

**Agreement Establishing the ASEAN–Australia–New Zealand Free
Trade Area**

**MALAYSIA'S SCHEDULE OF MOVEMENT OF
NATURAL PERSONS COMMITMENTS**

1. Malaysia's commitments under the Movement of Natural Persons Chapter, and under Article 3 (National Treatment) and Article 4 (Market Access) of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party apply only in relation to the categories of persons set out below.

2. In accordance with Articles 3. 4 and 8 (National Treatment, Market Access and Specific Commitments) of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Malaysia specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Malaysia.

HORIZONTAL SECTION

| Description of Category | Conditions and Limitations (Including Length of Stay) |
|--|--|
| <p>For National Treatment : Unbound, except for the following categories of natural persons.</p> <p>1. Intra-Corporate Transferees</p> | |
| <p>(a) Senior managers being persons within an organization that provides services within Malaysia:</p> <ul style="list-style-type: none"> - having proprietary information of the organization; - exercise wide latitude in decision making relating to the establishment, control and operation of the organization; - primarily direct the management of the organisation; and - receive only general supervision or direction from the board of directors or | <p>Entry and stay of natural persons defined in categories 1 (a) and (b) shall not exceed a total of 10 years.</p> |

| Description of Category | Conditions and Limitations (Including Length of Stay) |
|---|---|
| partners of the organization. | |
| <p>(b) Three specialists or experts per organization that provides services within Malaysia being persons within the organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's new service products and technology, research equipment and techniques or management.</p> <p>Additional specialists or experts may be allowed subject to market test and the training of Malaysians through an acceptable training programme in the relevant services sector or subsector:</p> <p>Provided that such persons are employees of the foreign service supplier and have been in the employment of that foreign service supplier for a period of not less than one year immediately preceding the date of their application for a work permit and he is to serve in at least a similar capacity.</p> | |
| 2. Others | |
| <p>(a) Specialists or experts being persons who possess knowledge at an advanced level of continued expertise and subject to market test and the employment of Malaysians as counterparts and/or training of</p> | <p>Entry and stay of natural persons defined in categories 2 (a) and (b) shall not exceed a total of 10 years.</p> <p>For category 2 (c), the period of stay shall not exceed a total of 90</p> |

| Description of Category | Conditions and Limitations (Including Length of Stay) |
|---|---|
| <p>Malaysians through acceptable training programmes in the relevant services sector or subsector;</p> | <p>days.</p> <p>For category 2(d), the period of stay shall not exceed a total of six months.</p> |
| <p>(b) Professionals being persons who possess necessary academic credentials, professional qualifications, experience and/or expertise which have been duly recognized by the professional bodies in Malaysia and registered with those respective professional bodies; and are carrying out respective professional activities; and</p> | |
| <p>(c) Business visitors being persons not based within Malaysia, receiving no remuneration from a source located within Malaysia, who have been employed for at least one year by a foreign service supplier, whose entry and temporary stay is for the purposes of negotiating for the sale of services or entering into agreements to sell services for that service supplier and who will not engage in direct sales to the general public.</p> | |
| <p>(d) Installers or maintainers being persons who are installers or maintainers of machinery and/or equipment who is employed or appointed by a supplying company, where</p> | |

| Description of Category | Conditions and Limitations (Including Length of Stay) |
|--|--|
| such installation and/or maintaining by the supplying company is a condition of purchase of the said machinery and/or equipment; and are not performing activities which are not related to the Installing or maintaining activities which is the subject of the contract. | |

