

GUIDELINES FOR REGISTRATION OF A FOREIGN COMPANY IN MALAYSIA

1. Name Search and Application for Name

A name search must be conducted to determine whether the proposed name of the company is available for registration. The steps involved are:

- i. Completion and submission of Form 13A CA (Request for Availability of Name; and
- ii. Payment of a RM30.00 fee for each name applied.

The name to be used to register the foreign company should be the same as registered in its country of origin. When the proposed company's name is approved by SSM, it shall be valid for three months from the date of approval.

2. Lodgement of Registration Documents

Registration documents must be submitted to SSM within three months from the date of approval of the company's name by SSM, failing which a fresh application for a name search must be done.

The following documents shall be submitted to SSM for registration:

- i. A certified copy of the certificate of incorporation or registration of the foreign company;
- ii. A certified copy of the foreign company's charter, statute or Memorandum and Articles of Association or other instrument defining its constitution;
- iii. Form 79 (Return by Foreign Company Giving Particulars of Directors and Changes of Particulars);

NOTE: If the list includes directors residing in Malaysia who are members of the local board of directors of the foreign company, a memorandum stating their powers must be executed by or on behalf of the foreign company and submitted to SSM.

- iv. A memorandum of appointment or power of attorney authorizing the person(s) residing in Malaysia, to accept on behalf of the foreign company any notices required to be served on such foreign company;

- v. Form 80 (Statutory Declaration by Agent of Foreign Company); and
- vi. Additional documents consisting of:
 - a. The original Form 13A; and
 - b. A copy of the letter from SSM approving the name of the foreign company.

If any of the described registration documents are in languages other than Malay or English, a certified translation of such documents in Malay or English shall be required.

Registration Fees

Registration fees shall be as per the payment schedule below:

AUTHORISED CAPITAL (RM)	SHARE	FEES (RM)
Up to 100,000		1,000
100,001 – 500,000		3,000
500,001 – 1 Million		5,000
1,000,001 – 5 Million		8,000
5,000,001 – 10 Million		10,000
10,000,001 – 25 Million		20,000
25,000,001 – 50 Million		40,000
50,000,001 – 100 Million		50,000
100,000,001 and above		70,000

1. In determining the registration fees, the nominal share capital of the foreign company should first be converted to the Malaysian currency (Ringgit Malaysia) at the prevailing exchange rate.

2. In the event a foreign company does not prescribe any share capital, a flat rate of RM 1,000.00 shall be paid to SSM.

Certificate of Registration

A Certificate of Registration of Foreign Company (Form 83) will be issued by SSM upon compliance with the registration procedures and submission of duly completed registration documents.