Modes of Supply: 1) Cross-	-border supply 2) Consu		umptic	on abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access			Limitation on National Treatment	Additional Commitments
BUSINESS SERVICES A. Professional Services					
Legal Services (CPC86190*)	(1) None		(1)	None	
covering advisory and consultancy	(2) None		(2)	None	
services relating only to home country laws, international law and offshore corporation laws of Malaysia		for corporations incorporated in ederal Territory of Labuan.	(3)	None	
	to offs	services shall only be supplied shore corporations established Federal Territory of Labuan.			
Accounting, auditing and bookkeeping services	(1) None		(1)	None	(4) The qualifying examination to determine
(CPC 862)	(2) None		(2)	None	the competence and ability to supply the
	(3) None		(3)	None	service for the purposes of registration with the MIA will be conducted in the English language.

Modes of Supply: 1) C	Cross-border supply	2) Consumption	on abroad	3) Commercial presence
Sector or Subsector		itation on tet Access	Limitation on National Treatment	Additional Commitments
Taxation Services (CPC 863 / 8630)	(1) None (2) None	(1)	None	(4) The qualifying examination to determine the
	(3) None	(3)	None	competence and abilit to supply the services for the purposes of registration with the professional bodies w be conducted in the English language.
Architectural services CPC 8671)	(1) None	(1)	None	(4) The qualifying examination to
	(2) None	(2)	None	determine the competence and abili
	b) For multi-d (Architectu Quantity S up to a ma for joint ve who are re	<ul> <li>(3)</li> <li>(3)</li> <li>(3)</li> <li>(3)</li> <li>(3)</li> <li>(3)</li> <li>(3)</li> <li>(4)</li> <li>(4)</li> <li>(4)</li> <li>(5)</li> <li>(4)</li> <li>(4)</li> <li>(5)</li> <li>(4)</li> <li>(4)</li></ul>	None	to supply the services for the purposes of registration with the professional bodies w be conducted in the English language.

Modes of Supply: 1) Cros	s-border sup	oply 2) Cons	umptic	on abroad	3) Commercial presence
Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Other Architectural Services	(1) Nor	ne	(1)	None	
(CPC 86719**)	(2) Nor	ne	(2)	None	
Covering preparation of promotional materials and presentation; and preparation of as-built drawing only.	(3) Nor	ne	(3)	None	
Engineering services (CPC 8672)	(1) Nor	ne	(1)	None	(4) The qualifying examination to
	(2) Nor	ne	(2)	None	determine the
covering: (CPC 86721- 86729)	(Ard Qua ipin are	r multi–disciplinary practices chitecture, Engineering and/or antity Surveying), foreign equity to a maximum of 30 per cent for it ventures by professionals who e registered in the country of origin.	(3)	None	competence and ability to supply the service for the purpose of registration with the professional bodies will be conducted in English language.
	For	reign Directorship is not allowed.			Other requirements as per in ASEAN Chartered Professional Engineer (ACPE) Registry.

Modes of Supply: 1) Cross-	porder supply	2) Consumption abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Integrated engineering services (CPC 8673) covering: (CPC 867231, 86732, 86733, 86739)	(1) None	<ul> <li>Integrated engineering services must be authenticated by the relevant registered professionals in Malaysia</li> </ul>	competence and ability
	(2) None	(2) Integrated engineering services must be authenticated by the relevant registered professionals in Malaysia	to supply the service for the purpose of registration with the professional bodies wil be conducted in English language.
	<ul> <li>Only through a represent regional office or locally in joint-venture corporation. Malaysian individuals or controlled corporations of the purpose of services of awarded in Malaysia. The aggregate foreign shin the joint-venture corporation is only for a corporation is only for a contract.</li> </ul>	incorporated with Malaysian- r both for contract nareholding pration shall int-venture duration	

Sector or Subsector		imitation on arket Access	Limitation on National Treatment	Additional Commitments
Urban Planning Services	(1) None	(1)	None	(4) Qualifying examinatio
Covering development services programmes regarding land use, site selection, control and	(2) None	(2)	None	to determine the competency and abilit to supply the service
utilisation, road systems and servicing of land with a view to creating and maintaining systematic, coordinated urban planning. (CPC 86741)	(3) Unbound	(3)	Unbound	for the purposes of registration with the professional bodies w be conducted in the English language.
Landscape architectural services (CPC 86742)	(1) None	(1)	None	(4) Qualifying examination
( )	(2) None	(2)	None	competency and abili to supply the service
	partnersh Registere Malaysiar both and sharehold	(3) yith Malaysian d Landscape Architects or controlled corporations or aggregate foreign ing in the JV corporation exceed 40 per cent.	None	for the purposes of registration with the professional bodies w be conducted in the English language.

### For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Other Professional Services

Georaphical Indication (GI) Agent

(covering filing, prosecution and renewal of patent only)

(1) Unbound

(3) Foreign equity participation should

not exceed 70%.

(2) None

Modes of Supply: 1) Cross	-border supply	order supply 2) Consumption abroad		
Sector or Subsector	Limitati Market A		Limitation on National Treatment	Additional Commitments
Landscaping services, covering the provision of advisory, planning and	(1) None	(1)	None	
designing services for the aesthetic landscaping of golf courses and	(2) None	(2)	None	
theme parks (CPC 86742*)	joint-venture corp Malaysian Regist Architects or Mala corporations or be	ered Landscape aysian-controlled oth and the o shareholding in the oration shall not	None	

(1)

(2)

(3)

Unbound

None

None

Mo	odes of Supply: 1) Cross-	borde	r supply	2) Consumption	on abroad	3) Commercial presence		
	Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments		
В.	Computer and Related Services	(1)	None	(1)	None	(3) Horizontal Limitation		
a.	Consultancy services related to the installation of computer hardware (CPC 841)	(2)	None	(2)	None	does not apply to these sub-sectors		
b.	Software implementation service (CPC 842)	(3)	None	(3)	None			
c.	Data processing services (CPC 843)							
d.	Data base services (CPC 844 / 84400)							
e.	Other							
	<ul> <li>Maintenance and Repair Services of office machinery and equipment including Computers (CPC 845)</li> </ul>							
	<ul> <li>Data preparation services from clients not involving data processing services (CPC 84910)</li> </ul>							
	<ul> <li>Other computer services not elsewhere classified (CPC 84990**):</li> </ul>							
	<ul> <li>covering training services for staff of clients; data recovery services; and development of creative content.</li> </ul>							