SECTORAL SECTION

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|--|---|--|
| A. Professional Services | | | |
| <p>Legal Services (CPC 8619)</p> <p>Covering advisory and consultancy services relating only to home country laws, international law and offshore corporation laws of Malaysia.</p> | <p>Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p> | <p>Unbound, except for the categories of natural persons referred to in the market access column.</p> | |
| <p>Accounting, auditing and bookkeeping services (CPC 862)</p> | <p>5 specialists/experts for each institution, subject to registration with MIA and fulfilment of residency requirements. Entry shall be limited to maximum period of two years, subject to domestic regulations.</p> | <p>Unbound, except for the categories of natural persons referred to in the market access column.</p> | <p>The qualifying examination to determine the competence and ability to supply the service for the purposes of registration with the MIA will be conducted in the English language.</p> |
| <p>Taxation Services (CPC 863 / 8630)</p> | <p>2 specialists/experts for each institution, subject to registration as a tax agent under Section 153 of the Income Tax Act 1967 and fulfilment of residency requirements. Entry shall be limited to maximum period of two years, subject to domestic regulations.</p> | <p>Unbound, except for the categories of natural persons referred to in the market access column.</p> | |
| <p>Architectural services (CPC 8671)</p> | <p>2 specialists/experts per country and registration is subject to qualification of registration and</p> | <p>Unbound, except for the categories of natural persons referred to in the market access column.</p> | <p>The qualifying examination to determine the competence and ability to supply the</p> |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|--|--|
| | domestic regulations. Temporary registration on annual basis and renewal subject to domestic regulations. | | services for the purposes of registration with the professional bodies will be conducted in the English language. |
| Engineering services (CPC 8672*) covering: (CPC 86721- 86729) | Unbound, except as indicated in the horizontal section and in respect of 2 b), subject to temporary registration for a period of one year per temporary registration. | Engineering services must be authenticated by a registered professional engineer in Malaysia. | The qualifying examination to determine the competence and ability to supply the service for the purpose of registration with the professional bodies will be conducted in English language. Other requirements as per in ASEAN Chartered Professional Engineer (ACPE) Registry. |
| Integrated engineering services (CPC 8673*) covering: (CPC 86731, 86732, 86733, 86739) | Unbound, except as indicated in the horizontal section and in respect of 2 b), for a period of up to one year or the duration necessary to complete the services contract. | Unbound, except for the categories of natural persons referred to in the market access column. | The qualifying examination to determine the competence and ability to supply the service for the purpose of registration with the professional bodies will be conducted in English language. |

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|---|----------------------------------|------------------------|
| Urban Planning Services Covering development services programmes regarding land use, site selection, control and utilisation, road systems and servicing of land with a view to creating and maintaining systematic, coordinated urban planning. (CPC 86741) | Unbound except for: i) independent professionals ¹ with an employment contract with a registered Malaysian town planning company. Independent professionals must possess recognised qualifications and obtained temporary registration with the relevant regulatory authorities; ii) consultants (with recognised qualifications and subject to registration) for wholly public funded projects and in collaboration with a Malaysian urban planning company. Any other requirements or provisions as spelt out under the relevant legislation. | Unbound | |

¹ Independent professionals is as defined in para 2(b) in the horizontal section

* An asterisk against a CPC code number indicates that the corresponding service subsector in this schedule covers only a part or parts of the service subsector classified under the CPC concordance

