

GUIDELINES ON COMPANY NAMES

This guideline is issued pursuant to section 20C of the Companies Commission of Malaysia Act 2001.

1. This guideline is applicable to all applications for registration of name for incorporation of a company or a registration of a foreign company and change of name of a company or a foreign company.

OBJECTIVE

2. This guideline serves as a guidance to assist and facilitate applicants who wish to make a reservation name for the purpose of incorporation a company or changing its existing name.

GENERAL REQUIREMENTS OF A COMPANY NAME

3. For the purposes of incorporating a company and changing a name of a company, a confirmation of availability of the proposed name from the Registrar must be obtained. In the case of incorporating a company, the confirmation of the availability of name can be done simultaneously during the incorporation process.
4. Generally, the availability of a company's name is subjected to section 26 of the Companies Act 2016. The name will be available if the name is—
 - (a) not undesirable or unacceptable;
 - (b) not identical to an existing business entity's name under the registers kept pursuant to laws administered by the Companies Commission of Malaysia;

- (c) not identical to a name that is being reserved under the Companies Act 2016; or
 - (d) not a name of a kind that the Minister has directed the Registrar not to accept for registration.
5. Upon being satisfied that the name is not one which may be refused on any ground referred to in subsection 26(1) of the Companies Act 2016 and upon payment of the prescribed fee, the Registrar may reserve the name for a period of thirty (30) days from the date of lodgement of the application or such longer period as the Registrar may allow.

NAME OF FOREIGN COMPANY

6. A foreign company shall be registered under the name as registered in its place of origin subject to the name being available under section 26 of the Companies Act 2016.
7. Any change name in the name of a foreign company shall not be registered if the name is not available under section 26 of the Companies Act 2016.

GENERAL PRINCIPLES AND CHARACTERISTICS OF NAMES ACCEPTABLE FOR REGISTRATION

8. The following principles should be observed when deciding on a name of a company:
- (a) Correct spelling and proper grammar must be used;

- (b) The use of mixture of Malay or English languages is allowed if the use is to describe the type of business and must follow proper grammar;

Example:

- BB Construction Sdn. Bhd. (✓)
Construction BB Sdn. Bhd. (x)
- Klinik Ria Hebat Sdn. Bhd. (✓)
Ria Hebat Klinik Sdn. Bhd. (x)

- (c) If a name contains words other than the Malay or English languages, the meaning of such words must be given;
- (d) Names which are not blasphemous or likely to be offensive to members of the public;
- (e) Names which do not resemble elements of religion;
- (f) Refrain from using words which are too general, for example, "Beautiful Sdn. Bhd.", "International Trading Sdn. Bhd.", "Ahmad Adam Sdn. Bhd." or "Puncak Alam Sdn. Bhd.";
- (g) Only names of directors who are specified at the application form for incorporation can be used as company names. Proof of relationship must be given if other individual names are proposed to be used. Similarly, consent letter must be obtained from the group of companies whose individual names are proposed;
- (h) The usage of individual names refers to the name of the director or director's family members only as stated on the individual's identity card. Names associated with local or foreign historical

figures, for example, Parameswara, Ibnu Sina, Abraham Lincoln are allowed;

- (i) The meaning of new created or coined words must be given;
- (j) When using created words, a letter of consent is not required from an existing company that carries the same created word. For example, if a new application with the name Jellex Assets Sdn. Bhd. (Jellex being a created word), the applicant is not required to provide a consent letter from Jellex Jaya Sdn. Bhd. (an existing company);
- (k) The usage of symbols in the name of a company is limited to the following five (5) symbols only and must be appropriate so that it forms part of the company's name:
 - (i) "&" (include "dan", "and" and "N")
Example : D&T Services Sdn. Bhd.
 - (ii) "." ("dot" symbol)
Example : Mr. John Trade Sdn. Bhd.
 - (iii) "-" ("hyphen" symbol).
Allowed only for double words or common words that use hyphen.
Example : Kupu-Kupu Design Sdn. Bhd.
Focus Re-Engineering Sdn. Bhd.
 - (iv) "()" bracket symbol
Example : ZY Advertising (2017) Sdn. Bhd.

(v) " ' " ("apostrophe" symbol)

Example : Mum's Recipe Sdn. Bhd.

Dato' Yusoff Yahaya Trading Sdn. Bhd.