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2) Consumption abroad

3) Commercial presence

Modes of Supply:

1) Cross-border supply

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
C. Research and Development Services	(1) None	(1) None	
Services Research and development services on natural sciences and engineering (CPC 851** except CPC 85105 medical sciences and pharmacy and does not include research and development on Malaysia's natural resources, biodiversity and genetic materials) Limited to industrial activities covering all science and engineering disciplines, including biotechnology and information communication technology; and defined as any systematic or intensive study carried out in the field of science or technology with the object of using the results of the study for the production or improvement of materials, devices, products, produce or processes but does not include: (i) Quality control of products or routine testing of materials, devices, products or produce; (ii) Research in the social sciences or humanities; (iii) Routine data collection; (iv) Efficiency surveys or	<ul> <li>(1) None</li> <li>(2) None</li> <li>(3) Only for contract research and development company and research and development company locally incorporated as a joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign equity shall not exceed 70 per cent.</li> </ul>	<ul> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> </ul>	
<ul><li>management studies; and</li><li>(v) Market research or sales promotion.</li></ul>			

Modes of Supply: 1) Cross-	border supply 2	?) Consumption abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Research and development services on medical sciences and pharmacy (CPC 85105**) Research and experimental development on medical sciences and pharmacy limited to clinical trials and study which evolves any investigation in human subjects intended to discover or verify the clinical, pharmacological and/or other pharmaco-dynamic effects of an investigational product(s), and/or to identify any adverse reactions to an investigational products(s), and/or to study absorption, distribution, metabolism, and excretion of an investigational product(s) with the object of ascertaining its safety and/or efficacy. (This will also include pre-clinical contract research organization and contract manufacturing organization)	<ul> <li>(1) None</li> <li>(2) None</li> <li>(3) None-</li> </ul>	<ul> <li>(1) None</li> <li>(2) None</li> <li>(3) None</li> </ul>	

Modes of Supply: 1) Cr	oss-borde	er supply 2) Cons	umpti	on abroad	3) Commercial presence
Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
C. Research and Development Services	(1)	None	(1)	None	
Research and experimental	(2)	None	(2)	None	
development services on social sciences and humanities (CPC 8520 except 85203 and 8520	(3)	Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian- controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 51 per cent	(3)	None	
Research and experimental development services on economic	(1)	None	(1)	None	
(CPC 85202)	(2)	None	(2)	None	
	(3)	Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both and the aggregate foreign shareholding in the joint venture corporation shall not exceed 51 per cent	(3)	None	

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Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Interdisciplinary research and development services (CPC 8530**)	<ul><li>(1) None</li><li>(2) None</li></ul>	<ul><li>(1) None</li><li>(2) None</li></ul>	
Covering industrial activities covering all science and engineering disciplines, including biotechnology and information communication technology; and defined as any systematic or intensive study carried out in the field of science or technology with the object of using the results of the study for the production or improvement of materials, devices, products, produce or processes but does not include: (i) Quality control of products or routine testing of materials, devices, products or produce; (ii) Research in the social sciences or humanities; (iii) Routine data collection; (iv) Efficiency surveys or management studies; and (v) Market research or sales promotion.	<ul> <li>(3) Only for contract research and development company and research and development company locally incorporated as a joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign equity shall not exceed 70 per cent</li> <li>For interdisciplinary research and development services involving Malaysia's natural resources, biodiversity and genetic materials the aggregate foreign equity shall not exceed 49 per cent.</li> </ul>	(3) None	

Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
. Real Estate Services	(1)	None	(1)	None	
enting or leasing services involving wn or leased residential property	(2)	None	(2)	None	
Renting or leasing services of esidential properties by owners or easeholders to others. Examples include houses, flats, apartment uildings, multiple use buildings which are primarily residential and esidential mobile home sites.	(3)	None except that the acquisition, disposal or dealing of land or any interest in land, property and real estate shall not be undertaken for speculative or non-productive purpose or for purposes which may conflict with the interest of the State.	(3)	None except that the acquisition, disposal or dealing of land or any interest in land, property and real estate shall not be undertaken for speculative or non-productive purpose or for purposes which may conflict with the interest of the State.	
Exclusions: Lodging services rovided by operating hotels, motels, poming houses, school dormitories, amping sites and other lodging laces are classified in group 641 Hotel and other lodging services)					
CPC 82101)					

Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence
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Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
E. Rental/Leasing Services without Operator	(1)	None	(1)	None	
Relating to ships exclude cabotage	(2)	None	(2)	None	
and offshore trades (CPC 83103)	(3)	Only through a representative office, regional office or Malaysian- controlled corporation acting as an agent	(3)	None	
Rental of cargo Vessels without crew (Bareboat Charter) for international	(1)	None	(1)	None	
shipping (CPC 83103)	(2)	None	(2)	None	
Rental and leasing services of all types of self-propelled seagoing vessels with operator, such as passenger vessels (except pleasure bath, tanker, bulk dry cargo vessels, cargo and freight vessels)	(3)	None	(3)	None	

Modes of Supply: 1) Cross-	porder supply	2) Consumption abroad		3) Commercial presence
Sector or Subsector	Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Leasing or rental services concerning goods transport without operator (CPC 83102)	<ol> <li>None</li> <li>None</li> <li>Foreign equity sh per cent</li> </ol>	(1) (2) all not exceed 51 (3)	None None None	
Leasing or rental services concerning construction machinery and equipment without operator	<ul><li>(1) None</li><li>(2) None</li></ul>	(1)	None	
(CPC 83107)	(3) None except only representative off or locally incorpor corporation with N individuals or Mal corporation acting foreign sharehold	through a ce, regional office ated joint venture falaysian aysian-controlled or both. Aggregate	None	

Modes of Supply: 1) Cross-b		border supply 2) Consu		on abroad	3) Commercial presence
Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Leasing or rental services concerning other machinery and equipment	(1)	None	(1)	None	
without operator (CPC 83109)	(2)	None	(2)	None	
	(3)	Foreign shareholding shall not exceed 51 per cent.	(3)	None	
Leasing or rental services concerning personal and household goods	(1)	None	(1)	None	
(CPC 832)	(2)	None	(2)	None	
	(3)	Foreign shareholding shall not exceed 51 per cent.	(3)	None	
F. Other Business Services	(1)	None	(1)	None	
Advertising services (CPC 8711, 8712, 8719)	(2)	None	(2)	None	
	(3)	Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian- controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 51 per cent Advertisement through electronic	(3)	None	
		media_subject to guidelines on local content			

Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence
	Limitati	on on Limitation on	Additional

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Market research services (CPC 86401)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both with foreign equity up to 51 per cent	(3) None	
Public opinion polling services (CPC 86402)	(1) None	(1) None	
, , , , , , , , , , , , , , , , , , ,	(2) None	(2) None	
	(3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian- controlled corporations or both and aggregate foreign equity shall not exceed 51 percent.	(3) None	

Modes of Supply: 1) Cross-I	oorder supply	2) Consumption	on abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Management Consulting Services	(1) None	(1)	None	
<ul> <li>a) covering advisory, guidance and operational assistance services</li> </ul>	(2) None	(2)	None	
concerning management of the transmission of non-conventional energy (CPC 8650*)	(3) Only through a lo joint-venture corp Malaysian individ		None	
<ul> <li>b) covering advisory, guidance and operational assistance on environ- mental management services including risk assessment services (CPC 8650*)</li> </ul>		ations or both and sholding in the joint- on is at least 51		
<ul> <li>c) covering advisory and guidance in the field of pharmacy as follows:</li> <li>Basic material manufacturing consultancy in the manufacture of drugs in raw material form;</li> <li>New systems of drug delivery;</li> <li>Biotechnology-new techniques for influencing the process and products of living cells;</li> <li>New techniques in drug develop- ment and methods of producing drugs and vaccine; and</li> <li>Vaccine production (CPC 8650*)</li> </ul>				
<ul> <li>d) covering advisory and guidance on International Value-Added Network Services, rural telecom develop- ment and human resource development in telecommunications (CPC 8650*)</li> </ul>				

Modes of Supply: 1) Cross-	-border supply 2) Con-	sumption abroad	3) Commercial presence	
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments	
Project management services other	(1) None	1) None		
than for construction (CPC 86601)	(2) None	(2) None		
	(3) Foreign equity shall not exceed 51 per cent	(3) None		
Technical Testing and Analysis Services	(1) None	(1) None		
(CPC 8676)	(2) None	(2) None		
	(3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian- controlled corporations or both and aggregate foreign equity shall not exceed 70 per cent.	(3) None		

Modes of Supply: 1) Cross-	porder supply	2) Consumption	on abroad	3) Commercial presenc	
Sector or Subsector	Limitation on Market Access		Limitation on National Treatment	Additional Commitments	
Services incidental to energy distribution	(1) None	(1)	None		
(CPC 887)	(2) None	(2)	None		
Consulting services related to the advisory, guidance and operational assistance concerning management of the transmission of non-conventional energy, power plant and network.	(3) Foreign equity sl per cent	hall not exceed 51 (3)	None		
Executive search services	(1) None	(1)	None		
(CPC 87201)	(2) None	(2)	None		
	(3) Foreign equity sl per cent	hall not exceed 51 (3)	None		
Alarm monitoring system services	(1) None	(1)	None		
(CPC 87303)	(2) None	(2)	None		
	(3) Foreign equity sl	hall not exceed 51 (3)	None		

Sector or Subsector	Limitation Market Acc		Additional Commitments
Subsurface surveying services	(1) Unbound*	(1) Unbound*	
Covering Offshore 3-D Seismic Site Surveys - 3-D Seismic Site Surveys	(2) None	(2) None	
Offshore in Support of Resource Exploration and Development (CPC 86752)	(3) Unbound	(3) Unbound	
Surface surveying services			
Covering Building Surveying Services only in the provision of the survey of buildings in the investigation and assessment of the construction, condition and dilapidation of building(s), including diagnosis of building defects, costs of repair and guidance on remedial works for the Commercial and Industrial sub-sector of the Property (Real Estate) Sector (CPC86753			
Surface surveying services	(1) None	(1) Unbound*	
Covering Quantity Surveying (Cost Engineering) Specialist Services in	(2) None	(2) None	
the provision of Arbitration/litigation, Tax Depreciation, Pre/Post Contract Audits, Technical Due Diligence, Resource analysis, Construct ability Analysis (CPC 86753)	(3) Unbound	(3) Unbound	

Modes of Supply: 1) Cr	ss-border supply 2) C	Consumption abroad	3) Commercial presence	
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments	
Maintenance and repair of equipment	nt (1) None	(1) None		

Maintenance and repair of equipment	(1)	None	(1)	None	
(not including maritime vessels, aircraft or other transport equipment)	(2)	None	(2)	None	
(CPC 8866)	(3)	Foreign equity shall not exceed 51 per cent	(3)	None	
Covering medical, precision and optical instruments, watches and clocks					
Building cleaning services	(1)	None	(1)	None	
(CPC 8741)	(2)	None	(2)	None	
Covering disinfecting and exterminating services	(3)	Foreign equity shall not exceed 51 per cent	(3)	None	

Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Specialty photography except aerial photography	(1)	None	(1)	None	
(CPC 875*)	(2)	None	(2)	None	
	. ,	Foreign equity shall not exceed 51 per cent	(3)	None	
Packaging Services	(1)	None	(1)	None	
(CPC 8760)	(2)	None	(2)	None	
(excludes services that consists solely of printing information on packaging materials)		Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian- controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 51 percent.	(3)	None	

Modes of Supply:	1) Cross-border supply	2) Consi	umption abroad	3) Commercial presence
Sector or Subsecto	or I	Limitation on Market Access	Limitation on National Treatment	Additional Commitments

	Market Access	National Treatment	Commitments
Printing and publishing	(1) None	(1) None	
Covering book binding services	(2) None	(2) None	
(CPC 88442 **)	(3) Foreign equity shall not exceed 51 per cent	(3) None	
Convention Centre	(1) None	(1) None	
(CPC 87909*)	(2) None	(2) None	
(convention and exhibition management services covering the provision of planning, organisational, management and marketing services or conventions and other similar events for convention centres with over 5,000 seating capacity)	(3) Only through joint venture with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 70%.	(3) None	

Modes of Supply: 1) Cross-I	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	umption abroad	3) Commercial presence
	l imitation on	l imitation on	Additional

Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Translation and interpretation services	(1)	None	(1)	None	
(CPC 87905)	(2)	None	(2)	None	
	(3)	Joint venture corporation with Malaysian individuals or Malaysian – controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 51 per cent foreign equity.	(3)	None	
Student Placement Services, covering promoting, recruiting and	(1)	None	(1)	None	
facilitating students for studies outside Malaysia	(2)	None	(2)	None	
(CPC 87909)	(3)	None	(3)	None	

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2) Consumption abroad

3) Commercial presence

Modes of Supply:

1) Cross-border supply

Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Operational Headquarters (OHQ) Services	(1)	None	(1)	None	
covering general management and	(2)	None	(2)	None	
administration, business planning, procurement of raw materials, technical support, marketing control and sales promotion planning, training and personnel management, provision of treasury and fund management services and research and development carried out by a company in Malaysia for its offices and related companies outside Malaysia	(3)	None except OHQ must operate in Malaysia and fulfil criteria as set out in the Guidelines on Setting up Operational Headquarters in Malaysia.	(3)	None	
(CPC 87909)					
International Procurement Centre (IPC)	(1)	None	(1)	None	
(IPC refers to a locally incorporated	(2)	None	(2)	None	
company which carries on the business in Malaysia to undertake procurement and sales of raw materials, components and finished products for its group of related and unrelated companies in Malaysia and abroad)	(3)	None except that an IPC must be locally incorporated, conducts its business in Malaysia and fulfils the criteria of an IPC	(3)	None	

### For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-	f Supply: 1) Cross-border supply		2) Consumption abroad		
Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Regional Distribution Centre (RDC)	(1) None		(1)	None	
(An RDC is a collection and consolidation centre for finished	(2) None		(2)	None	
goods, components and spare parts produced by its own companies for its own brand to be distributed to dealers, importers or subsidiaries or other unrelated companies within or	locally busine	except that an RDC must be incorporated, conducts its ss in Malaysia and fulfils the of an RDC	(3)	None	

outside the country. Among the activities are bulk breaking, repackaging and labelling)

Sector or Subsector	Limitation on Market Access			Limitation on National Treatment	Additional Commitments
COMMUNICATIONS SERVICES					
Courier services	(1)	None	(1)	None	
(CPC 7512)	(2)	None	(2)	None	
	(3)	Foreign equity shall not exceed 51 per cent.	(3)	None	
Telecommunication Services					
Basic Telecommunications	(1)	None	(1)	None	Pro-competition
1. Voice service (wired or wireless) (CPC 7521)	(2)	None	(2)	None	regulatory principle in respect of interconnectio arrangement and
2. Packet-switched data transmission services, including frame-relay services (CPC 7523)	(3)	Foreign shareholding of up to70 per cent in these service providers is allowed	(3)	None	competition (Refer to Annex I)
<ol> <li>Circuit switched data transmission services (CPC 7523)</li> </ol>					
4. Facsimile Service (CPC 7521**, CPC 7529**)					
5. Private leased circuit service (CPC 7522** & CPC 7523**)					

Modes of Supply: 1) Cro	oss-border supply	2) Consumption	on abroad	3) Commercial presence
Sector or Subsector		ation on Access	Limitation on National Treatment	Additional Commitments
Telex services	(1) None	(1)	None	
(CPC 7523)	(2) None	(2)	None	
	(3) Foreign shareh cent is allowed	olding of up to 70 per (3)	None	
Telegraph services	(1) None	(1)	None	
(CPC 7522)	(2) None	(2)	None	
	corporation with individuals or N corporations; or	lalaysian controlled	None	
	cent is allowed			

Aodes of Supply:         1) Cross-border supp		r supply 2) Cons	2) Consumption abroad		
Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Data and message transmission services	(1)	None	(1)	None	
Covering electronic mail, voice mail,	(2)	None	(2)	None	
on-line information and database retrieval, enhanced facsimile, code and protocol conversion	(3)	Foreign shareholding of up to 70 per cent is allowed.	(3)	None	
(CPC 7523)					
Basic Telecommunications	(1)	None	(1)	None	
Paging services	(2)	None	(2)	None	
(CPC 75291)	(3)	Foreign shareholding-of up to 70 per cent is allowed	(3)	None	

Modes of Supply: 1) Cross-	border sup	oply 2) Cons	umptic	on abroad	3) Commercial presence	
Sector or Subsector	Limitation on Market Access		Limitation on National Treatment		Additional Commitments	
Other telecommunication services	(1) No	ne	(1)	None	Pro-competition regulatory principle in	
7. Domestic/International satellite services and satellite	(2) No	ne	(2)	None	respect of interconnection arrangement and	
links/capacities (inclusive of mobile satellite)		reign shareholding of up to 70 per ht is allowed	(3)	None	competition (Refer to Annex I)	
8. Satellite earth station						
9. International switching and other international gateway						
10.Mobile services analogue/digital cellular						
11. Trunked radio services						
12. Video transport services						
Mobile telephone service	(1) No	ne	(1)	None		
(CPC 75213)	(2) No	ne	(2)	None		
		reign shareholding of up to 70 per ht is allowed	(3)	None		

Sector or Subsector	Limitatio Market A		Additional Commitments
Mobile data services	(1) None	(1) None	
(CPC 7523)	(2) None	(2) None	
	(3) Foreign sharehold cent is allowed	ing of up to 70 per (3) None	
Interconnection services (CPC 7525 and CPC 76250)	(1) None	(1) None	
Integrated telecommunication	(2) None	(2) None	
services (CPC 7526, CPC 75260)	(3) Foreign sharehold cent is allowed	ing of up to 70 per (3) None	

Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence
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Sector or Subsector	Limitation on Market Access			Limitation on National Treatment	Additional Commitments
Audiovisual Services	(1)	None	(1)	None	
Motion picture, video tape and audio recording distribution services	(2)	None	(2)	None	
(CPC 96113) Motion picture or video tape production services (CPC 96112)	(3)	Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian- controlled corporations or both and the aggregate foreign shareholding shall not exceed 51 per cent	(3)	None	
Other services in connection with motion picture or video tape production and distribution (CPC 96114)					
Motion picture projection services	(1)	None	(1)	None	
(CPC 96121)	(2)	None	(2)	None	
Video tape projection services (CPC 96122)	(3)	Foreign equity shall not exceed 51 per cent	(3)	None	