| Sector or Subsector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|--|-------------------------------|
| Landscaping services, covering the provision of advisory, planning and designing services for the aesthetic landscaping of golf courses and theme parks (CPC 86742*) | Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|---|---|------------------------|
| <p>B. Computer and Related Services</p> <p>Consultancy services related to the installation of computer hardware (CPC 841)</p> <p>Software implementation service(CPC 842)</p> <p>Data Processing Services (CPC 843)</p> <p>Data base services (CPC 844 / 84400)</p> <p>Computer software development services covering development of new software for general application, including, ready-made software packaged for general application (CPC 842*)</p> | <p>Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p> | <p>Unbound, except for the categories of natural persons referred to in the market access column.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|--|-------------------------------|
| C. Research and Development Services Research and experimental development services on social sciences and humanities (CPC 8520 except 85203 and 85204) | Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. | |
| E. Rental/Leasing Services without Operator Relating to ships exclude cabotage and offshore trades (CPC 83103) Relating to aircraft (CPC 83104) | Unbound, except as indicated in the horizontal section, | Unbound, except for the categories of natural persons referred to in the market access column. | |
| Leasing or rental services relating to construction and mining equipment and industrial plant and equipment (CPC 83107*) | Unbound, except as indicated in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. | |
| F. Other Business Services Advertising services (CPC 8711, 8712, 8719) | Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. | |
| Management Consulting | Unbound, except as indicated in 1 a) | Unbound, except for the categories of | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|--|---|------------------------|
| <p>Services covering</p> <p>a) covering advisory, guidance and operational assistance services concerning management of the transmission of non-conventional energy (CPC 8650*)</p> <p>b) covering advisory, guidance and operational assistance on environmental management services including risk assessment services (CPC 8650*)</p> <p>c) covering advisory and guidance in the field of pharmacy as follows:</p> <ul style="list-style-type: none"> -Basic material manufacturing consultancy in the manufacture of drugs in raw material form; -New systems of drug delivery; -Biotechnology-new techniques for influencing the process and products of living cells; -New techniques in drug development and methods of | <p>and b) and 2 a) and c) in the horizontal section.</p> | <p>natural persons referred to in the market access column.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|---|-------------------------------|
| <p>producing drugs and vaccine;</p> <p>- Vaccine production. (CPC 8650*)</p> <p>(d) covering advisory and guidance on International Value-Added Network Services, rural telecom development and human resource development in telecommunications (CPC 8650*)</p> | | | |
| <p>Services incidental to agriculture and fishing covering only specialised consultancy, advisory and operational assistance on crop and fisheries management, including, value-added services such as preservation techniques, etc. (CPC 881*, 882*)</p> | <p>Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p> | <p>Unbound except for the categories of natural persons referred to in the market access column.</p> | |
| <p>Services incidental to manufacturing (CPC 884, 885 except 88442)</p> | <p>Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p> | <p>Unbound except for the categories of natural persons referred to in the market access column</p> | |
| <p>Technical Testing and Analysis Services (CPC 8676 except 86764)</p> | <p>Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p> | <p>Unbound, except for the categories of natural persons referred to in the market access column.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|---|--|-------------------------------|
| Convention Centre (CPC 87909) (Convention and exhibition management services covering the provision of planning, organisational, management and marketing services for conventions and other similar events) | Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. | |
| Translation and interpretation services (CPC 87905) | No limitation subject to domestic regulation. | No limitation subject to domestic regulation. | |
| Student Placement Services, covering promoting, recruiting and facilitating students for studies outside Malaysia (CPC 87909) | Unbound, except as indicated in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. | |
| Market research and public opinion polling services (CPC 864) | Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section. | Unbound except for the categories of natural persons referred to in the market access column. | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|--|---|------------------------|
| <p>Operational Headquarters (OHQ) Services covering general management and 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. Services rendered by OHQ companies are limited to establishments engaged in business related to the following sectors or sub-sectors: Sea and air services, Communication services, Tourism services, Professional and Consulting services (CPC 87909)</p> | <p>Unbound, except as indicated in the horizontal section.</p> | <p>Unbound, except for the categories of natural persons referred to in the market access section column.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|-----------------------------|----------------------------------|------------------------|
| <p>Basic Telecommunications</p> <p>1. Voice service (wired or wireless) (CPC 7521)</p> <p>2. Packet-switched data transmission services, including frame-relay services (CPC 7523)</p> <p>3. Circuit switched data transmission services (CPC 7523)</p> <p>4. Facsimile Service (CPC 7521**, PCPC 7529**)</p> <p>5. Private leased circuit service (CPC 7522** & CPC 7523**)</p> <p>6. Paging services (CPC 75291)</p> | Unbound | Unbound | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|---|-----------------------------|----------------------------------|------------------------|
