurance managers, direct insurance companies, direct takaful companies, reinsurance companies, retakaful companies and representative offices of commercial banks and investment banks, the following limitations on market access and national treatment shall apply in addition to specific limitations to the activity of each financial service as specified for each activity in this Schedule.</p> <p>4. For further clarity, Malaysia's commitments cannot be interpreted as applying to the supply of Shariah-compliant financial services, unless specific entries are made in the banking, insurance or capital markets sub-sectors accordingly⁷.</p>			
ALL FINANCIAL SERVICES	<p>(3) Limitations on investments as contained in the all-sector horizontal section.</p> <p>(4) Limitations in the all-sector horizontal will apply when indicated in each activity.</p>	<p>(3) Limitations on land and other immovable property as contained in the all-sector horizontal section.</p> <p>Unbound for measures affecting financial services accorded, to any Bumiputera or to assist development of any Bumiputera financial institution to achieve objectives of the National Development Policy (NDP).</p> <p>(4) Limitations in the all-sector horizontal will apply when indicated in each activity.</p>	
A. Offshore banks, offshore investment banks, offshore direct insurance	(1) Unbound* except as otherwise specified in this schedule.	(1) Unbound* except as otherwise specified in this schedule.	

⁷ This approach is consistent with Malaysia's commitments at the WTO and under existing FTAs.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
companies, offshore reinsurance companies, offshore insurance brokers, offshore insurance underwriting managers, and offshore insurance managers	<p>(2) Unbound* except as otherwise specified in this schedule.</p> <p>(3) Entry is confined to Labuan.</p> <p>Entry is limited to establishment of a branch registered or a subsidiary incorporated in Malaysia.</p> <p>(4) Unbound except for presence of natural persons in respect of supply of a service through the mode of commercial presence.</p>	<p>(2) Unbound* except as otherwise specified in this schedule.</p> <p>(3) None</p> <p>(4) Unbound except for presence of natural persons in respect of supply of a service through the mode of commercial presence.</p>	
B. Commercial banks and investment banks	<p>(1) Unbound* except as otherwise specified in this schedule.</p> <p>(2) Unbound* except as otherwise specified in this schedule.</p> <p>(3) The 13 wholly foreign-owned commercial banks are permitted to remain wholly owned by their existing shareholders.⁸</p> <p>Unbound for new licences.</p> <p>Entry is limited to equity participation by foreign banks in Malaysian-owned or controlled commercial banks and investment banks and aggregate foreign</p>	<p>(1) Unbound* except as otherwise specified in this schedule.</p> <p>(2) Unbound* except as otherwise specified in this schedule.</p> <p>(3) None except as indicated in the all financial services horizontal section and in respective activities listed below.</p> <p>Acquisition by a foreign bank of an aggregate of five per cent or more of shareholding in a Malaysian-owned or controlled commercial bank or investment bank must meet the following criteria:</p>	

⁸ Refers to the 13 wholly foreign-owned commercial banks specified in Malaysia's Schedule of Specific Commitments under GATS.

* Due to lack of technical feasibility.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>shareholding in a commercial bank or an investment bank shall not exceed 30 per cent.</p> <p>Foreign commercial banks and investment banks are required to be locally incorporated in accordance with the <i>Financial Services Act 2013</i> [Act 758].</p> <p>A commercial bank is not allowed to acquire any share in another commercial bank but may acquire shares in one investment bank.</p> <p>An investment bank is not allowed to acquire any share in a commercial bank or another investment bank.</p> <p>Other persons are not permitted to acquire five per cent or more of shareholding in a commercial bank or investment bank if the person already holds five per cent or more of shareholding in another licensed financial institution.</p> <p>Entry is also permitted through the setting up of representative offices. Representative offices can only undertake research, exchange of information, and liaison services.</p>	<p>(a) The foreign bank has the ability to facilitate trade and contribute to financial and economic development of Malaysia;</p> <p>(b) The country of the foreign bank has significant trade and investment interests in Malaysia; and</p> <p>(c) The country of the foreign bank does not have significant representation in the Malaysian banking industry.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(4) Unbound except the following:</p> <p>(a) Unless otherwise specified, presence of natural persons is offered only in respect of supply of a service through the mode of commercial presence;</p> <p>(b) Two senior managers and five specialists or experts for each commercial bank or investment bank.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control, and operation of the services of the financial service supplier.</p> <p>Specialists or experts for each commercial bank or investment bank for areas relating to:</p> <p>(i) trade financing; (ii) corporate finance; (iii) treasury management; and (iv) information technology.</p> <p>(c) For each representative office of a commercial bank or investment bank, two foreign nationals. Only one foreign national for the two top posts; and</p> <p>(d) Entry shall be limited to a maximum</p>	<p>(4) Unbound except for the categories of natural persons referred to under market access.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	period of five years.		
C. Direct insurance and reinsurance companies	<p>(1) Unbound* except as otherwise specified in this schedule.</p> <p>(2) Unbound* except as otherwise specified in this schedule.</p> <p>(3) Foreign insurance companies are required to be locally incorporated in accordance with the <i>Financial Services Act 2013</i> [Act 758].</p> <p>Branches of foreign insurance companies that were required to be locally incorporated in accordance with the <i>Insurance Act 1996</i> (Repealed by the <i>Financial Services Act 2013</i> [Act 758]) are permitted to hold foreign shareholding not exceeding 51 percent.⁹</p> <p>Foreign shareholding not exceeding 51 per cent is also permitted for the existing foreign shareholders¹⁰ of locally incorporated insurance companies which were the original owners of these companies. Provided aggregate foreign shareholding in such companies does not exceed 51 per cent.</p> <p>New entry by foreign insurance companies is limited to equity participation in locally incorporated insurance companies and aggregate foreign shareholding in such company</p>	<p>(1) Unbound* except as otherwise specified in this schedule.</p> <p>(2) Unbound* except as otherwise specified in this schedule.</p> <p>(3) None except as indicated in the all financial services horizontal section and respective activities listed below.</p> <p>Acquisition by a foreign insurance company of an aggregate of more than five per cent shareholding in a locally incorporated insurance company must meet at least one of the following criteria:</p> <p>(a) The foreign insurance company has the ability to facilitate trade and contribute to the financial and economic development of Malaysia;</p> <p>(b) The country of the foreign insurance company has significant trade and investment interests in Malaysia;</p> <p>(c) The country of the foreign insurance company does not have a significant representation in the Malaysian insurance industry; or</p>	

⁹ Refers to the branches of foreign insurance companies specified in Malaysia's Schedule of Specific Commitments under GATS.

