



Application Form for Establishment of Representative Office in Malaysia

Note: 'Applicant' in this form refers to the foreign institution applying for an approval under section 19(3) of the Financial Services Act 2013 or section 17(3) of the Islamic Financial Services Act 2013. Attach additional sheets if the space provided is insufficient.

PART I: Contact Information of the Applicant's Agent (if relevant)

Complete this section if the application is made through a local agent/management firm.

Name of agent/management firm

Address

Telephone number

Fax number

Name of officer-in-charge

Telephone number

Email

PART II: Details of the Applicant

A. Background Information

Name

Address

Date of incorporation Place of incorporation

Principal business, field of operations and any other relevant areas of expertise

B. Structure of the Applicant's Corporate Group

Please attach a copy of the corporate group structure with this application form.

C. Related Corporations of the Applicant

A related corporation is defined as a corporation that is:

- *the holding company of another corporation;*
- *a subsidiary of another corporation; or*
- *a subsidiary of the holding company of another corporation,*

the first referred to corporation and the latter corporation shall be deemed to be related to each other.

Related Corporations of Applicant in Malaysia

Name of Corporation	Place and Date of Incorporation	Principal Business and Field of Operations	Name of Directors	Substantial Shareholders ¹	
				Name	%

¹ A substantial shareholder refers to that defined in Section 69D of the Malaysian Companies Act 1965. Please refer to Attachment I for more information.

Related Corporations of Applicant outside Malaysia

Name of Corporation	Place and Date of Incorporation	Principal Business and Field of Operations	Name of Directors	Substantial Shareholders ¹	
				Name	%

D. Subsidiaries/Branches/Representative Offices/Agency Offices of Applicant

Subsidiary/Branch/ Representative Office/ Agency Office	Company	Place/Country

E. Existing Relationship with Malaysia

Please provide details, if any, of financial services currently being extended or has been extended in the past to Malaysian corporations, including banks and insurance companies, and individuals.

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PART III: Financial Position of the Applicant²

Currency to be quoted in USD.

A. Key Financial Information

Year	20__	20__	20__
Total Assets ³			
Profit Before Tax			

B. Capital

Year	20__	20__	20__
Paid Up Capital			
Shareholders' Funds			
Capital Adequacy Ratio ⁴			

C. Credit Ratings by International Credit Rating Agencies (if available)

Year	20__	20__	20__
Credit Rating Agency			
Credit Rating			

D. Other supplementary information

Please provide any other supplementary information that will support the application, including ranking of the applicant in leading international publications.

² Financial information shall be based on the audited consolidated financial statements

³ Total Assets shall exclude intangible assets

⁴ For banking and insurance businesses

PART IV: Details on Applicant's Supervisory Authority

Name

Address

Telephone number Fax number

Official website

Functions and powers of the supervisory authority

Frequency and scope of on-site examinations

Date of most recent examination

PART V: Actions against the Applicant

1. Does the applicant, or any regulated financial institution in the applicant's corporate group have any of the following, whether ongoing or pending, in the past five years?
- Enforcement action taken against breaches of statutory, administrative or regulatory enactments
 - Legal proceedings
 - Criminal convictions

Yes

No

If yes, please provide details in the box below.

2. Does the applicant, or any regulated financial institution in the applicant's corporate group, whether as an entity or part of its operations, have any of the following?
- Suspension or revocation of license, approval, permit, certificate or any other equivalent documents authorising the applicant to carry on its business which corresponds, or is similar to, the business of an authorised person
 - Rejection to establish a financial institution in and/or out of home country
 - Imposition of restrictions on operations by other regulators

Yes

No

If yes, please explain in the box below.

PART VI: Details of the Proposed Representative Office

A. Reasons for the Establishment of Representative Office

B. Proposed Activities of Representative Office

C. Value Proposition to Malaysia

1. How would the applicant's presence in Malaysia enhance interlinkages between Malaysia and its home and/or other international investors?

2. How would the applicant's presence in Malaysia facilitate trade and investment between Malaysia and the countries where the applicant has presence, including the applicant's home country?

3. How would the applicant's presence in Malaysia support the Government of Malaysia's efforts on economic cooperation both regionally and globally?

4. Other contributions

D. Name of Representative Office

1. Pursuant to section 139 of the FSA and section 151 of the IFSA, does the applicant intend to use the word "Bank", "Insurance", "Assurance", "Financial adviser", "Islamic bank", "Takaful", "Islamic insurance", "Islamic assurance", "Islamic financial adviser", or any derivative thereof, or any other words in any language that is capable of being construed as indicating the carrying on of any of the authorised businesses under the FSA and/or IFSA, in the name of the representative office?

Yes No

2. State the proposed name of the representative office.

E. Proposed Staffing of Representative Office

Category	Malaysian	Foreigner	
	Number of Employees	Number of Employees	Period of Stay Required
Representative			
Supervisory			
Clerical			
Others			
TOTAL			

PART VII: Checklist

Please attach the following with the application form*:

Tick (✓) if
submitted

<p>Certified copy of the applicant's license, approval, permit, certificate or any other equivalent documents authorising the applicant to carry on its business which corresponds, or is similar to, an authorised person's business.</p>	
<p>Certified copy of the applicant's memorandum and articles of association or other constituent documents under which the applicant is established.</p>	
<p>A copy of the latest annual report and audited financial statements of the applicant.</p>	
<p>A written confirmation from the applicant's home supervisory authority stating that:</p> <ul style="list-style-type: none"> • the applicant is of good standing and meets the prudential and market conduct requirements in its home country; • to the best of the knowledge of the home supervisor, the applicant has not contravened any provisions of the law or regulations, or any requirements or standards of a regulatory body, professional body, government or its agencies; and • it does not object to the applicant establishing a representative office in Malaysia. 	

* An English translation, which is certified by a notary public and authenticated at the Malaysian diplomatic mission of the applicant's home country, must be provided for documents that are not in English.

PART VIII: Declaration

I/We hereby confirm that all the above information given is true and accurate.

.....
Name:
Designation: CEO/ Director
Date:

.....
Official Stamp

Attachment I

Section 69 D of the Companies Act 1965 defines a substantial shareholder of a company as a person who has a substantial shareholding in a company. A person is considered to have a substantial shareholding in a company in the following situations:

- (i) If he has an interest or interests in one or more voting shares in the company and the nominal amount of that share, or the aggregate of the nominal amounts of those shares, is not less than five percentum of the aggregate of the nominal amounts of all the voting shares in the company; and
- (ii) When the company's share capital is divided into two or more classes of the shares, if he has an interest or interests in one or more voting shares included in one of those classes and the nominal amount of that share, or the aggregate of the nominal amounts of those shares, is not less than five percentum of the aggregate of the nominal amounts of all the voting shares included in that class.