| <p data-bbox="256 389 577 446">Other telecommunication services</p> <p data-bbox="256 479 598 592">7. Domestic/ International satellite services and satellite links/capacities (inclusive of mobile satellite)</p> <p data-bbox="256 625 535 649">8. Satellite earth station</p> <p data-bbox="256 682 598 738">9. International switching and other international gateway</p> <p data-bbox="256 771 535 828">10. Mobile services analogue/digital cellular</p> <p data-bbox="256 860 567 885">11. Trunked radio services</p> <p data-bbox="256 917 577 941">12. Video transport services</p> | Unbound | Unbound | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|---|------------------------|
| <p>Data and message transmission services</p> <p>Covering electronic mail, voice mail, on-line information and database retrieval, enhanced facsimile, code and protocol conversion (CPC 7523)</p> | <p>Two specialists/experts for each institution, for a maximum period of two years, subject to domestic regulations.</p> | <p>None</p> | |
| <p>Voice telephone services CPC 7521</p> <p>Mobile telephone service CPC 75213</p> <p>Telegraph services CPC 7522</p> <p>Telex services CPC 7523**</p> | <p>Unbound</p> | <p>Unbound</p> | |
| <p>Mobile data services CPC 7523**</p> | <p>Two specialists/experts for each institution, for a maximum period of two years, subject to domestic regulations.</p> | <p>Unbound, except for the categories of natural persons referred to in the market access column.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitation on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| <i>Audiovisual Services</i> Motion picture, video tape and audio recording distribution services (CPC 96113) | Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| CONSTRUCTION SERVICES | | | |
| Pre-erection Work at Construction Site (CPC 511) Construction Work for Buildings (CPC 512) Construction Work for Civil Engineering (CPC 5 13) Assembly and Erection of Prefabricated Constructions (CPC 514) Special Trade Construction (CPC 515) Installation Work (CPC 516) Building Completion and Finishing Work (CPC 517) | Unbound except as indicated in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. | |
| EDUCATION SERVICES | | | |
| Primary education services CPC 921 | Unbound, except as indicated in the horizontal section. | Unbound except as indicated in the market access column. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|--|------------------------|
| General secondary education services CPC 9221 | | | |
| Other education services (CPC 929 / 9290 / 92900) Technical and vocational secondary education services (CPC 9223) Technical and vocational secondary school-type education services for handicapped students (CPC 9224) | Unbound, except as indicated in the horizontal section. | Unbound except as indicated in the market access column. | |
| Other Higher Education Services provided by privately funded higher education institutions excluding private higher education institutions with Malaysian Government equity or that receive Malaysian government assistance (CPC 92390) | Entry and stay of natural persons defined in categories 1(a), 1(b), 2(a), 2(b) and 2(c) shall not exceed a total of 10 years. Unbound except for measures affecting the entry and temporary stay of natural persons defined below: 1. Intra-corporate Transferees a) senior managers being persons with an organization having propriety information of the organization and who exercise wide latitude in | Unbound except as indicated in the market access column. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|---|-----------------------------------|------------------------|
| | <p>decision making relating to the establishment, and receive only general supervision or direction from the board of directors or partners of the organisation.</p> <p>b) Lecturers and experts</p> <p>10 lecturers and/or experts but not more than 20% of lecturers employed in an educational institution who possess the necessary qualifications, knowledge, credentials or experience</p> <p>2. Others</p> <p>(a) Professionals</p> <p>2 professionals being persons who possess necessary professional qualifications, industry and/or who are employed on the basis of their expertise in an educational institution.</p> <p>(b) Business visitors</p> <p>Business visitors being persons not based within Malaysia, receiving no remuneration from a source located within Malaysia who is an investor or who have been employed for at</p> | | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|---|-----------------------------------|------------------------|
| | <p>least one year by a foreign educational institution, whose entry and temporary stay is for the purposes of evaluating business opportunities.</p> <p>(c) Contractual Service Suppliers</p> <p>(i) Independent Professionals</p> <ul style="list-style-type: none"> - the natural person has obtained a service contract in the territory of the Party where the service is to be provided; - possess appropriate educational and professional qualification relevant to the service to be provided and/or recognized by and registered with professional bodies; - commitment relates only to the service activity which is subject of the contract; it does not confer entitlement to exercise the professional title; - commitment applies only to the list of sectors specified in the schedule. <p>(ii) Employees of Juridical Persons</p> | | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|----------------------|---|-----------------------------------|------------------------|
| | <p>(a) Engaged in the supply of a service on a temporary basis as employees of a juridical person supplying the service, with no commercial presence in the territory of the Party where the service is to be provided;</p> <p>(b) The juridical person has obtained a service contract to be provided in the territory of another Party;</p> <p>(c)The employees receive remuneration from their employer while abroad;</p> <p>(d) The employees may not engage in other employment in the territory of the Party where the service is to be provided;</p> <p>(e) The employees have appropriate educational and professional qualifications relevant to the service to be provided;</p> <p>(f) Commitment relates only to the service activity which is the subject of the contract; it does not confer entitlement to exercise the</p> | | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|--|------------------------|