Sector or Subsector	Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Broadcasting services	(1) None	(1)	None	
covering transmission from foreign broadcast station of foreign broadcast	(2) None	(2)	None	
matter from foreign territory through television or radio (CPC 7524*)	(3) Unbound*	(3)	Unbound*	
Sound Recording services.	(1) None	(1)	None	
Covering production, distribution and public display of sound recordings,	(2) None	(2)	None	
but excluding all broadcasting and audiovisual services and materials that are broadcasting-related.	(3) Foreign equity sha per cent	all not exceed 51 (3)	None	

Modes of Supply: 1) Cross	s-border s	border supply 2) Con		on abroad	3) Commercial presence		
Sector or Subsector	Limitation on Market Access		Limitation on National Treatment		Additional Commitments		
CONSTRUCTION AND RELATED ENGINEERING SERVICES							
Pre-erection Work at Construction Site (CPC 511)	(1) l	Unbound*	(1)	Unbound*			
Construction Work for Buildings	(2) 1	None	(2)	None			
(CPC 512)		None except through a representative office, regional office	(3)	None			
Construction Work for Civil Engineering (CPC 513)	0	or locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled					
Assembly and Erection of Prefabricated Constructions (CPC 514)	c f V	foreign shareholding in the joint venture corporation shall not exceed 51per cent					
Special Trade Construction (CPC 515)		o iper cent					
Installation Work (CPC 516)							
Building Completion and Finishing Work (CPC 517)							

Nodes of Supply:1) Cross-border supply		2) Consumption abroad			3) Commercial presence
Sector or Subsector		Limitation on /arket Access		Limitation on National Treatment	Additional Commitments
DISTRIBUTION SERVICES					
Commission agents' services	(1) None		(1)	None	
(CPC 621*)	(2) None		(2)	None	
Only for textiles, clothing and footwear	(3) Foreign e per cent	equity shall not exceed 51	(3)	None	
Wholesale, and Retail Trade Businesses	(1) None		(1)	None	
(CPC 6111, 6113, 6121, 6130, 6221, 6222, 6223, 6224, 6225, 6226, 6227,	(2) None		(2)	None	
6228, 631, 632)		e foreign equity is allowed per cent.	(3)	Unbound	
	in respec as per the	foreign capital investment tive formats of businesses is e Guidelines on Foreign tion in Distributive Trade			
Franchising	(1) None		(1)	None	
(CPC 8929)	(2) None		(2)	None	
. ,	(3) Foreign e per cent	equity shall not exceed 51	(3)	None	

Modes of Supply: 1) Cross	-border supply 2) Co	nsumption abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
EDUCATION SERVICES			
Primary education services (CPC 921)	(1) Unbound*	(1) Unbound*	
Covering international schools only	(2) None	(2) None	
General secondary education services (CPC 9221)	<ul><li>(3) Only through a joint venture with foreign equity not exceeding 51 per cent.</li></ul>	(3) None	
Covering international schools only			
Technical and vocational secondary education services	(1) Unbound*	(1) Unbound*	
(CPC 9223)	(2) None	(2) None	
Covering private education services only	(3) Only through a joint venture with foreign equity not exceeding 51 per	(3) None	
Technical and vocational secondary school-type education services for handicapped students (CPC 9224)	cent.		
Covering private education services only			

Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments	
Other Higher Education Servic provided by privately funded h education institutions excludin private higher education institu- with Government of Malaysia or that receive assistance from Government of Malaysia	gher comme tions quity	nd, except for requirement for ercial presence	(1) Unbound including for grant of federal or state funding or subsidies such as but not limited to land grants, tax benefits, scholarships and loans limited to institutions with government equity or citizens/permanent residents			
(CPC 92390)	(2) None		(2)	Unbound		
Adult education services provi rivately funded education inst excluding private education Institutions with Government of Malaysia equity or that receive Issistance from Government of Malaysia	tutions foreign cent ar of a ne	nrough a joint venture with equity not exceeding 51 per nd subject to the requirement eeds test if necessary	(3)	Unbound including for grant of federal or state funding or subsidies such as but not limited to land grants, tax benefits, scholarships and loans limited to institutions with government equity or citizens/permanent residents.		
ssistance from Government of				government equity or		

Modes of Supply: 1) Cross-	border supply	2) Consumption	on abroad	3) Commercial presence	
Sector or Subsector	Limitation on Market Access		Limitation on National Treatment	Additional Commitments	
Other education services (CPC 929 / 9290 / 92900)	<ul><li>(1) Unbound*</li><li>(2) None</li></ul>	(1) (2)	Unbound* None		
		a joint venture with (3) not exceeding 51 per	None		
ENVIRONMENTAL SERVICES					
Wastewater Management	(1) None	(1)	None		
(CPC 9401)	(2) None	(2)	None		
Covers only removal, treatment and disposal of industrial effluents. (Only for services contracted by the private sector. Does not include public works functions owned and operated by federal, provincial, district or municipalities or contracted out by them)	joint-venture v individuals or corporations of	a locally incorporated, (3) with Malaysian Malaysian control or both and aggregate holding shall not exceed	None		

Modes of Supply: 1) Cross-		order supply	2) Consumption	on abroad	3) Commercial presence
Sector or Subs	ector	Limitati Market A		Limitation on National Treatment	Additional Commitments
		(1) None	(1)	None	
Refuse disposal services		(2) None	(2)	None	
(CPC 9402*)					
Covoring privato inductri	ial wasta		proval of National (3)	None	

Refuse disposal services	(2)	None	(2)	None	
(CPC 9402*)	(2)	None	(2)	None	
Covering private industrial waste management services covering treatment and disposal services	(3)	Only through approval of National Solid waste Management Technical Evaluation Committee and approved licence from National Solid Waste Management Department. The aggregate foreign equity shall not exceed 51 per cent.	(3)	None	
Refuse disposal services (CPC 9402*)	(1)	None	(1)	None	
Covering solid waste disposal	(2)	None	(2)	None	
<ul> <li>services, only for:</li> <li>integrated biomass treatment facility services</li> <li>the services provider must be equipped with high technology specifically built for biomass solid waste disposal services and fulfil all environmental safety requirements. The product will be used as a new material for energy purposes.</li> </ul>	(3)	Foreign equity shall not exceed 51 per cent.	(3)	None	