¹⁰ Refers to the existing foreign shareholders specified in Malaysia's Schedule of Specific Commitments under GATS.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>shall not exceed 30 per cent.</p> <p>Unbound for new licenses.</p> <p>An insurance company is not allowed to acquire more than five per cent share:</p> <p>(a) in another insurance company in Malaysia that carries on the same class of insurance business as that carried on by it; or</p> <p>(b) in an insurance broking company.</p> <p>Other persons holding more than five per cent shareholding in an insurance company are not permitted to acquire more than five per cent shareholding in:</p> <p>(a) another insurance company carrying on the same class of insurance business as that carried on by the insurance company in which the persons a shareholder; or</p> <p>(b) an insurance broking company.</p> <p>Unbound for reinsurance companies.</p>	<p>(d) The foreign insurance company has the ability to provide technical expertise and know-how to contribute to the financial and economic development of Malaysia.</p> <p>Unbound for reinsurance companies.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(4) Unbound except the following:</p> <p>(a) Unless otherwise specified, presence of natural persons is offered only in respect of supply of a service through the mode of commercial presence;</p> <p>(b) Five senior managers and ten specialists or experts for each locally incorporated insurance company.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control, and operation of the services of the financial service supplier.</p> <p>Specialists or experts for each insurance institution for areas relating to:</p> <p>(i) underwriting of specialised classes of general business;</p> <p>(ii) information technology;</p> <p>(iii) actuarial functions;</p> <p>(iv) risk management;</p> <p>(v) investment management;</p> <p>(vi) product development;</p> <p>(vii) customer service; and</p>	<p>(4) Unbound except for the categories of natural persons referred to under market access.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(viii) servicing of foreign and regional business; and</p> <p>(c) Temporary entry shall be limited to a maximum period of five years.</p>		
D. Direct takaful and retakaful companies	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Unbound</p> <p>(4) Unbound except the following:</p> <p>(a) Unless otherwise specified, presence of natural persons is offered only in respect of supply of a service through the mode of commercial presence;</p> <p>Five senior managers and ten specialists or experts for each locally incorporated takaful and retakaful company.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control, and operation of the services of the financial service</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Unbound</p> <p>(4) Unbound</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>supplier.</p> <p>Specialists or experts for each takaful and retakaful institution for areas relating to:</p> <p>(i) underwriting of specialised classes of general business;</p> <p>(ii) information technology; and</p> <p>(iii) actuarial functions;</p> <p>(iv) risk management;</p> <p>(v) investment management;</p> <p>(vi) product development;</p> <p>(vii) customer service; and</p> <p>(viii) servicing of foreign and regional business;; and</p> <p>(b) Temporary entry shall be limited to a maximum period of five years.</p>		

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
FINANCIAL SERVICES ACTIVITIES			
A. BANKING AND OTHER FINANCIAL SERVICES, EXCLUDING INSURANCE			
Acceptance of deposits, and other repayable funds from the public, wholesale and retail	<p>(1) Soliciting, advertising, and acceptance of deposits in Malaysia are not allowed.</p> <p>(2) None</p> <p>(3) Only permitted through a commercial bank, an investment bank, or an offshore bank.</p> <p>Offshore banks in Labuan are permitted to accept foreign currency deposits only.</p> <p>Offshore investment banks in Labuan are not permitted to accept deposits.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) For commercial banks, unbound for branching (including off- premises Automated Teller Machines) and networking with Automated Teller Machines in Malaysia.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	
Lending of all types, including consumer credit, mortgage credit, factoring, and financing of commercial transactions	<p>(1) Financial services associated with lending to residents in any currency in excess of an equivalent of RM25 million must be undertaken jointly with commercial banks or investment banks in Malaysia.</p>	<p>(1) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(2) Financial services associated with lending to residents in any currency in excess of an equivalent of RM25 million must be undertaken jointly with commercial banks or investment banks in Malaysia.</p> <p>(3) Entry as a non-bank¹¹ is limited to:</p> <p>(a) foreign financial institutions through the establishment of a locally incorporated joint venture company and aggregate foreign shareholding in such company shall not exceed 30 per cent; or</p> <p>(b) a representative office.</p> <p>Representative offices can only undertake research and liaison services.</p> <p>Provision of factoring services by a commercial bank requires the setting up of a separate entity and shareholding by a foreign-controlled commercial bank shall not exceed 30 per cent.</p> <p>Investment banks are not permitted to provide consumer credit and home mortgages.</p> <p>Only commercial banks are permitted to provide overdraft facilities.</p>	<p>(2) None</p> <p>(3) Foreign-controlled banking institutions in Malaysia are allowed to extend credit facilities (including factoring and leasing) up to a maximum of 50 per cent of the total credit facilities obtained by non-resident controlled companies from banking institutions.</p> <p>For commercial banks, unbound for branching (including off- premises Automated Teller Machines) and networking with Automated Teller Machines in Malaysia.</p>	

¹¹ Means any non-bank for scheduled businesses as referred to in Malaysia's Schedule of Specific Commitments under GATS.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	Offshore banks and offshore investment banks are permitted to lend in foreign currencies only.		
