

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
BUSINESS SERVICES			
A. Professional Services			
Legal Services (CPC 8619) covering advisory and consultancy services relating only to home country laws, international law and offshore corporation laws of Malaysia	(1) None (2) None (3) None for corporations incorporated in the Federal Territory of Labuan. Legal services shall only be supplied to offshore corporations established in the Federal Territory of Labuan. (4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Accounting, auditing and bookkeeping services (CPC 862)	(1) None (2) None (3) Only through a locally registered partnership with Malaysian accountants or Malaysian accounting firms and aggregate foreign interests shall not exceed 51 per cent.	(1) None (2) None (3) None	4) 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.

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	(4) 8 specialists/experts for each institution	(4) Unbound, except for the categories of natural persons referred to under market access	
Taxation Services (CPC 863 / 8630)	(1) None (2) None (3) Only through a locally registered partnership or private limited company with Malaysian authorised tax agents/firms and aggregate foreign interests in the partnership shall not exceed 49 per cent. (4) 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.	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	(4) The qualifying examination to determine the competence and ability to supply the services for the purposes of registration with the professional bodies will be conducted in the English language.

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Architectural services (CPC 8671)	<p>(1) None</p> <p>(2) None</p> <p>(3) a) Architectural services may be supplied only by natural person;</p> <p> b) For multi-disciplinary practices (Architecture, Engineering and/or Quantity Surveying), foreign equity up to a maximum of 30 per cent for joint ventures by professionals who are registered in the country of origin. Foreign Directorship is not allowed</p> <p>(4) 2 specialists/experts per country and registration with the Board of Architect Malaysia. Temporary registration on annual basis and renewal subject to domestic regulations.</p>	<p>(1) Architectural services must be authenticated by a licensed architect in Malaysia.</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	<p>(4) The qualifying examination to determine the competence and ability to supply the services for the purposes of registration with the professional bodies will be conducted in the English language.</p>

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<p>Other Architectural Services (CPC 86719**)</p> <p>Covering preparation of promotional materials and presentation; and preparation of as-built drawing only.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) As indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) As indicated in the horizontal section.</p>	
<p>Engineering services (CPC 8672)</p> <p>covering: (CPC 86721- 86729)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) For multi-disciplinary practices (Architecture, Engineering and/or Quantity Surveying), foreign equity up to a maximum of 30 per cent for joint ventures by professionals who are registered in the country of origin. Foreign Directorship is not allowed.</p> <p>(4) 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</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Engineering services must be authenticated by a registered professional engineer in Malaysia.</p>	<p>(4) 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.</p> <p>Other requirements as per in ASEAN Chartered Professional Engineer (ACPE) Registry.</p>

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Integrated engineering services (CPC 8673) covering: (CPC 86731, 86732, 86733, 86739)	(1) None	(1) Integrated engineering services must be authenticated by the relevant registered professionals in Malaysia	(4) 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.
	(2) None	(2) Integrated engineering services must be authenticated by the relevant registered professionals in Malaysia	
	(3) Only through a representative office, regional office or locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both for the purpose of services contract awarded in Malaysia. The aggregate foreign shareholding in the joint-venture corporation shall not exceed 30 per cent Establishment of such joint-venture corporation is only for a duration necessary to complete the services contract	(3) None	
	(4) 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	(4) Unbound, except for the categories of natural persons referred to under market access	

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Landscape architectural services (CPC 86742)	(1) None (2) None (3) Only through a locally registered partnership with Malaysian Registered Landscape Architects or Malaysian controlled corporations or both and aggregate foreign shareholding in the JV corporation shall not exceed 40 per cent. (4) Two specialists/experts per institutions	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	(4) Qualifying examination to determine the competency and ability to supply the service for the purposes of registration with the professional bodies will be conducted in the English language.
Landscaping services, covering the provision of advisory, planning and designing services for the aesthetic landscaping of golf courses and theme parks (CPC 86742*)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation with Malaysian Registered Landscape Architects-or Malaysian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 51 per cent (4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	

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<p>B. Computer and Related Services</p> <p>a. Consultancy services related to the installation of computer hardware (CPC 841)</p> <p>b. Software implementation service (CPC 842)</p> <p>c. Data processing services (CPC 843)</p> <p>d. Data base services (CPC 844)</p> <p>e. Other</p> <ul style="list-style-type: none"> • Maintenance and Repair Services of office machinery and equipment including Computers (CPC 845) • Data preparation services from clients not involving data processing services (CPC 84910) • Other computer services not elsewhere classified (CPC 84990**): <ul style="list-style-type: none"> - Specifically training services for staff of clients; data recovery services; and development of creative content. - Other computer services n.e.c. covering training services for staff of clients; data recovery services; and development of creative content. (CPC 84990**) 	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

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<p>C. Research and Development Services</p> <p>Research and development services on natural sciences and engineering (CPC 851** research and development services involving Malaysia's natural resources, biodiversity and genetic materials and CPC 85105 research and development services on medical sciences and pharmacy)</p> <p>Limited to industrial activities 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:</p> <p>(i) Quality control of products or routine testing of materials, devices, products or produce;</p> <p>(ii) Research in the social sciences or humanities;</p> <p>(iii) Routine data collection;</p> <p>(iv) Efficiency surveys or management studies; and</p> <p>(v) Market research or sales promotion.</p>	<p>(1) None</p> <p>(2) None</p> <p>(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.</p> <p>(4) Unbound except as indicated in 1(a) and (b) and 2 (a) and (c) in the horizontal sections.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access.</p>	