Modes of Supply: 1) Cross-	border supply 2) Co	2) Consumption abroad		
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments	
Protection of Ambient Air Climate	(1) None	(1) None		
(CPC 9404 –corresponds to Cleaning Services of Exhaust Gases)	(2) None	(2) None		
Covers only services provided at industrial premises to remove air pollutants including monitoring of mobile emissions and implementation of control systems or reduction programmes.	(3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 51 per cent	(3) None		
(Only for services contracted by the private sector. Does not include public works functions owned and operated by federal, state, district or municipalities or contracted out by them)				

# For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

2) Consumption abroad

3) Commercial presence

Modes of Supply:

1) Cross-border supply

Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Noise Abatement Services	(1)	None	(1)	None	
(CPC 9405)	(2)	None	(2)	None	
Covers only monitoring programmes, and installation of noise reduction and screen in residential, commercial and industrial premises. (Only for services contracted by the private sector. Does not include public works functions owned and operated by federal, state, district or municipalities or contracted out by them)	(3)	Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 51 per cent	(3)	None	
Nature and Landscape protection	(1)	None	(1)	None	
Services covering only contaminated soil clean-up and remediation.	(2)	None	(2)	None	
(part of CPC 94060) (Only for services contracted by the private sector. Does not include public works functions owned and operated by federal, state, district or municipalities or contracted out by them)	(3)	Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 51 per cent	(3)	None	

odes of Supply: 1) Cross-border supp		supply 2) Cons	2) Consumption abroad		
Sector or Subsector	Limitation on Market Access			Limitation on National Treatment	Additional Commitments
HEALTHCARE SERVICES					
Specialised medical services (CPC 93122)	(1)	None	(1) (2)	None	<ul> <li>4) The qualifying examination to determine the competence and</li> </ul>
covering forensic medicine, nuclear medicine, geriatrics, micro vascular surgery, neurosurgery, cardiothoracic	(3)	Specialised medical services may be supplied only by a natural person	(3)	None	ability to supply the service will be conducted in English language.
surgery, plastic surgery, clinical immunology and oncology, traumatology, anaesthesiology, intensive care specialist, child psychiatry and physical medicine					
Dental Services	(1)	None	(1)	None	
(CPC 93123)	(2)	None	(2)	None	
Covering orthognathic surgery, cranio-facial surgery, oral oncology, forensic odontology and special needs dentistry.	(3)	Foreign equity shall not exceed 70 per cent	(3)	As in market access limitations.	
Veterinary services	(1)	None	(1)	None	
(CPC 932)	(2)	None	(2)	None	
	(3)	Only through a locally incorporated joint-venture with Malaysian individuals or Malaysian-control corporation or both and aggregate share of foreign interest shall not exceed 70 per cent,	(3)	Unbound	

Modes of Supply: 1) Cross-border supply		2) Consumption	on abroad	3) Commercial presence	
Sector or Subsector	Limitation on Market Access		Limitation on National Treatment	Additional Commitments	
Specialised Nursing Services	(1) None	(1)	None		
(CPC 93191)	(2) None	(2)	None		
<ul> <li>Intensive Care Nursing</li> <li>Coronary Care Nursing</li> <li>Peri-Operative Nursing</li> <li>Neonatal Nursing</li> <li>Pediatric Nursing</li> <li>Emergency and Trauma Care</li> <li>Oncology Nursing</li> <li>Gerontology</li> <li>Renal Nursing</li> <li>Orthopedic Nursing</li> <li>Opthalmology Nursing</li> </ul>	natural perso The setting u	y be supplied by a (3) on. p of individual or joint ses is not permitted.	Unbound		
Private hospital services	(1) None	(1)	None		
(CPC 93110*)	(2) None	(2)	None		
	joint-venture Malaysian inc controlled con aggregate for	a locally incorporated (3) corporation with dividuals or Malaysian- rporations or both and reign shareholding in the corporations shall not er cent	Establishment of feeder outpatient clinics is not permitted		

Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Other human health services	(1)	None	(1)	None	
(CPC 93199)	(2)	None	(2)	None	
covering pharmacy services in the manufacturing sector only	(3)	Foreign equity shall not exceed 70 per cent.	(3)	None	
Welfare services delivered through residential institutions to old person	(1)	None	(1)	None	
and the handicapped	(2)	None	(2)	None	
(CPC 93311) Vocational rehabilitation services for the handicapped	(3)	Foreign equity shall not exceed 51 per cent	(3)	None	
(CPC 93324)					

Modes of Supply: 1) Cros	s-border s	supply 2) Const	umptio	on abroad	3) Commercial presence				
Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments				
TOURISM AND TRAVEL RELATED SERVICES									
Hotel and restaurant services (CPC 64110) covering only:	(1)	None	(1)	None					
(i) Hotel Lodging Services	(2)	None	(2)	None					
(CPC 64110)		Joint venture corporation with Malaysia individuals or Malaysia –	(3)	None					
(ii) Holiday Centre and Holiday Home Services (CPC 64192)	j	controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 70 per cent foreign equity (for							
(iii)Letting Services of Furnished Accommodation (CPC 64193)		4&5 star hotel)							
Covering the management and operational of hotels or resorts including, outlet which may not necessarily include ownership of such properties	١								

Sector or Subsector		Limitation on		Limitation on	Additional
		Market Access		National Treatment	Commitments
Food serving services (CPC 642)	(1)	None	(1)	None	
Beverage serving services for consumption on the premises	(2)	None	(2)	None	
(CPC 643)		Joint-venture corporation with Malaysian individuals or Malaysian- controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 70 per cent foreign equity.	(3)	None	
Travel Agencies and Tour Operators Services	(1)	None	(1)	None	
(CPC 7471)	(2)	None	(2)	None	
(For inbound travel only)		Through joint-venture with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint- venture corporation shall not exceed 70 per cent.	(3)	None	
Tourist Guide Services	(1)	None	(1)	None	
(CPC 7472)	(2)	None	(2)	None	
	(3)	Unbound*	(3)	Unbound*	

Modes of Supply: 1) Cross	-border supply	2) Consumption abroad	3) Commercial presence	
Sector or Subsector	Limitation Market Acc		Additional Commitments	
<b>RECREATIONAL, CULTURAL AND</b>	SPORTING SERVICES			
Other entertainment services (CPC 96191, , 96194)	(1) Unbound*	(1) Unbound*		
	(2) None	(2) None		
	(3) Entertainment servic supplied only by a n			
Services provided by authors, composers, sculptors, entertainers	(1) None	(1) None		
and other individual artists	(2) None	(2) None		
(CPC 96192)	(3) Foreign equity shall per cent.	not exceed 51 (3) None		

Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence
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Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Theme Park	(1)	None	(1)	None	
(A family based recreational area/ amusement centre which may consist	(2)	None	(2)	None	
of rides, mechanical and/or high-tech simulation equipment with various kinds of amusement facilities built around a theme or several themes. Activities to be offered will contain elements of entertainment, edutainment, adventure and excitement. The concept of the park can either be outdoor or indoor or a combination of both)	(3)	Only through joint venture with Malaysian individuals or Malaysian- controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 70 per cent.	(3)	None	
Library Services	(1)	None	(1)	None	
(CPC 96311)	(2)	None	(2)	None	
	(3)	Foreign equity shall not exceed 51 per cent	(3)	None	

Modes of Supply: 1) Cross-	corder supply 2) Co	nsumption abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Sports events management services	(1) None	(1) None	
(CPC 96411, 96412)	(2) None	(2) None	
	(3) None except only through a Malaysian-controlled corporation acting as the local sponsor	(3) None	

Modes of Supply: 1) Cross Sector or Subsector	-border supply 2) Co	Limitation on	3) Commercial presence Additional Commitments
	Market Access	National freatment	oominitinentis
TRANSPORT SERVICES A. Maritime Transport Services International maritime transportation services, excludes cabotage (CPC 7211)	<ul> <li>(1) None</li> <li>(2) None</li> <li>(3) Only through a representative office regional office or locally-incorporate joint-venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholding in t joint-venture corporation shall not exceed 51 per cent.</li> <li><u>Malaysian registered vessels</u> To register a vessel in Malaysia, the following conditions must be met: a) Owner of that vessel must be a</li> </ul>	(1) None (2) None e, (3) None ed	The following services a         the port are made         available to international         maritime transport         suppliers on reasonable         and non-discriminatory         terms and conditions:         1) Pilotage         2) Towing and tug         assistance         3) Provisioning, fuelling         and watering         4) Garbage collection ar         ballast waste disposa         5) Port Captain's service         6) Navigation aids
	<ul> <li>Malaysian citizen or corporation incorporated in Malaysia;</li> <li>b) Majority shareholding to be held by Malaysians;</li> <li>c) Majority of the board of directors be Malaysians; and</li> <li>d) Principal place of business to be Malaysia.</li> </ul>		<ul> <li>7) Shore-based operational services essential to ship operations, including communications, wat and electrical supplie</li> <li>8) Emergency repair facilities</li> <li>9) Anchorage, berth and</li> </ul>

## For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

2) Consumption abroad

3) Commercial presence

Modes of Supply:

1) Cross-border supply

Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Sector or Subsector International maritime transportation services, excludes cabotage (CPC 7212)	(1) (2) (3)	Market Access         None         None         Only through a representative office, regional office or locally-incorporated joint-venture corporation with         Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 70 per cent.         Malaysian registered vessels         To register a vessel in Malaysia, the following conditions must be met:         a) Owner of that vessel must be a Malaysian citizen or corporation incorporated in Malaysia;         b) Majority shareholding to be held by Malaysians;         c) Majority of the board of directors to be Malaysian; and	(1) (2) (3)		CommitmentsThe following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:1) Pilotage 2) Towing and tug assistance2) Towing and tug assistance3) Provisioning, fuelling and watering4) Garbage collection and ballast waste disposal5) Port Captain's services 6) Navigation aids 7) Shore-based operational services essential to ship operations, including communications, water and electrical supplies
		d) Principal place of business to be in Malaysia.			<ul><li>8) Emergency repair facilities</li><li>9) Anchorage, berth and</li></ul>

Modes of Supply: 1) Cross-	border supply	2) Consu	Imptic	n abroad	3) Commercial presence
Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Rental of cargo vessels with crew for international shipping	(1) None		(1)	None	
(CPC 7213)	(2) None		(2)	None	
Rental and leasing services of all types of self-propelled seagoing vessels with operator, such as passenger vessels (except pleasure bath), tankers, bulk dry cargo vessels, cargo and freight vessels.)	(3) None		(3)	None	
* These are limited to services of hiring of a vessel with crew under charter party terms for voyage or period of time.					
Maintenance and repair vessels	(1) Unbou	nd*	(1)	Unbound*	
(CPC 8868**)	(2) None		(2)	None	
(these are limited to businesses related to maintenance and repair of ocean going vessels at anchor or alongside and maintenance and repair of local vessels)	regiona joint ve Malays control Foreigr	rough a representative office, al office or locally incorporated nture corporation with ian individuals or Malaysian led corporations or both. In equity allowable up to um of 51 per cent.	(3)	Unbound	

Modes of Supply: 1) Cross-	border supply	2) Consumption abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
F. Supporting services for maritime transport	(1) None	(1) None	
Vessel salvage and refloating	(2) None	(2) None	
services (not applicable in harbour)	(3) None	(3) None	
(CPC 74540)			
(Vessels salvage services provided on ocean and seas. Such services consist of recovering distressed and sunk vessels\ and their cargoes, including the raising of sunken vessels, the righting of capsized vessels and the refloating of stranded vessels)			

	Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence
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Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments	
Classification Societies <sup>1</sup>	(1)	None	(1)	None		
(Except for statutory services for Malaysia flag vessels)	(2)	None	(2)	None		
	(3)	Only through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian- controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 51 per cent.	(3)	None		
E. Rail Transport Services	(1)	None	(1)	None		
Maintenance and repair of rail transport equipment	(2)	None	(2)	None		
(CPC 88688**)	(3)	Aggregate foreign equity shall not exceed 51 per cent	(3)	None		

<sup>&</sup>lt;sup>1</sup> Provision of rules on construction and safety of ships and issuance of certificate should be in accordance with specified rules stated in domestic legislation. Exclude survey and classification of Malaysian flag vessels which requires specific authorization by the relevant authority.