	<p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except one foreign national for a management post which is not the Chief Executive Officer post, for each establishment.</p> <p>For each representative office of a non-bank, two foreign nationals subject to only one foreign national for the two top posts.</p> <p>Entry shall be limited to a maximum period of five years.</p>	<p>(4) For banks, unbound except as indicated in the all financial services section.</p> <p>For non-banks, unbound except for the categories of natural persons referred to under market access.</p>	
Financial leasing	<p>(1) Leasing services to residents in any currency must be undertaken jointly with leasing companies or investment banks in Malaysia.</p> <p>(2) Leasing services to residents in any currency must be undertaken jointly with leasing companies or investment banks in Malaysia.</p> <p>(3) Provision of leasing services by a commercial bank requires the setting up of a separate entity and shareholding by a foreign- controlled commercial bank shall not exceed 49 per cent.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>Entry as a non-bank is limited to:</p> <p>(a) foreign financial institutions through the establishment of a locally incorporated joint venture company and aggregate foreign shareholding in such company shall not exceed 49 per cent; or</p> <p>(b) a representative office.</p> <p>Representative offices can only undertake research and liaison services.</p> <p>Entry is permitted through the establishment of a branch or subsidiary in Labuan by reputable foreign leasing companies. Such offshore entity can only transact in foreign currencies.</p> <p>Offshore banks and offshore investment banks are permitted to carry on financial leasing business in foreign currencies only.</p>		
	<p>(4) Unbound except two foreign nationals, one for a management post which is not the Chief Executive Officer post and one technical post, for each establishment.</p> <p>For each representative office, two foreign nationals subject to one foreign</p>	<p>(4) Unbound except for the categories of natural persons referred to under market access.</p> <p>For offshore leasing companies, unbound except for presence of natural persons in respect of supply</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>national for the two top posts.</p> <p>Entry shall be limited to a maximum period of five years.</p> <p>For offshore leasing companies, unbound except for presence of natural persons in respect of supply of a service through the mode of commercial presence.</p>	<p>of a service through the mode of commercial presence.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
All payment and money transmission services, namely credit and debit cards, travellers cheques, and bankers drafts	<p>(1) Electronic fund transfer system requires approval.</p> <p>(2) None</p> <p>(3) Offshore banks are permitted to extend payment and money transmission services to non- residents only.</p> <p>Only commercial banks are permitted to issue credit cards or debit cards, or to provide checking account services.</p> <p>Sale or purchase of foreign currency and purchase of travellers cheques other than by commercial banks require money changer's licence. Entry is limited to establishment of a locally incorporated joint venture company and aggregate foreign shareholding in such company shall not exceed 30 per cent.</p> <p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except one foreign national for a management post which is not the Chief Executive Officer post for each establishment.</p> <p>Entry shall be limited to a maximum period of five years.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) For commercial banks, unbound for branching (including off- premises Automated Teller Machines) and networking with Automated Teller Machines in Malaysia.</p> <p>Branching (including dispensers) is permitted for travellers cheques companies with foreign shareholding not exceeding 30 per cent.</p> <p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except for the category of natural persons referred to under market access.</p>	
Charge cards	(1) None	(1) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	(2) None	(2) None	
	(3) Entry is limited to establishment of a company incorporated in Malaysia. Approval of the Central Bank is required.	(3) None	
	(4) Unbound except two senior managers for each establishment. Entry shall be limited to a maximum period of five years.	(4) Unbound except for the category of natural persons referred to under market access.	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Guarantees and commitments	<p>(1) None except banks established in Malaysia may be given the right of first refusal.</p> <p>(2) None except banks established in Malaysia may be given the right of first refusal.</p> <p>(3) None</p> <p>(4) Unbound except as indicated in the all financial services horizontal and in the all-sector horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in the all financial services horizontal and in the all-sector horizontal section.</p>	
Money and foreign exchange broking services	<p>(1) Broking services, involving the Ringgit and financial instruments issued in Malaysia must be effected through authorised dealers and money and foreign exchange brokers incorporated in Malaysia.</p> <p>(2) Broking services, involving the Ringgit and financial instruments issued in Malaysia must be effected through authorised dealers and money and foreign exchange brokers incorporated in Malaysia.</p>	<p>(1) None</p> <p>(2) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(3) Entry is limited to:</p> <p>(a) equity participation in existing institutions¹² and aggregate foreign shareholding in such institutions shall not exceed 30 per cent; or</p> <p>(b) the establishment of a branch or subsidiary, by a money and foreign exchange broker, registered or incorporated in Labuan.</p> <p>Money and foreign exchange broking services by offshore entities are confined to foreign currencies only.</p> <p>(4) Unbound except for offshore money and foreign exchange brokers.</p> <p>For offshore money and foreign exchange brokers, unbound except for presence of natural persons in respect of supply of a service through the mode of commercial presence.</p>	<p>(3) None</p> <p>(4) Unbound except for offshore money and foreign exchange brokers.</p> <p>For offshore money and foreign exchange brokers, unbound except for presence of natural persons in respect of supply of a service through the mode of commercial presence.</p>	