| | professional title of the Party concerned; (g) Commitment applies only to the List of sectors specified and the employee provides the service as a professional/ specialist in the specified sector. | | |
| 7. FINANCIAL SERVICES, INCLUDING INSURANCE | | | |
| <p>ALL FINANCIAL SERVICES HORIZONTAL SECTION</p> <p>Horizontal Commitments Applicable to the Financial Services Sector</p> <ol style="list-style-type: none"> 1. The commitments in the financial services sector are in accordance with the ASEAN-Australian-New Zealand Free Trade Area Agreement on Trade in Services and the Annex on Financial Services. 2. The limitations listed under the all-sector horizontal section shall not apply to financial services, unless otherwise indicated. 3. In respect of offshore banks, offshore investment banks, commercial banks, merchant banks, offshore insurance and offshore reinsurance companies, offshore insurance brokers, offshore insurance underwriting managers, offshore insurance managers, insurance companies, and representative offices of commercial banks and merchant banks, the following limitations on market access and national treatment shall apply in addition to specific limitations to the activity of each financial service as specified for each activity in this Schedule. | | | |
| ALL FINANCIAL SERVICES | Limitations in the all-sector horizontal section will apply when indicated in each activity. | Limitations in the all-sector horizontal section will apply when indicated in each activity. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|------------------------|
| 1. Offshore banks, offshore investment banks, offshore direct insurance companies, offshore reinsurance companies, offshore insurance brokers, offshore insurance underwriting managers and offshore insurance managers | Unbound, except for temporary presence of natural persons in respect of supply through the mode of commercial presence. | Unbound, except for temporary presence of natural persons in respect of supply through the mode of commercial presence. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|---|------------------------|
| 2. Commercial banks and merchant banks. | <p>Unbound except the following:</p> <p>(a) Unless otherwise specified, temporary presence of natural persons is offered only in respect of supply through the mode of commercial presence.</p> <p>(b) Two senior managers and five specialists or experts for each bank.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control and operation of the services of the financial service supplier.</p> <p>Specialists or experts for each bank for areas relating to:</p> <ul style="list-style-type: none"> (i) trade financing (ii) corporate finance; (iii) treasury management; and (iv) information technology. | Unbound except for the categories of natural persons referred to in the market access column. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---------------------------------------|---|--|------------------------|
| | <p>(c) For a representative office, two foreign nationals. Only one foreign national for the two top posts.</p> <p>(d) Entry shall be limited to a maximum period of five years.</p> | | |
| <p>3. Direct insurance companies.</p> | <p>Unbound except the following:</p> <p>(a) Unless otherwise specified, temporary presence of natural persons is offered only in respect of supply through the mode of commercial presence.</p> <p>(b) One senior manager and five specialists or experts for branches of foreign insurance companies and locally incorporated insurance companies.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control and operation of the services of the financial service supplier.</p> <p>Specialists or experts for each institution for areas relating to:</p> <p>(i) underwriting of specialized</p> | <p>Unbound except for the categories of natural persons referred to in the market access column.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| | classes of general business; (ii) information technology; and (iii) actuarial functions. (c) Entry shall be limited to a maximum period of five years. | | |
| FINANCIAL SERVICES ACTIVITIES | | | |
| A. BANKING AND OTHER FINANCIAL SERVICES, EXCLUDING INSURANCE | | | |
| Acceptance of deposits, and other repayable funds from the public, wholesale and retail. | Unbound except as indicated in the all financial services horizontal section. | Unbound except as indicated in the all financial services horizontal. | |
| Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions. | For banks, unbound except as indicated in the all financial services horizontal section. For non-banks, unbound except one foreign national for a management post which is not the CEO post, for each establishment. For representative offices of scheduled businesses, two foreign nationals subject to only one foreign national for the two top posts. | For banks, unbound except as indicated in the all financial services horizontal section. For non-banks, unbound except for the categories of natural persons referred to in the market access column. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| | Entry shall be limited to a maximum period of five years. | | |
| Financial leasing. | <p>Unbound except two foreign nationals, one for management post which is not the CEO post and one technical post, for each establishment.</p> <p>For representative offices, two foreign nationals subject to one foreign national for the two top posts.</p> <p>Entry shall be limited to a maximum period of five years.</p> <p>For offshore leasing companies, unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence.</p> | <p>Unbound except for the categories of natural persons referred to in the market access column.</p> <p>For offshore leasing companies, unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence.</p> | |
| All payment and money transmission services, namely credit and debit cards, travellers cheques and bankers drafts. | <p>For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except one foreign national for a management post which is not the CEO post, for each establishment.</p> <p>Entry shall be limited to a maximum</p> | <p>For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except for the categories of natural persons referred to in the market access column.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|--|------------------------|