Modes of Supply: 1) 0	Cross-border supply	2) Consumption abroad	3) Commercial presence
Sector or Subsector	Limitation Market Acc		Additional Commitments
Passenger transportation	(1) None	(1) None	
(CPC 7111)	(2) None	(2) None	
	(3) Foreign equity partic not exceed 70%	ipation should (3) None	
Freight transportation	(1) None	(1) None	
(CPC 7112)	(2) None	(2) None	
	(3) Foreign equity partic not exceed 70%.	ipation should (3) None	
Pushing or towing services	(1) None	(1) None	
(CPC 7113)	(2) None	(2) None	
	(3) Foreign equity partic not exceed 70%.	ipation should (3) None	

Modes of Supply: 1) Cross-	border supply 2) Co	onsumption abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
F. Road transport services	(1) None	(1) None	
Freight Transportation	(2) None	(2) None	
Covering private carriers (Class C Licence) (CPC 7123)	(3) Foreign equity shall not exceed 70 per cent.	(3) None	
Maintenance and repair services not elsewhere classified of trailers and semi trailers on a fee or contract	<ul><li>(1) None</li><li>(2) None</li></ul>	(1) None (2) None	
basis (CPC 88670*)	(3) Foreign equity shall not exceed 51 per cent	(3) None	
Private services provided by car parks, parking lots and parking	(1) None	(1) None	
garages, whether or not roofed	(2) None	(2) None	
(CPC 74430)	(3) Foreign equity shall not exceed 51 per cent	(3) None	

Modes of Supply:1) Cross-border supply		er supply 2) Cons	umptio	on abroad	3) Commercial presence
Sector or Subsector	Sector or Subsector		Limitation on National Treatment		Additional Commitments
H. Services Auxiliary to all modes of transport	(1)	None	(1)	None	
Maritime Cargo Handling Services	(2)	None	(2)	None	
(CPC 741 **)	(3)	Only through a representative office, regional office or locally incorporated	(3)	None	
(Limited only for sea transport)		joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both.			
Maritime Cargo Handling services limited to activities exercised by terminal operators but not including the direct activities of dockers, when		Aggregate foreign shareholding in the joint venture corporation shall not exceed 49 per cent.			
this work force is organized independently of the stevedoring or operator companies. The activities					
covered include the organization and supervision of the loading/discharging of cargo to/from a ship; the					
lashing/unlashing of cargo and the reception/delivery and safekeeping of cargoes before shipment or after discharge.					

Modes of Supply: 1) Cross-		border supply 2) Cons		on abroad	3) Commercial presence
Sector or Subsector		Limitation on Market Access		Limitation on National Treatment	Additional Commitments
Storage and warehousing service	es. (1)	None	(1)	None	
Covering private bonded warehous services only.	using (2)	None	(2)	None	
(CPC 742)	(3)	Only through a locally incorporation	ted (3)	None	

Covering private bonded warehousing services only.	(2)	None	(2)	None	
(CPC 742)	(3)	Only through a locally incorporated joint-venture with Malaysian individuals or Malaysian-control corporations or both and aggregate foreign shareholding shall not exceed 51 per cent.	(3)	None	
Maritime freight forwarding services	(1)	None	(1)	None	
(CPC 7480)	(2)	None	(2)	None	
(Consist of organizing and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, preparation of documentation and provision of business information)	(3)	Only through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian- controlled corporations or both Foreign equity allowable up to 70 per cent	(3)	None	

Modes of Supply: 1) Cross-	border supply	2) Consumption abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Maritime agency services	(1) None	(1) None	
Covering marketing and sales of maritime transport and related services and acting on behalf of the companies organising the call of the ship or taking over cargoes when required	(2) None (3) None	(2) None (3) None	
(CPC 7454*)			

Modes of Supply: 1) Cross-	border supply 2)	Consumption abroad	3) Commercial presence
Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
OTHER SERVICES			
Skills training services	(1) None	(1) None	
covering the provision of training for technical, supervisory and production	(2) None	(2) None	
<ul> <li>related functional levels in new and emerging technologies as follows:</li> <li>1) automated manufacturing technology;</li> <li>2) advanced materials technology;</li> <li>3) biotechnology;</li> <li>4) electronics;</li> <li>5) information technology; and</li> <li>6) avionics/aviation technology (CPC 97090)</li> </ul>	(3) Only through a locally incorporat joint-venture corporation with Malaysian individuals or Malaysi controlled corporations or both a aggregate foreign shareholding i joint-venture corporation shall no exceed 70 per cent; and	an- nd n the	

ANNEX I		
Annex to Additional Commitments (Telecommunication Services)		

Principles	Procedural Requirements
1. Competition safeguards	The regulatory body must take measure to: - Maintain fair competition among network operators. - Safeguard the interest of consumers.
2. Universal Service Obligation	Ensure that network operators contribute to Universal Service Obligation particularly the extension of services into rural and other underserved areas as stipulated in the licences
3. Public availability of licensing criteria	To advise other network operators on the licensed status of each network operator including terms and conditions pertaining to the operator's licence which govern the right of the licensee to interconnect with operators
4. Independent regulator	To exercise its functions with respect to the conduct of telecommunications operators and the running of telecommunications services in Malaysia as provided for under Section 3B of the Telecommunications Act;
5. Interconnection arrangements	<ul> <li>To ensure that the following principles pertaining to interconnection arrangement are adhered to:</li> <li>Interconnection and access between network operators shall be on an equitable and non-discriminatory basis;</li> <li>Charges for interconnection facilities and services provided by network operators shall be fair and equitable;</li> <li>The technical qualities of interconnect facilities and services provided by network operators shall be of no less quality than that provided by them within their own networks;</li> <li>A domestic network operator in any of the market segments shall not abuse its market power to limit access to essential facilities only for interconnection;</li> <li>The network operator that provides the access connection to the customer should be allowed to tell him (the customer);</li> <li>No cross-subsidies should be allowed between carriers whereby one carrier has to bear an inequitable share of the Universal Service Obligation burden where the said share is not proportional to its market share.</li> </ul>
6. Limitation on Market Access	Acquisition, Mergers and Take-overs The acquisition of assets or interests of Malaysian companies and businesses, mergers or take-overs requires approval and apply to the following:
	- the acquisition of the voting rights of a Malaysian corporation by any single foreign interest or associated

group of 15 per cent or more, or an aggregate foreign interest of 30 per cent or more or exceeding RM5 million in value;
<ul> <li>any proposed acquisition of any assets or interests by any means which will result in ownership or control passing to foreign interest; and</li> </ul>
<ul> <li>control of Malaysian corporations through any form of joint-venture agreement, management agreement, technical assistance agreement or other arrangements.</li> </ul>
Approval may be denied in circumstances where the proposed investment conflicts with the interest of the State.