¹² Refers to the existing institutions specified in Malaysia's Schedule of Specific Commitments under GATS.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Trading for own account or account of customers in the following:</p> <p>(a) money market instruments;</p> <p>(b) foreign exchange;</p> <p>(c) transferable securities;</p> <p>(d) exchange rate and interest rate instruments;</p> <p>(e) derivative products, including futures and options; and</p> <p>(f) other negotiable instruments, including bullion.</p>	<p>(1) Dealing in securities for account of customers is limited to securities traded on recognised stock exchanges.</p> <p>Dealing in derivatives for account of customers is limited to derivatives contracts traded on the derivatives market of a Specified Exchange and are not contracts prohibited by the Malaysian regulatory authorities.</p> <p>(2) None</p> <p>(3) Transactions by offshore banks and offshore investment banks in Labuan must be conducted in foreign currencies, except for the sale or purchase of currencies with authorised banks in Malaysia.</p> <p>Transactions by offshore banks and offshore investment banks in Labuan for own account are limited to instruments created and issued by offshore companies in Labuan and foreign companies abroad.</p> <p>Trading for accounts of customers by offshore banks, offshore investment banks, and offshore companies in Labuan is confined to non-resident customers and in instruments</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>created and issued by offshore companies in Labuan and foreign companies abroad.</p> <p>Trading in shares of Malaysian companies by offshore banks, offshore investment banks, and offshore companies in Labuan is confined to non-resident customers who are not offshore companies registered or incorporated in Labuan.</p> <p>Only commercial banks, offshore banks, and offshore investment banks are permitted to trade in foreign currency.</p> <p>None for trading for own account in:</p> <p>(a) securities that are listed on the Malaysian stock exchange; and</p> <p>(b) standardised derivatives listed on the Malaysian derivatives exchange.</p> <p>Trading for accounts of customers by a non-bank in securities that are listed on the Malaysian stock exchange is only permitted through equity participation in an existing locally incorporated company licensed by the Securities Commission Malaysia to deal in</p>		

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>securities. Aggregate foreign shareholding in such a company is limited to 49 per cent.</p> <p>Authorisation will not be granted unless the application is determined, by the Securities Commission Malaysia, to be in the best interest of Malaysia. Authorisation includes grant of license, registration, or approval, as the case may be.</p> <p>Trading for accounts of customers by a non-bank in standardised derivatives that are listed on the Malaysian derivatives exchange is only permitted through equity participation in an existing locally incorporated company or establishment of a locally incorporated company licensed by the Securities Commission Malaysia to deal in derivatives. Aggregate foreign shareholding in such a company is limited to 30 per cent.</p> <p>Authorisation will not be granted unless the application is determined, by the Securities Commission Malaysia, to be in the best interest of Malaysia. Authorisation includes grant of license, registration, or approval, as the case may be.</p>		

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	<p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	
Services related to the issues of all kinds of securities and placement as agents (whether publicly or privately) (excluding issuing and rating houses)	<p>(1) Participation in issues and services related to such issues requires authorisation.</p> <p>(2) Participation in issues and services related to such issues requires authorisation.</p> <p>(3) Participation by offshore banks and offshore investment banks in Labuan is limited to non- resident customers and for issues of securities outside Malaysia.</p> <p>Only persons who are authorised by the Securities Commission Malaysia and/or the Malaysian stock exchange are permitted to make submissions related to the issues of securities and offer services related to the issues of securities and placement as agents.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>Participation by a non-bank is permitted only through equity participation in an existing locally incorporated company licensed by the Securities Commission Malaysia to deal in securities. Aggregate foreign shareholding in such a company is limited to 49 per cent.</p> <p>Authorisation will not be granted unless the application is determined, by the Securities Commission Malaysia, to be in the best interest of Malaysia. Authorisation includes grant of licence, registration, or approval, as the case may be.</p> <p>Unbound for appointment as principal dealers.</p> <p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	<p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Underwriting	<p>(1) Commercial presence is required.</p> <p>(2) Authorisation is required.</p> <p>(3) Participation as a non-bank is only permitted through equity participation in an existing locally incorporated company licensed by the Securities Commission Malaysia to deal in securities. Aggregate foreign shareholding in such a company is limited to 49 per cent.</p> <p>Authorisation will not be granted unless the application is determined, by the Securities Commission Malaysia, to be in the best interest of Malaysia. Authorisation includes grant of licence, registration, or approval, as the case may be.</p> <p>Commercial banks are permitted to underwrite corporate bonds only.</p> <p>Offshore banks and offshore investment banks are permitted to underwrite foreign currency denominated securities created and issued by offshore companies in Labuan and foreign companies abroad.</p> <p>(4) For commercial banks, investment banks, offshore</p>	<p>(1) Unbound</p> <p>(2) None</p> <p>(3) None</p> <p>(4) For commercial banks, investment banks, offshore</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>banks, and offshore investment banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	<p>banks, and offshore investment banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	
<p>Asset management as follows:</p> <p>(a) cash or portfolio management;</p> <p>(b) all forms of collective investment management; and</p> <p>(c) custodial and depository services.</p>	<p>(1) Commercial presence is required.</p> <p>(2) None</p> <p>(3) Asset management by offshore banks, offshore investment banks, and offshore companies is confined to non-resident customers and foreign currency assets.</p> <p>Asset management by offshore banks, offshore investment banks, and offshore companies in Malaysian equities or equity linked investments is confined to non-residents which are not offshore companies registered in Labuan.</p> <p>Asset management by a commercial bank requires</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>establishment as a separate entity. Shareholding by a foreign-controlled commercial bank shall not exceed 30 per cent.</p> <p>Entry as a non-bank to undertake fund management activities is only permitted through equity participation in an existing locally incorporated company or establishment of a locally incorporated company licensed by the Securities Commission Malaysia to carry on fund management activities. Aggregate foreign shareholding in such a company is limited to 30 per cent.</p> <p>Authorisation will not be granted unless the application is determined, by the Securities Commission Malaysia, to be in the best interest of Malaysia. Authorisation includes grant of licence, registration or approval, as the case may be.</p> <p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	<p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Advisory, intermediation, and other auxiliary financial services, including credit reference and analysis, investment advice on acquisitions, and corporate restructuring and strategy	<p>(1) Commercial presence is required.