| | period of five years. | | |
| Charge cards. | Unbound except two senior managers for each establishment. Entry shall be limited to a maximum period of five years. | Unbound except for the categories of natural persons referred to in the market access column. | |
| Guarantees and commitments. | Unbound except as indicated in the all financial services and all-sector horizontal section. | Unbound except as indicated in all financial services and all-sector in the horizontal section. | |
| Money and foreign exchange broking services. | Unbound. For offshore money and foreign exchange brokers, unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence. | Unbound For offshore money and foreign exchange brokers, unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence. | |
| Trading for own account or account of customers in the following: - money market instruments - foreign exchange - transferable securities - exchange rate and interest rate instruments - derivative products, including futures and options - other negotiable | For banks, unbound except as indicated in the all financial services horizontal section. For non-banks, unbound except as indicated in the all-sector horizontal section. | For banks, unbound except as indicated in the all financial services horizontal section. For non-banks, unbound except as indicated in the all-sector horizontal section. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| instruments, including bullion | | | |
| Services related to the issues of all kinds of securities and placement as agents (whether publicly or privately) (excluding issuing and rating houses). | <p>For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p> | <p>For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p> | |
| Underwriting | <p>For commercial banks, merchant banks, offshore banks and offshore investment banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p> | <p>For commercial banks, merchant banks, offshore banks and offshore investment banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all sector horizontal section.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|--|------------------------|
| Asset management as follows: <ul style="list-style-type: none"> - cash or portfolio management - all forms of collective investment management - custodial and depository services | For commercial banks and merchant banks, unbound except as indicated in the all financial services horizontal section. For non-banks, unbound except as indicated in the all-sector horizontal section. | For banks, unbound except as indicated in the all financial services horizontal section. For non-banks, unbound except as indicated in the all-sector horizontal section. | |
| Advisory, intermediation and other auxiliary financial services, including credit reference and analysis, investment advice on acquisitions, corporate restructuring and strategy. | For banks, unbound except as indicated in the all financial services horizontal section. For non-banks, unbound except as indicated in the all-sector horizontal section. For representative offices, two foreign nationals subject to only one foreign national for the two top posts. Entry shall be limited to a maximum period of five years. | For banks, unbound except as indicated in the all financial services horizontal section. For non-banks, unbound except as indicated in the all-sector horizontal section. | |
| Operational headquarters (OHQ) for financial sector (Provides services to commercial and investment banking institutions in activities relating to work carried out in | Unbound except as indicated in the all-sector horizontal section. | None | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| Malaysia for its offices and related companies outside Malaysia, pertaining to general management and administration, business planning, technical support, marketing control and sales promotion planning, training and personnel management, provision of treasury and fund management services and research and development). | | | |
| <p>Securities broking services comprising:</p> <ul style="list-style-type: none"> - broking services; - credit reference and analysis; - investment portfolio management and advice; and - market research | <p>Unbound for a stockbroking company, except as indicated in the all-sector horizontal section.</p> <p>For representative offices, two foreign nationals subject to only one foreign national for the two top posts. Entry shall be limited to a maximum period of five years.</p> | <p>Unbound except for the categories of natural persons referred to in the market access column.</p> | |
| Commodity futures broking services | <p>Unbound except one foreign national for a management post per establishment, subject to market test.</p> | <p>Unbound except for the categories of natural persons referred to in the market access column.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|------------------------|
| B. INSURANCE SERVICES | | | |
| Direct insurance (non-life). | Unbound except as indicated in the all financial services horizontal section. | Unbound except as indicated in the all financial services horizontal section. | |
| Direct insurance (life). | Unbound except as indicated in the all financial services horizontal section. | Unbound except as indicated in the all financial services horizontal section. | |
| Reinsurance and retrocession (non-life) | <p>Unbound except for:</p> <p>(a) Two senior managers and three specialists or experts for each institution are permitted.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control and operation of the services of the financial service supplier.</p> <p>Specialists or experts are individuals who possess knowledge and expertise relating to new products and services, technique or management of the financial service supplier.</p> <p>(b) Entry shall be limited to a maximum period of five years.</p> <p>For offshore reinsurance companies,</p> | <p>Unbound except as indicated in the all financial services horizontal section.</p> <p>For offshore reinsurance companies, unbound except as indicated in the all financial services horizontal section.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|--------------------------------------|---|---|------------------------|
| | unbound except as indicated in the all financial services horizontal section. | | |
