

GUIDELINES FOR REGISTRATION OF BUSINESS

REGISTERING A NEW BUSINESS

Business includes every form of commerce, craftsmanship, occupation, profession, or other activities that is carried out for the purposes of gain, but does not include any office or employment or any charitable undertaking or any occupation specified in the schedule. Businesses that can be registered under the Registration of Businesses Act 1956 are as follows:

1. **Sole Proprietorship** – a business wholly owned by a single owner.
2. **Partnership** – a business owned by 2 persons and not more than 20 partners.

REGISTRATION PROCEDURE

1. Obtain prior approval from SSM for the proposed business name. Fill up Form PNA.42 if using a trade name. Using a personal name as per identity card no need to apply for approval of business name.
2. The person responsible shall not later than 30 days from the date of commencement apply to the Registrar for the registration of the business. An application in Form A (Registration of New Business) shall be made in the prescribed form and shall state the following :
 - the name of the business;
 - the nature of the business;
 - the date of commencement of business;
 - the address of the place of business;
 - the branch(s) of the business;
 - the particulars of owners of the business; and
 - the partnership agreement (if any)
3. Every business owners must sign the completed Form A.

REQUIREMENT

1. Malaysian Citizens and Permanent residents of Malaysia aged 18 and above may register a business.
2. Register the business not later than 30 days from the date of commencement of business.
3. The nature of the registered business should not contravene any laws.
4. Submit a copy of specific approval such as a permit, license, letter of authority or support when registering a business that requires special consent or approval.
5. Attach the completed Form A with the following documents:
 - Approval letter of business name;
 - Photocopy of identity card;
 - Photocopy of Partnership Agreement (if any); and
 - Permit, license, approval or supporting letter from other agency (if any).

REGISTRATION FEE

1. Sole proprietorship using own name as per identity card – RM30.00
2. Sole proprietorship and partnership using a trade name – RM60.00
3. Registration of branch (s) – RM5.00 per branch
4. Business information print-out – RM10.00

GENERAL GUIDE

Submit application for registration personally to the nearest SSM office or send by post.

Any person who being a person required to register his business under this Act carries on that business without registering the business or commits an offence and shall on conviction be liable to a fine not exceeding RM 50,000 or to imprisonment for a term not exceeding 2 years or both.

REGISTRATION OF CHANGES IN BUSINESS PARTICULAR

To change particulars of a business, the person responsible for the business is required to complete the changes accordingly using the following forms:

1. FORM B1 – Change of Business Address
2. FORM B2 – Change in type of Business
3. FORM B3 – Change of particulars on Branches
4. FORM B4 – Change of information of Owner/Partner (residential address, new entry/withdrawal of the partner)

PROCEDURE

Every business owner must sign the completed Form B

REQUIREMENT

1. Malaysian citizens or permanent residents aged 18 and above.
2. Prior to registering the change in business particulars, please ensure that the Certificate of Registration has been renewed.
3. Register the changes of business particulars not later than 30 days from the date of changes.
4. A change in the nature of business should be appropriate to the name of the business.
5. Attach the complete Form B with the following documents:
 - photocopy of Identity Card of the new partner;
 - photocopy of Death Certificate if a partner has passed away;
 - permit, license or copy of supporting letters from other agency (if any)

REGISTRATION FEE

1. Registration of Form B – RM 20.00
2. Registration of branch(s) – RM 5.00 per branch
3. Business information print-out – RM 10.00

GENERAL GUIDE

1. Submit application for registration personally to the nearest SSM office or send by post.
2. A registered sole proprietor using his own name as per his identity card cannot take on an additional partner. However, a partnership can change its status to a sole proprietorship and vice-versa if a trade name is used.
3. A partnership can change its status to a sole proprietorship using trade names and vice –versa.

Any person who being a person responsible for his business continues to carry on the business without submitting the changes to the registered particulars of the business commits an offence and shall on conviction be liable to a fine not exceeding RM 10,000 or to imprisonment for a term not exceeding 1 year or both.

TERMINATION OF BUSINESS

Businesses can be terminated by presenting a notice for the termination of business via Form C (Notice of termination for a registered Business). Businesses may be terminated for the following reasons:

1. Cessation of the business
2. Bankrupt
3. Death of the owner
4. Pursuant to a Court Order
5. Carrying out unlawful activities or activities which are prejudicial to national security, public order or morality

PROCEDURE

1. Form C should include the date of termination and reasons of terminating the business;
2. Every business owner must sign the completed Form C.

REQUIREMENT

1. Attach Form C with the following documents:
 - Certificate of Business Registration;
 - Copy of the Court Order, if termination has been ordered by court;
 - Copy of death certificate (if applicable);
 - Enclose relevant documents if the owner has become bankrupt
2. File Form C within 30 days from the date of termination of the business.
3. State the reasons for the termination of business.
5. File Notification of Termination of Registered Business as a result of death within 4 months from the date of demise and the next-of-kin of the deceased should file a notice of termination if a sole proprietorship is terminated upon the demise of the owner. In a partnership, other partner(s) or the next-of-kin can file the notice on behalf of the deceased.

REGISTRATION FEE

No fee is imposed for registration of termination of business.

GENERAL GUIDE

Submit application for registration personally to the nearest SSM office or send by post.

Any person who being a person responsible for his business or a personal representative or next-of-kin or a remaining partner fails to file a notice of termination where a business has been terminated commits an offence and shall on conviction be liable to a fine not exceeding RM 10,000 or to imprisonment for a term not exceeding 1 year or both.

RENEWAL OF BUSINESS REGISTRATION

PROCEDURE

Form A1 (Application for Renewal of Registration) should include the following details:

- i. Information regarding the business;
- ii. Status of the business;
- iii. Change in the registered nature of the business (if any); and
- iv. The owner or one of the partners must sign Form A1.

REQUIREMENT

Application should be made within 30 days before the date of expiry of the registration.

REGISTRATION FEES

1. Sole proprietorship using own name as per identity card – RM 30.00
2. Sole proprietorship using a trade name – RM 60.00
3. Partnership – RM 60.00
4. Renewal of registration for branch(s) - RM5.00 each branch

GENERAL GUIDE

1. Submit application for renewal of business registration personally to the nearest SSM or send by post;
3. An application to renew the business registration can be made for a period of 1 year and shall not exceed 5 years at each renewal.

Any person who continues to carry on any business after the period of registration has expired commits an offence and shall on conviction be liable to a fine not exceeding RM 50,000 or to imprisonment for a term not exceeding 2 years or both.