</p> <p>(2) Services other than investment and portfolio advice to residents must be undertaken jointly with commercial banks in Malaysia.</p> <p>(3) Entry as a non-bank is only permitted through:</p> <p>(a) equity participation in an existing locally incorporated company or establishment of a locally incorporated company licensed by the Securities Commission Malaysia to carry on corporate finance advisory activities. Aggregate foreign shareholding in such a company is limited to 30 per cent;</p> <p>(b) equity participation in an existing locally incorporated company or establishment of a locally incorporated company licensed by the Securities Commission Malaysia to carry on financial planning activities. Aggregate</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>foreign shareholding in such a company is limited to 30 per cent;</p> <p>(c) equity participation in an existing locally incorporated company or establishment of a locally incorporated company licensed by the Securities Commission Malaysia to carry on investment advisory activities.</p> <p>Aggregate foreign shareholding in such a company is limited to 30 per cent; or</p> <p>(d) a representative office.</p> <p>Representative offices (including those of commercial banks, investment banks, and securities companies) are permitted to undertake information research and liaison services only. Representative offices are not permitted to publish and circulate research work in Malaysia.</p> <p>Authorisation to carry on the activities as mentioned in (a), (b), and (c) above will not be granted unless the application is determined, by the Securities</p>		

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>Commission Malaysia, to be in the best interest of Malaysia. Authorisation includes grant of licence, registration, or approval, as the case may be.</p> <p>Offshore banks, offshore investment banks, and offshore companies in Labuan can only provide services to non-resident customers.</p> <p>(4) For banks, one specialist or expert per organisation.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p> <p>For each representative office, three foreign nationals subject to only one foreign national for the two top posts and the other two for managerial level posts. Entry shall be limited to a maximum period of five years.</p>	<p>(4) For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	
Operational headquarters (OHQ) for financial sector (provides services to commercial and investment banking institutions in activities relating to work	<p>(1) Unbound*</p> <p>(2) Unbound*</p>	<p>(1) Unbound*</p> <p>(2) Unbound*</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
carried out in Malaysia for its offices and related companies outside Malaysia, pertaining to general management and administration, business planning, technical support, marketing control and sales promotion planning, training and personnel management, provision of treasury and fund management services, and research and development)	<p>(3) Only through a locally incorporated wholly foreign- owned company.</p> <p>A foreign-owned company, 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, and a foreign-owned company which is already incorporated in Malaysia, may seek to qualify as an OHQ.</p> <p>An OHQ must operate in Malaysia and fulfil the following criteria:</p> <p>(a) carry out at least three of the OHQ service activities;</p> <p>(b) have a sizable network of companies outside Malaysia which includes the parent company or its head office and related companies;</p> <p>(c) have a well-established foreign-owned company which is sizeable in terms of assets and employees;</p> <p>(d) have a network of companies with a substantial number of</p>	(3) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>qualified executives, professionals, technical, and other supporting personnel;</p> <p>(e) be able to make decisions independently without consultation with its head office or parent company located outside Malaysia; and</p> <p>(f) be able to contribute to the Malaysian economy by:</p> <p>(i) using services such as legal, accounting etc. provided by Malaysians;</p> <p>(ii) creating job opportunities for Malaysians; and</p> <p>(iii) enabling greater inflow of foreign funds.</p> <p>(4) Unbound except as indicated in the all-sector horizontal section.</p>	<p>(4) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Securities broking services	<p>(1) Trades on Malaysian stock exchanges must be transacted through locally incorporated companies in Malaysia which are participating organisations of the stock exchange.</p> <p>(2) Trades on Malaysian stock exchanges must be transacted through locally incorporated companies in Malaysia which are participating organisations of the stock exchange.</p> <p>(3) Entry as a non-bank is only permitted through equity participation in an existing locally incorporated company licensed by the Securities Commission Malaysia to deal in securities. Aggregate foreign shareholding in such a company is limited to 49 per cent.</p> <p>Authorisation will not be granted unless the application is determined, by the Securities Commission Malaysia, to be in</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>the best interest of Malaysia. Authorisation includes grant of license, registration, or approval, as the case may be.</p> <p>Representative offices (including those of commercial banks, investment banks, and securities companies) are permitted to undertake information research and liaison services only. Representative offices are not permitted to publish and circulate research work in Malaysia.</p> <p>(4) For stockbroking companies, unbound except as indicated in the all-sector horizontal commitments.</p> <p>For each representative office, two foreign nationals subject to only one foreign national for the two top posts. Entry shall be limited to a maximum period of five years.</p>	<p>(4) Unbound except for the categories of natural persons referred to under market access.</p>	
Commodity futures broking services	<p>(1) Trades on any Malaysian derivatives exchange must be conducted through locally incorporated companies which are trading participants of the derivatives exchange.</p>	<p>(1) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(2) Trades on any Malaysian derivatives exchange must be conducted through locally incorporated companies which are trading participants of the derivatives exchange.</p> <p>(3) Entry as a non-bank is only permitted through:</p> <p>(a) equity participation in an existing locally incorporated company or establishment of a locally incorporated company licensed by the Securities Commission Malaysia to deal in derivatives. Aggregate foreign shareholding in such a company is limited to 30 per cent.</p> <p>Authorisation will not be granted unless the application is determined, by the Securities Commission Malaysia, to be in the best interest of Malaysia. Authorisation includes grant of licence, registration, or approval, as the case may be; or</p> <p>(b) a representative office.</p> <p>Representative offices (including those of commercial banks,</p>	<p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>investment banks, and securities companies) are permitted to undertake information research and liaison services only. Representative offices are not permitted to publish and circulate research work in Malaysia.</p> <p>(4) Unbound except one foreign national for a management post per establishment, subject to market test.</p>	<p>(4) Unbound except for the category of natural persons referred to under market access.</p>	