| Reinsurance and retrocession (life). | <p>Unbound except for:</p> <p>(a) Two senior managers and three specialists or experts for each institution are permitted.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control and operation of the services of the financial service supplier.</p> <p>Specialists or experts are individuals who possess knowledge and expertise relating to new products and services, technique or management of the financial service supplier.</p> <p>(b) Movement of a senior manager, specialist or expert can be through intra-corporate transfers or otherwise.</p> <p>(c) Entry shall be limited to a maximum period of five years.</p> <p>For offshore reinsurance companies, unbound except as indicated in the all</p> | <p>Unbound except as indicated in the all financial services horizontal section.</p> <p>For offshore reinsurance companies, unbound except as indicated in the all financial services horizontal section.</p> | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|---|---|
| | financial services horizontal section. | | |
| Insurance intermediation - insurance broking (excluding agency). | Unbound except as indicated in the all financial services horizontal section. | Unbound except as indicated in the all financial services horizontal section. | |
| Insurance intermediation - insurance underwriting and insurance management. | Unbound except as indicated in the all financial services horizontal section. | Unbound except as indicated in the all financial services horizontal section. | |
| Services auxiliary to insurance, as follows: (a) Consultancy (excludes insurance agency services to insurance industry) (b) Actuarial risk assessment (c) Risk management (d) Maritime loss adjusting. | Unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence. | Unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence. | |
| HEALTHCARE SERVICES | | | |
| Medical speciality services covering forensic medicine, nuclear medicine, geriatrics, micro vascular surgery, neurosurgery, cardiothoracic surgery, plastic surgery, clinical immunology and oncology, traumatology, anaesthesiology, | Unbound, except indicated in 2 a) in the horizontal section | None other than: - practice only in private hospitals of at least 50 beds; - practice to be only at a specified location and a change of location requires approval; and - the setting up of individual or joint | The qualifying examination to determine the competence and ability to supply the service will be conducted in English language. |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
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| intensive care specialist, child psychiatry and physical medicine (CPC 93122) | | group practices is not permitted | |
| Veterinary services (CPC 932) Services delivered to equine animals in equestrians or turf clubs | Unbound, except indicated in 2 a) in the horizontal section. | Unbound, except indicated in the horizontal section. | |
| Private hospital services (CPC 93110*) | Unbound, except as indicated in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. | |
| TOURISM AND TRAVEL RELATED SERVICES | | | |
| Hotel, tourist resort and restaurant services covering the management and operation of hotels or resorts, including outlets which may not necessarily include ownership of such properties (CPC 641, 642, 643) | Unbound except as indicated in 1(a) and (b) and 2 (a) and (c) in the horizontal section. | Unbound except for the categories of natural persons referred to in the market access column. | |
| Travel Agencies and Tour Operators Services (CPC 7471) | Unbound except as indicated in 1(a) in the horizontal section. | Unbound except for the categories of natural persons referred to in the market access column. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|---|--|--|------------------------|
| RECREATIONAL, CULTURAL AND SPORTING SERVICES | | | |
| Other entertainment services (CPC 96191, 96192) | Unbound except as indicated in 2 a) in the horizontal section. | Unbound, except for the categories of natural persons referred to in the market access column. Participation of Malaysian entertainers/ artistes may be required based on the guidelines of the relevant Ministry | |
| Theme Park (part of CPC 96194) (A family based recreational area/ amusement centre which may consist 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 and adventure. The concept of the park can either be outdoor or indoor or a combination of both) | Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal section | Unbound except for the categories of natural persons referred to in the market access column. | |
| Sports events management services (CPC 96411, 96412) | Unbound, except as indicated in 2 a) in the horizontal section | Unbound, except for the categories of natural persons referred to in the market access column. | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|--|---|--|------------------------|
| TRANSPORT SERVICES | | | |
| A. Maritime Transport Services International maritime transportation services, excludes cabotage (CPC 7211, 7212) | Unbound, except as indicated in the horizontal section. Ship crew is permitted to disembark only for duration of berth. | Unbound, except for the categories of natural persons referred to in the market access column. | |
| Maritime agency services covering marketing and sales of maritime transport and related services and acting on behalf of the companies organizing the call of the ship or taking over cargoes when required (CPC 7454*) <i>Vessel salvage and refloating services except on inland waters (CPC 74540)</i> | Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section | Unbound except the categories of natural persons referred to in the market access column | |

| Sector or Sub-sector | Limitation on Market Access | Limitations on National Treatment | Additional Commitments |
|--|--|--|------------------------|
| OTHER SERVICES | | | |
| Skills training services covering the provision of training for technical, supervisory and production related functional levels in new and emerging technologies as follows: 1) automated manufacturing technology; 2) advanced materials technology; 3) biotechnology; 4) electronics; 5) information technology; and 6) avionics/aviation technology (CPC 97090) | Unbound, except as indicated in the horizontal section | Unbound, except for the categories of natural persons referred to in the market access column. | |