- (l) The word "Malaysia" or a name of a state in Malaysia at the beginning of the name is not allowed unless there is an interest of the Federal / State Government in the company or with the consent of the relevant party;
 - (m) The words "Company", "Co" or "Syarikat" is prohibited from being used as part of a company name; and
 - (n) The words "Corporation", "Corp", "Perbadanan", "Incorporated", "Diperbadankan", "Incorporation", "Incorp", "Inc", "Pemerbadanan", is prohibited in their use unless there is a government interest in the company and a letter of consent from the relevant Ministry must be given. However, the word is allowed if it is related to the registration of a foreign company or for a change of name of an existing company in which its existing name carries such words.
9. The name must not be an acronym that can be confused with names that are associated with the following:
- (a) Acronyms that stand for the institutions of higher learning

Example:

UiTM, UTM, UM, UKM, UPM, UUM, USM, UIA, UNIMAS, UMS, UIAM, UPSI, UMT, UMP, UTEM, UNIMAP, UTHM.

- (b) Acronyms that stand for Federal government agencies or State and Government Owned Companies (GLC)

Example:

SSM, CCM, JKR, JPA, JPM, BNM, KPDNKK, SEDC, PKEN, SIRIM, TNB, PNB, FELDA, FELCRA, PETRONAS, SKM, MYCC, MIDA, KWSP, LHDN, PERKESO, MARDI, RISDA.

UNDESIRABLE OR UNACCEPTABLE NAMES

10. The Registrar has full discretion in determining whether a name is undesirable or unacceptable. In exercising that discretion, the Registrar may determine that a name is undesirable or unacceptable if—

- (a) it contains word(s) is obscene in nature;
- (b) it is contrary to public policy including names which are set out in paragraphs 4;
- (c) it may likely offend any particular section of a community or any particular religion; or
- (d) it is misleading as to the identity, nature, objects or purposes of the company or in any other manner.

IDENTICAL NAMES

11. In determining whether a company name is identical to another, the following shall be disregarded:

- (a) "The", where it is the first word of the name;
- (b) "Sendirian", "Sdn", "Berhad", "Bhd", "PLT" and "Perkongsian Liabiliti Terhad";

- (c) The following words and expressions where they appear at the end of the name: "Company", "Co", "Syarikat", "Corporation", "Corp", "Perbadanan", "Incorporated", "Diperbadankan", "Incorporation", "Incorp", "Inc", "Pemerbadanan", "Holding", "Group", "Kumpulan", "Malaysia", "(M)", "Msia", "Consortium", "Konsortium", "Consolidated";

Example:

Zip Legacy Sdn. Bhd. = Zip Legacy Malaysia Sdn. Bhd.

Zip Legacy (M) PLT = Zip Legacy Consolidated Sdn. Bhd.

Zip Legacy Group PLT = Zip Legacy PLT

- (d) Any word or expression which, in the opinion of the Registrar, is intended to represent any word or expression in subparagraph (c);
- (e) The plural version of the name;
- (f) Root words that carry the same meaning;

Example:

(i) Consultancy, Consultants, Consults

(ii) Technology, Technologies, Tech

(iii) Trade, Trading, Trader

- (g) The type and case of letters, spacing between letters and punctuation marks;
- (h) The symbol "&" is deemed to have the same meaning as the word "and" or "dan";

- (i) The use of the name of a company that has been dissolved by court order / voluntary winding up is allowed after seven (7) years of dissolution under subsection 555(1) of the Companies Act 2016. The use of a Limited Liability Partnership that has been dissolved is allowed after two (2) years of dissolution under section 52 of the Limited Liability Partnerships Act 2012;
- (j) The reuse of a company or Limited Liability Partnership's previously used name is permitted subject to:
 - (i) if the previous name is no longer in use and the period has exceeded twelve (12) months, the name can be used without a letter of consent;
 - (ii) if the period for the non-usage of the previous name is still within twelve (12) months, a letter of consent must be included; and
- (k) The reuse of expired or terminated business names:
 - (i) is permitted after twelve (12) months from the expiration date of the business; and
 - (ii) is permitted if the business has terminated when the relevant notification has been lodged with the Registrar.

NAMES WHICH ARE PROHIBITED UNDER THE DIRECTION OF THE MINISTER

12. The Minister has directed the Registrar not to accept the following names for registration:

- (a) Names suggesting connection with the members of the Royal family or Royal patronage including names containing such

words as "Royal", "King", "Queen", "Prince", "Princess", "Crown", "Regent" or "Imperial";

The Registrar may consider the applications for the use of the names stated in paragraph 12(a) above unless due to the following criteria:

- (i) Registration of a foreign company in Malaysia, then the name of the company shall be identical as the parent company;
 - (ii) The word has been registered as a registered trademark in Malaysia and obtained a letter of consent from the registered trademark owner;
 - (iii) The word refers to the name of a location such as "Putra Nilai" or "Taman Mahkota";
 - (iv) The word indicates the product itself or the size of the product that is being traded such as "king-sized roof" or "Musang King"; or
 - (v) At the discretion of the Registrar, the reasons given by the applicant do not indicate any connection with a member of the Royal Family or Royal patronage.
- (b) Names suggesting connection with a State or Federal government department, statutory body, authority or government agency or any municipality or other local authority, including names containing such words as "Federal", "State" or "National";
- (c) Names suggesting connection with any ASEAN, Commonwealth or foreign government or with the United Nations or with any other international organization or cartel including names

containing such words as "ASEAN", "UNESCO", "NATO", "EEC", or "OPEC";

(d) Names suggesting connection with any political party, society, trade union, co-operative society or building society;

(e) Names including the following words or any words of like import:

"Bank", "Banker", "Banking", "Bumiputra", "Bureau", "Chamber of Commerce and Industry", "Chamber of Manufacturers", "Chartered", "College", "Consumer", "Council", "Credit", "Exchange", "Executor", "Fair Price", "Finance", "Foundation", "Fund", "Guarantee", "Institute", "Insurance", "Investment", "Leasing", "Made in Malaysia", "Prime", "Registry", "Treasury", "Trust", "Unit Trust", or "University".

13. If an applicant or promoter of a company has justifications to use the names or words contained in the aforesaid Direction, the said applicant or promoter has to appeal to the Minister under subsection 27(3) of the Companies Act 2016 through the Registrar, stating the reasons or justifications for using such names or words as part of the proposed name by the company, together with a payment of RM300.00.

14. For words that are controlled by the Referral Authorities, a letter of permission is needed when applying for the said name. Refer to **Lampiran 1**.

DIRECTION AS TO THE CHANGE OF A COMPANY NAME

15. Under section 29 of the Companies Act 2016, the Registrar has the power to direct a company to change its name if he believes on

reasonable ground that a name under which the company was registered should not have been registered.

16. Upon receipt of such a notice, a company is given a period of sixty (60) days or such further period as the Registrar allows, to comply with the direction. If a company fails to comply with the direction, the Registrar has the power to change the company's name to the company's registration number or any such expression assigned by the Registrar.

APPEAL AGAINST THE DECISION OF THE REGISTRAR

17. Under subsection 27(3) of the Companies Act 2016, if an applicant or promoter of a company is aggrieved with the decision of the Registrar in confirming the availability of a name, he may within thirty (30) days from the date of the decision of the Registrar, appeal to the Minister whose decision shall be final.
18. Appeal to the Minister must state the grounds and justification for the use of name, together with an application fee of RM300.

REGISTRAR

COMPANIES COMMISSION OF MALAYSIA

15 MARCH 2022

Referral Authorities

The referral authorities listed below are controlling certain wordings either by legislative or government-mandated referrals. Applicants may check if the words you prefer for your entity are currently listed as control words by the said authorities or agencies. There may be other referrals required by statutory or government authorities that are not listed here.

If you wish to proceed to use the control words, kindly attach the supporting documents from the referral authority below before proceeding with your name search application in MyCoID.

1. Board of Architects Malaysia / Lembaga Arkitek Malaysia (LAM)

Proposed name containing the word "ARCHITECT", "AKITEK" or "ARKITEK" and with certified architect.

<http://lam.gov.my/>

2. Board of Engineers Malaysia / Lembaga Jurutera Malaysia (LJM)

Proposed name containing the word "Engineer" or "Jurutera" and with certified engineer.

<http://bem.org.my/>

3. Board of Valuers, Appraisers, And Estate Agents Malaysia / Lembaga Penilai & Pentaksir, Ejen Hartanah Malaysia (LPPEH)

Proposed name containing the words "Juru Ukur", "Jurukur", "Penilai", "Pentaksir", "Surveyor", "Ahli Ekonomi Tanah", "Perunding Harta", "Pengurus Harta", "Estate Agent" or "Property Agent".

<https://lppeh.gov.my/>

4. Central Bank Of Malaysia / Bank Negara Malaysia (BNM)

Proposed name and activities containing the words "BNM", "Money Broker", "Money Changer", "Money Exchange", "Pengurup Wang", "Peniaga Mata Wang Asing", "Takaful", "Tukaran Mata Wang", "Tukaran Mata Wang Asing", "Bureau De Change", "Exchange", "Bank", "Finance", "Merchant Bank", "Insurance", "Assurance", "Foreign Exchange", "Foreign Exchange Broker", "Currency Exchange", "Forex", "Forex Exchange", "Insurer", "Assurer", "Deposit Taking", "Loss Adjuster", "Remittance", or "Building Credit Development Finance".