B. INSURANCE SERVICES			
Direct insurance (non-life)	<p>(1) Soliciting and advertising in Malaysia are not allowed.</p> <p>Approval of the Central Bank is required for direct placement abroad of insurance of:</p> <p>(a) movable or immovable property located in Malaysia, including any ship or aircraft registered in Malaysia; and</p> <p>(b) liability of residents to third party.</p> <p>Approval will be granted if such insurance is not available from direct insurance companies in Malaysia.</p>	<p>(1) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(2) Approval of the Central Bank is required for direct placement abroad of insurance of:</p> <p>(a) movable or immovable property located in Malaysia, including any ship or aircraft registered in Malaysia; and</p> <p>(b) liability of residents to third party.</p> <p>Approval will be granted if such insurance is not available from direct insurance companies in Malaysia.</p> <p>(3) Only permitted through direct insurance companies.</p> <p>Offshore direct insurance companies in Labuan are not permitted to accept direct insurance of Malaysian risks.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	<p>(2) None</p> <p>(3) Branching is permitted for direct insurance companies with aggregate foreign shareholding of less than 50 per cent.</p> <p>Direct insurance companies are permitted to maintain their existing network of branches¹³.</p> <p>Unbound for special assistance to Malaysian-owned direct insurance companies to promote their development.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	
Direct takaful (non-life)	<p>(1) Unbound</p> <p>(2) Unbound</p>	<p>(1) Unbound</p> <p>(2) Unbound</p>	

¹³ Refers to the network of branches specified in Malaysia's Schedule of Specific Commitments under GATS.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(3) Unbound</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	<p>(3) Unbound</p> <p>(4) Unbound</p>	
Direct insurance (life)	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Only permitted through direct insurance companies.</p> <p>Investment-linked insurance business and new life insurance products provided by direct insurance companies require approval.</p> <p>Offshore direct insurance companies in Labuan are not permitted to underwrite life insurance of residents. This limitation does not apply to ordinary life insurance of high net worth residents by offshore direct insurance companies in Labuan.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Branching is only permitted for direct insurance companies with aggregate foreign shareholding of less than 50 per cent. Direct insurance companies are permitted to maintain their existing network of branches¹⁴.</p> <p>Unbound for special assistance to Malaysian-owned direct insurance companies to promote their development.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	
Direct takaful (life)	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Unbound</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Unbound</p>	

¹⁴ Refers to the network of branches specified in Malaysia's Schedule of Specific Commitments under GATS.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	(4) Unbound except as indicated in the all financial services horizontal section.	(4) Unbound	
Reinsurance and retrocession (non- life)	<p>(1) Outward reinsurance is permitted only if local capacity is not available.</p> <p>(2) Outward reinsurance is permitted only if local capacity is not available.</p>	<p>(1) Voluntary cession up to 30 per cent of each class of non-life reinsurance business to the Malaysian Reinsurance Berhad.</p> <p>Unbound for fiscal incentives to promote reinsurance in Malaysia.</p> <p>(2) Voluntary cession up to 30 per cent of each class of non-life reinsurance business to the Malaysian Reinsurance Berhad.</p> <p>Unbound for fiscal incentives to promote reinsurance in Malaysia.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(3) Obligation on all insurers other than offshore direct insurance and offshore reinsurance companies to optimise national retention capacity before any outward reinsurance.</p> <p>Unbound for new licences.</p> <p>Aggregate foreign shareholding in the Malaysian Reinsurance Berhad shall not exceed 30 per cent.</p> <p>Entry as an offshore reinsurance company is confined to Labuan.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	<p>(3) Unbound for measures granting special position to the Malaysian Reinsurance Berhad.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p> <p>For offshore reinsurance companies, unbound except as indicated in the all financial services horizontal section.</p>	
Retakaful (non-life)	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Unbound</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Unbound</p> <p>(4) Unbound</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Reinsurance and retrocession (life)	<p>(1) Outward reinsurance is permitted only if local capacity is not available.</p> <p>(2) Outward reinsurance is permitted only if local capacity is not available.</p> <p>(3) National retention capacity is required to be optimised before any outward reinsurance by:</p> <p style="padding-left: 20px;">(a) direct life insurance and life reinsurance companies in Malaysia; and</p> <p style="padding-left: 20px;">(b) offshore direct life insurance and offshore life reinsurance companies which are permitted to insure or reinsure life insurance of high net worth residents.</p> <p>Unbound for new licences.</p> <p>Aggregate foreign shareholding in the Malaysian Life Reinsurance Group Berhad shall not exceed 30 per cent.</p> <p>Entry as an offshore reinsurance company is confined to Labuan.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	<p>(1) Unbound for fiscal incentives to promote reinsurance in Malaysia.</p> <p>(2) Unbound for fiscal incentives to promote reinsurance in Malaysia.</p> <p>(3) None</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
		For offshore reinsurance companies, unbound except as indicated in the all financial services horizontal section.	
Retakaful (life)	(1) Unbound (2) Unbound (3) Unbound (4) Unbound except as indicated in the all financial services horizontal section.	(1) Unbound (2) Unbound (3) Unbound (4) Unbound	
Insurance intermediation – insurance broking (excluding agency)	(1) Direct insurance broking services can only be provided to offshore companies in Labuan. Reinsurance broking is permitted. (2) Direct insurance broking services can only be provided to offshore companies in Labuan. Reinsurance broking is permitted. (3) Unbound for onshore insurance broking. Broking of direct insurance of Malaysian risks by offshore insurance brokers is not permitted. This limitation does not apply to broking of reinsurance of Malaysian risks.	(1) None (2) None (3) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	(4) Unbound except as indicated in the all financial services horizontal section.	(4) Unbound except as indicated in the all financial services horizontal section.	
