

MALAYSIA'S SCHEDULE OF COMMITMENTS FOR TEMPORARY ENTRY FOR BUSINESS PERSONS

The following sets out Malaysia's commitments in accordance with Article 12.4 (Grant of Temporary Entry) in respect of the temporary entry of business persons.

Description of Category	Conditions and Limitations (including length of stay)
A. Business Visitors	
<u>Definition:</u> Business Visitors means: (a) a service seller or representative of a service supplier seeking temporary entry into Malaysia, for the purpose of negotiating the sale of services for that service supplier and that will not be engaged in direct sales to the general public or in supplying services directly; (b) a goods seller, who is seeking temporary entry into Malaysia for the sale of goods, or to enter into a distribution or retailing arrangement that does not involve direct sales to the general public; (c) a person who attends meetings or conferences or engages in consultations with business associates; (d) an investor of a Party, as defined in Chapter 9 (Investment).	Temporary entry is for a period of up to 90 days. Does not receive any remuneration from a source located within Malaysia.
Installer and Servicer means a person who is an installer or servicer of machinery or equipment, who is employed or appointed by a supplying company, where such installation or servicing by the supplying company is a condition of purchase of the said machinery	Temporary entry shall not exceed a total of six months.

or equipment, who does not perform activities which are not related to the installing or servicing activities which is the subject of the contract and who receives his or her remuneration from the supplying company.	
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Description of Category	Conditions and Limitations (including length of stay)
B. Intra-Corporate Transferees 1. Intra-Corporate Transferees will have access in all sectors and sub-sectors except for legal services, custom agents and real estate agents. 2. Malaysia may grant temporary entry and provide a work permit or work authorisation to dependants of Intra-Corporate Transferees of another Party.	
<u>Definition:</u> Intra-Corporate Transferees means a business person who is: 1. A senior manager being a person in an enterprise within Malaysia: (a) having proprietary information of the enterprise; (b) exercising wide latitude in decision making relating to the establishment, control and operation of the enterprise; (c) primarily directing the management of the enterprise; and (d) receiving only general supervision or direction from the board of directors or partners of the enterprise; Specialist or an expert being a person within the enterprise who possesses knowledge at an advanced level of continued expertise and who possesses proprietary knowledge of the enterprise. This is provided that the employee of the service supplier of the other party must have been employed for not less than two years immediately preceding the date of the application for temporary entry.	Temporary entry is for a period of up to two years and may be extended every two years for a total term not exceeding 10 years for senior managers and not exceeding five years for specialists or experts.
Dependants means a wife or husband, who is legally married and recognised under the	

Malaysian laws, or/and a child to a business person under this category. Upon an application by a dependant and subject to Malaysian laws and regulations, relevant licensing, administrative and registration requirements, a dependant may be permitted to work.	
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Description of Category	Conditions and Limitations (including length of stay)
C. Contractual Service Suppliers	
<u>Definition:</u> Contractual Service Suppliers means a business person who is: (a) a specialist or expert who possesses knowledge at an advanced level of continued expertise and who possesses proprietary knowledge of the organisation's products and services in the relevant services sector or subsector; (b) a professional who possesses necessary academic credentials, professional qualifications, experience or expertise which have been duly recognised by the professional bodies in Malaysia and registered with those respective professional bodies; or (c) an employee of an enterprise of the other Party, who enters Malaysia temporarily in order to perform a service pursuant to a contract. A Contractual Service Supplier: (a) receives his or her remuneration from that enterprise; and (b) is not engaged in other employment in the territory of the other Party where the service is being provided. The service contract pursuant to Contractual Service Supplier seeks to supply the services includes any one of the listed sectors or professions as listed below: <u>Business Services</u>	Temporary entry is for a period of up to 12 months or the duration of the contract, whichever is less.

(a) <u>Professional Services</u> • Accounting, auditing and bookkeeping services (CPC 862) • Architectural services (CPC 8671) • Engineering services (CPC 8672) • Integrated engineering services (CPC 8673) • Urban planning services (CPC 86741) • Landscaping services (CPC 86742*) • Specialised medical services (CPC 93122) • Veterinary services (CPC 932) (b) <u>Computer and Related Services</u> • Computer and related services (CPC 841, 842, 843, 844, 845, 84910, 84990**) (c) <u>Research and Developmental Services</u> • Research and experimental development services on natural sciences and engineering (CPC 85101, 85103, 85109) (d) <u>Other Business Services</u> • Management consulting services (CPC 8650*) • Technical testing and analysis services (CPC 8676) • Services related to management consulting (CPC 86601) • Related scientific and technical consulting services (CPC 8675) • Convention and exhibition management services	
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(CPC 87909) (e) <u>Environmental Services</u> • Wastewater management (CPC 9401) (f) <u>Financial Services</u> • Financial analyst • Financial managers • Economists • Mathematicians • Statisticians • Actuaries (g) <u>Education Services</u> • Other education professionals • Managers and professionals marketing education services (h) <u>Construction Services</u> • Construction services covering CPC 511 - 518	
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Description of Category	Conditions and Limitations (including length of stay)
D. Independent Professionals	
<u>Definition:</u> Independent Professionals means a self-employed business person who seeks to travel to Malaysia temporarily, to perform a valid service contract without the requirement of a commercial presence, who is: (a) a specialist or expert who possesses knowledge at an advanced level of continued expertise and who possesses proprietary knowledge of the organisation's products and services in the relevant services sector or subsector; or (b) a professional who possesses necessary academic credentials, professional qualifications, experience or expertise which have been duly recognised by the professional bodies in Malaysia and registered with those respective professional bodies. The service contract pursuant to which the independent professional is eligible to supply his or her services according to the listed sectors or profession as listed below: <u>Business Services</u> (a) <u>Professional Services</u> • Accounting, auditing and bookkeeping services (CPC 862) • Architectural services (CPC 8671) • Engineering services (CPC 8672) • Integrated engineering services (CPC 8673) • Urban planning services (CPC 86741) • Landscaping services	Temporary entry is for a period of up to 12 months or the duration of the contract, whichever is less. Not more 20 per cent of lecturers employed in an educational institution who possess the necessary qualification, knowledge, credentials or experience.

(CPC 86742*) • Specialised medical services (CPC 93122) • Veterinary services (CPC 932) (b) <u>Computer and Related Services</u> • Computer and related services (CPC 841, 842, 843, 844, 845, 84910, 84990**) (c) <u>Research and Developmental Services</u> • Research and experimental development services on natural sciences and engineering (CPC 85101, 85103, 85109) (d) <u>Other Business Services</u> • Management consulting services (CPC 8650*) • Technical testing and analysis Services (CPC 8676) • Services related to management consulting (CPC 86601) • Related scientific and technical consulting services (CPC 8675) • Convention and exhibition management services (CPC 87909) (e) <u>Communication Service</u> • Motion picture and video tape production and distribution services (CPC 9611) (f) <u>Environmental Services</u> • Wastewater management (CPC 9401) (g) <u>Financial Services</u> • Financial analyst • Financial managers	
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• Economists • Mathematicians • Statisticians • Actuaries (h) <u>Education Services</u> • Other education professionals • Managers and professionals marketing education services • Lecturers (i) <u>Construction Services</u> • Construction services covering CPC 511 – 518	
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