<https://www.bnm.gov.my/>

5. Civil Aviation Authority of Malaysia / Pihak Berkuasa Penerbangan Awam Malaysia (CAAM)

Proposed name containing Air-related word or acronym such as "Aerospace", "Air", "Airspace", "Aviation", "Airline", "Airways", "Aircraft", "Airport", "Aero" or "Aviator".

<https://www.caam.gov.my/>

6. Department of Islamic Development Malaysia / Jabatan Kemajuan Islam Malaysia (JAKIM)

Proposed name and activities containing the word "Amil", "Baitumal", "Crypto", "Faraid", "Halal", "Islam", "Madinah", "Masjid", "Mustaqim", "Mukjizah", "Wasiat", or "Ehram".

<https://www.islam.gov.my/>

7. Institute Integrity of Malaysia / Institut Integriti Malaysia (IIM)

Proposed name containing the word "Integriti", "Intergriti", "Integrity" or "Intergrity".

<https://integriti.my/>

8. Institute of Islamic Understanding Malaysia / Institut Kefahaman Islam Malaysia (IKIM)

Proposed name containing the word "IKIM", "IKIM FM" or "IKIMFM".

<https://www.ikim.gov.my/>

9. Iskandar Regional Development Authority (IRDA)

Proposed name containing the word "IRDA".

<https://www.irda.com.my/>

10. Malaysia Digital Economy Corporation (MDEC)

The application of name that contains words controlled by MDEC such as "Ciber", "Cyber", "MSC", "Multimedia Super Corridor", "Cyberjaya", "Digital Malaysia", "Saiber", "Siber", or "Syber".

<https://mdec.my/>

11. Malaysian Institute of Accountants (MIA)

Proposed name and activities containing "Accountant", "Accounting", "Auditor", "Public Accountant", "Tax", "Tax Advisor", "Tax Consultant", "Taxation", "Akauntan", "Cukai", "Perakaunan", "Percukaian", or "Perunding Cukai".

<https://www.mia.org.my/>

12. Malaysia Rail Link (MRL)

Proposed name containing the word "ECRL".

<https://www.mrl.com.my/>

13. Malaysian Investment Development Authority (MIDA)

Proposed name containing the word "MIDA".

<https://www.mida.gov.my/>

14. Ministry of Education / Kementerian Pelajaran Malaysia (KPM)

Proposed name containing the word "School" or "Sekolah".

<https://www.moe.gov.my/>

15. Ministry of Foreign Affairs Malaysia - Asean-Malaysia National Secretariat (AMNS)

Proposed names containing the word "Association of Southeast Asian Nations" or "ASEAN".

<https://asean.org/about-us/asean-name/>

16. Ministry of Housing And Local Government / Kementerian Perumahan Dan Kerajaan Tempatan (KPKT)

Proposed name and activities containing the words "Pajak Gadai", "Pemberi Pinjam Wang", "Peminjam Wang", "Kredit", "Credit", "Money Lender" or any other similar terms.

<https://www.kpkt.gov.my/>

17. Ministry of Higher Education / Kementerian Pengajian Tinggi (KPM)

Proposed names containing the word "College", "Institute", "University", "Kolej", "Institut", or "Universiti".

<https://www.mohe.gov.my>

18. Ministry of Health of Malaysia / Kementerian Kesihatan Malaysia (KKM)

Proposed name or activities containing the words "Hospital", "Medical Clinic/Centre", "Dental", "Pharmacy", "Optometris", "Alternative Medical" or any related terms. Applicant to obtain approval from KKM.

<https://www.moh.gov.my/>

Perubatan Tradisional dan Komplementari (PT&K):

<https://tcm.moh.gov.my/>

19. Ministry of Tourism, Arts & Culture / Kementerian Pelancongan Dan Kebudayaan Malaysia (MOTAC)

The application of name that contains words controlled by MOTAC such as "Butik Hotel", "(MM2H)", "Home Stay", or "Homestay".

<https://www.motac.gov.my/>

20. Prime Minister's Department of Malaysia (JPM)

Proposed name containing the word "Dinar" or "Jalur Gemilang".

<https://www.jpm.gov.my/>

21. Securities Commission Malaysia / Suruhanjaya Sekuriti Malaysia (SC)

Proposed name containing the words "Securities Trading Market", "Future Broker", "Future Trading Adviser", "Futures Exchange", "Stock Market",

"Stock Exchange", "Derivatives Exchange", "Derivatives Market", or "Derivatives Trading Market".

Additionally, any name, title or description implying or tending to create the belief that such person is a participating organization or an affiliate of a participating organization or such person is an exchange holding, stock exchange or derivatives exchange or that such person is licensed to carry on a business or performs any function in relation to any regulated activity as specified in Schedule 2 of the Capital Markets and Services Act 2007.

<https://www.sc.com.my/>