Insurance intermediation – insurance underwriting and insurance management	<p>(1) Insurance underwriting and insurance management are not permitted.</p> <p>(2) Insurance underwriting and insurance management are not permitted.</p> <p>(3) Unbound for onshore insurance underwriting and insurance management.</p> <p>An offshore insurance underwriting manager is not permitted to provide services to any person other than offshore insurance companies in Labuan.</p> <p>An offshore insurance manager is permitted to provide insurance management services to persons other than residents.</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in the all financial services horizontal section.</p>	
<p>Services auxiliary to insurance as follows:</p> <p>(a) consultancy (excludes insurance</p>	<p>(1) Actuarial services can only be provided to offshore insurance companies and offshore reinsurance companies in Labuan.</p>	<p>(1) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
agency services to insurance industry);	(2) None	(2) None	
(b) actuarial risk assessment;	(3) Limited to the establishment of:	(3) None	
(c) risk management; and	(a) locally incorporated companies;		
(d) maritime loss adjusting.	(b) branches; or		
	(c) partnerships.		
	Offshore companies are not permitted to provide services to Malaysian residents.		
	(4) Unbound except for presence of natural persons in respect of supply of a service through the mode of commercial presence.	(4) Unbound except for presence of natural persons in respect of supply of a service through the mode of commercial presence.	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
HEALTHCARE SERVICES			
<p>Specialised medical services (CPC 93122)</p> <p>covering forensic medicine, nuclear medicine, geriatrics, micro vascular surgery, neurosurgery, cardiothoracic surgery, plastic surgery, clinical immunology and oncology, traumatology, anaesthesiology, intensive care specialist, child psychiatry and physical medicine</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Medical specialty services may be supplied only by a natural person</p> <p>(4) Unbound, except as indicated in 2 a) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) None other than:</p> <ul style="list-style-type: none"> - practice only in private hospitals of at least 50 beds; - practice to be only at a specified location and a change of location requires approval; and - the setting up of individual or joint group practices is not permitted 	<p>4) The qualifying examination to determine the competence and ability to supply the service will be conducted in English language.</p>
<p>Dental Services (CPC 93123)</p> <p>Covering at least five (5) dental specialties in the fields of:</p> <p>Oral Surgery, Orthodontics, Periodontics, Pediatric Dentistry, Oral Pathology/Oral Medicine, and Special Care Dentistry; with competency/competencies in the field of orthognathic surgery, cranio-facial surgery, dental oncology, dental-facial trauma or cleft lip and cleft palate</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through</p> <p>(a) A multi-disciplinary Private Dental Specialist Centre (PDSC) with at least 5 specialty services and equipped with at least 25 dental chairs-cum units with foreign equity not exceeding 51%.</p> <p>(b) The PDSC to be located and operated in the Development Corridor/Region.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(4) Unbound except indicated in 2 (a) in the horizontal section.</p> <p>In respect of 2(b), only two (2) foreign dental specialists with specified competency/competencies per establishment.</p>	(4) Unbound, except for the categories of natural persons referred to under market access	
Veterinary services (CPC 932)	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated joint-venture with Malaysian individuals or Malaysian-control corporation or both and aggregate share of foreign interest shall not exceed 51%, ownership shall be restricted to veterinarian professionals with professional qualification relevant to the services provided and recognized by and registered with relevant professional bodies</p> <p>(4) Unbound, except indicated in 2 a) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Unbound</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
<p>Specialised Nursing Services (CPC 93191)</p> <ul style="list-style-type: none"> - Intensive Care Nursing - Coronary Care Nursing - Peri-Operative Nursing 	<p>(1) None</p> <p>(2) None</p> <p>(3) Services may be supplied by a natural person.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Unbound</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<ul style="list-style-type: none"> - Neonatal Nursing - Pediatric Nursing - Emergency and Trauma Care - Oncology Nursing - Gerontology - Renal Nursing - Orthopedic Nursing - Ophthalmology Nursing 	The setting up of individual or joint group practices is not permitted.		
	(4) Unbound except indicated in 2 (a) in the horizontal section.	(4) Unbound, except for the categories of natural persons referred to under market access	
Private hospital services (CPC 93110*)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporations shall not exceed 51%; and <p>The joint-venture corporation shall operate a hospital with a minimum of 100 beds.</p> (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) Establishment of feeder outpatient clinics is not permitted (4) Unbound, except for the categories of natural persons referred to under market access	
Welfare services delivered through residential institutions to old person and the handicapped (CPC 93311)	(1) None (2) None (3) None	(1) None (2) None (3) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Vocational rehabilitation services for the handicapped (CPC 93324)	(4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal commitments.	(4) Unbound, except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
TOURISM AND TRAVEL RELATED SERVICES			
<p>Hotel and restaurant services (CPC 64110) covering only:</p> <p>(i) Hotel Lodging Services (CPC 64110)</p> <p>(ii) Holiday Centre and Holiday Home Services (CPC 64192)</p> <p>(iii) Letting Services of Furnished Accommodation (CPC 64193)</p> <p>Covering the management and operational of hotels or resorts including, outlet which may not necessarily include ownership of such properties</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture corporation with Malaysia individuals or Malaysia – controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 70% foreign equity (for 4- & 5-star hotel)</p> <p>(4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access</p>	
<p>Food serving services (CPC 642)</p> <p>Beverage serving services for consumption on the premises (CPC 643)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 51% foreign equity.</p> <p>(4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access.</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Travel Agencies and Tour Operators Services (CPC 7471)</p> <p>(For inbound travel only)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Through joint-venture with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 70%</p> <p>(4) Unbound except as indicated in 1(a) and (b) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access</p>	
<p>Tourist Guide Services (CPC 7472)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Unbound due to lack of technical feasibility</p> <p>(4) Unbound except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Unbound due to lack of technical feasibility</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
RECREATIONAL, CULTURAL AND SPORTING SERVICES			
Other entertainment services (CPC 96191, 96192, 96194)	<p>(1) Unbound due to lack of technical feasibility</p> <p>(2) None</p> <p>(3) Entertainment services may be supplied only by a natural person</p> <p>(4) Unbound except as indicated in 2 a) in the horizontal section</p>	<p>(1) Unbound due to lack of technical feasibility</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p> <p>Participation of Malaysian entertainers/artistes may be required based on the guidelines of the Ministry of Culture, Arts and Tourism</p>	
Theme Park (A family based recreational area/ amusement centre which may consist of rides, mechanical and/or high-tech simulation equipment with various kinds of amusement facilities built around a theme or several themes. Activities to be offered will contain elements of entertainment, edutainment, adventure and excitement. The concept of the park can either be outdoor or indoor or a combination of both)	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through joint venture with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 51%.</p> <p>(4) Unbound except as indicated in 1(a) and (b) and 2 (a) and (c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Sports events management services (CPC 96411, 96412)	<p>(1) None</p> <p>(2) None</p> <p>(3) None except only through a Malaysian-controlled corporation acting as the local sponsor.</p> <p>(4) Unbound, except as indicated in 2 a) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
TRANSPORT SERVICES			
Transport Services do not include cabotage in maritime transport services in accordance with Malaysia's laws and regulations.			
A. Maritime Transport Services International maritime transportation services, excludes cabotage (CPC 7211, 7212)	(1) None (2) None (3) Only 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 in the joint-venture corporation shall not exceed 51%. <u>Malaysian registered vessels</u> To register a vessel in Malaysia, the following conditions must be met: a) Owner of that vessel must be a Malaysian citizen or corporation incorporated in Malaysia; b) Majority shareholding to be held by Malaysians; c) Majority of the board of directors to be Malaysians; and d) Principal place of business to be in Malaysia. (4) Unbound, except as indicated in the horizontal section. Ship crew is permitted to disembark only for duration of berth.	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1) Pilotage 2) Towing and tug assistance 3) Provisioning, fuelling and watering 4) Garbage collection and ballast waste disposal 5) Port Captain's services 6) Navigation aids 7) Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8) Emergency repair facilities 9) Anchorage, berth and berthing services
Rental of cargo vessels with crew for	(1) None	(1) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>international shipping (CPC 7213)</p> <p>Rental and leasing services of all types of self-propelled seagoing vessels with operator, such as passenger vessels (except pleasure bath), tankers, bulk dry cargo vessels, cargo and freight vessels</p> <p>* These are limited to services of hiring of a vessel with crew under charter party terms for voyage or period of time.</p>	<p>(2) None</p> <p>(3) None</p> <p>(4) Ship's crew (for vessels with crew) is permitted to disembark only for duration of berth subject to applicable domestic regulations</p>	<p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access.</p>	
<p>International pushing and towing services (part of CPC 7214*)</p> <p>Covering only towing from international waters to Malaysian waters or vice versa; excludes towing between Malaysian ports</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding shall not exceed 49%.</p> <p>(4) Ship's crew (for vessels with crew) is permitted to disembark only for duration of berth subject to applicable domestic regulations.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access.</p>	
<p>Maintenance and repair vessels (CPC 8868**)</p> <p>(these are limited to businesses related to</p>	<p>(1) Unbound due to lack of technical feasibility</p> <p>(2) None</p>	<p>(1) Unbound due to lack of technical feasibility</p> <p>(2) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
maintenance and repair of ocean-going vessels at anchor or alongside and maintenance and repair of local vessels)	<p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal commitments</p>	<p>(3) Unbound</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
F. Supporting services for maritime transport Vessel salvage and refloating services (not applicable in harbour) (CPC 74540) (Vessels salvage services provided on ocean and seas. Such services consist of recovering distressed and sunk vessels\ and their cargoes, including the raising of sunken vessels, the righting of capsized vessels and the refloating of stranded vessels)	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation of at least 30%</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
Classification Societies ¹⁵ (Except for statutory services for Malaysia flag vessels)	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

¹⁵ Provision of rules on construction and safety of ships and issuance of certificate should be in accordance with specified rules stated in domestic legislation. Exclude survey and classification of Malaysian flag vessels which requires specific authorization by the relevant authority.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	(4) Unbound, except as indicated in the horizontal commitments	(4) Unbound, except for the categories of natural persons referred to under market access	
F. Road transport services Freight Transportation Covering private carriers (Class C Licence) (CPC 7123)	(1) None (2) None (3) Foreign equity shall not exceed 49%. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
H. Services Auxiliary to all modes of transport Maritime Cargo Handling Services (CPC 741 **)	(1) None (2) None (3) Only through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both. Aggregate foreign shareholding in the joint venture corporation shall not exceed 51%. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound except for the categories of natural persons referred to under market access.	
Storage and warehousing services.	(1) None	(1) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Covering private bonded warehousing services only (CPC 742)	<p>(2) None</p> <p>(3) Only through a locally incorporated joint-venture with Malaysian individuals or Malaysian-control corporations or both and aggregate foreign shareholding shall not exceed 49%.</p> <p>(4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal commitments.</p>	<p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access column.</p>	
<p>Maritime freight forwarding services (CPC 7480)</p> <p>(Consist of organizing and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, reparation of documentation and provision of business information)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Foreign equity allowable up to 51%.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
<p>Maritime agency services (CPC 7454*)</p> <p>Covering marketing and sales of maritime transport and related services</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
and acting on behalf of the companies organising the call of the ship or taking over cargoes when required	(4) Unbound, except as indicated in the horizontal section	(4) Unbound, except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
OTHER SERVICES			
Skills training services covering the provision of training for technical, supervisory and production related functional levels in new and emerging technologies as follows: 1) automated manufacturing technology; 2) advanced materials technology; 3) biotechnology; 4) electronics; 5) information technology; and 6) avionics/aviation technology (CPC 97090)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 70%; and establishment of local branches requires additional licenses	(3) None	
	(4) Unbound, except as indicated in the horizontal section	(4) Unbound, except for the categories of natural persons referred to under market access	