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<p>Research and development services on medical sciences and pharmacy (CPC 85105**)</p> <p>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.</p> <p>(This will also include pre-clinical contract research organization and contract manufacturing organization)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

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<p>C. Research and Development Services</p> <p>Research and experimental development services on social sciences and humanities (CPC 8520 except 85203 and 85204)</p>	<p>(1) None</p> <p>(2) None</p> <p>(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</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
<p>Research and experimental development services on economics (CPC 85202)</p>	<p>(1) None</p> <p>(2) None</p> <p>(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</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

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<p>Interdisciplinary research and development services (CPC 8530**)</p> <p>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:</p> <p>(i) Quality control of products or routine testing of materials, devices, products or produce;</p> <p>(ii) Research in the social sciences or humanities;</p> <p>(iii) Routine data collection;</p> <p>(iv) Efficiency surveys or management studies; and</p> <p>(v) Market research or sales promotion.</p>	<p>(1) None</p> <p>(2) None</p> <p>(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 70per cent</p> <p>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.</p> <p>(4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal sections</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access.</p>	

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<p>E. Rental/Leasing Services without Operator</p> <p>Relating to ships exclude cabotage and offshore trades (CPC 83103)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a representative office, regional office or Malaysian-controlled corporation acting as an agent</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	
<p>Rental of cargo Vessels without crew (Bareboat Charter) for international shipping (CPC 83103)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation of at least 40 per cent</p> <p>(4) Ships crew (for vessels with crew) is permitted to disembark only for duration of berth subject to applicable domestic regulations</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access.</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Leasing or rental services concerning goods transport without operator CPC 83102	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Leasing or rental services concerning construction machinery and equipment without operator (CPC 83107)	(1) None (2) None (3) None except only through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian-controlled corporation acting or both. Aggregate foreign shareholding in the joint venture corporation shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Leasing or rental services concerning other machinery and equipment without operator (CPC 83109)	(1) None (2) None (3) Foreign shareholding shall not exceed 51 per cent. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound , except as indicated in the horizontal section	
Leasing or rental services concerning personal and household goods (CPC 832)	(1) None (2) None (3) Foreign shareholding shall not exceed 51 per cent. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

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<p>F. Other Business Services</p> <p>Advertising services (CPC 8711, 8712, 8719)</p>	<p>(1) None</p> <p>(2) None</p> <p>(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</p> <p><u>Advertisement through electronic media</u> subject to guidelines on local content</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Market research services (CPC 86401)	(1) 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 (4) Unbound, except as indicated in the horizontal sections	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Public opinion polling services (CPC 86402)	(1) 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. (4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal sections	(1) None (2) None (3) None (4) Unbound except for the categories of natural persons referred to under market access column	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Management Consulting Services</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 producing drugs and vaccine; and - Vaccine production (CPC 8650*) <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>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 51 per cent</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Project management services other than for construction (CPC 86601)	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Technical Testing and Analysis Services (CPC 8676 except 86764)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 70 per cent (4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	

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<p>Services incidental to energy distribution CPC 887</p> <p>Consulting services related to the advisory, guidance and operational assistance concerning management of the transmission of non-conventional energy, power plant and network.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Foreign equity shall not exceed 51 per cent</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	
<p>Executive search services</p> <p>CPC 87201</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Foreign equity shall not exceed 51 per cent</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	
<p>Alarm monitoring system services</p> <p>CPC 87303</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Foreign equity shall not exceed 51 per cent</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

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<p>Subsurface surveying services</p> <p>Covering Offshore 3-D Seismic Site Surveys - 3-D Seismic Site Surveys Offshore in Support of Resource Exploration and Development (CPC 86752)</p> <p>Surface surveying services</p> <p>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)</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Unbound</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) Unbound*</p> <p>(2) Unbound</p> <p>(3) Unbound</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	
<p>Surface surveying services</p> <p>Covering Quantity Surveying (Cost Engineering) Specialist Services in the provision of Arbitration/litigation, Tax Depreciation, Pre/Post Contract Audits, Technical Due Diligence, Resource analysis, Construct ability Analysis (CPC 86753)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Unbound</p> <p>(4) Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section</p>	<p>(1) Unbound*</p> <p>(2) Unbound</p> <p>(3) Unbound</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	

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Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) CPC 8866 Covering medical, precision and optical instruments, watches and clocks	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Building cleaning services (CPC 8741) Covering disinfecting and exterminating services	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound , except as indicated in the horizontal section	

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Specialty photography except aerial photography (CPC 875*)	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Packaging Services (CPC 8760) (excludes services that consists solely of printing information on packaging materials)	(1) None (2) None (3) 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. (4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal sections	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

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Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Printing and publishing Covering book binding services CPC 88442 **	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Convention Centre (CPC 87909) (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)	(1) None (2) None (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%. (4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section	(1) None (2) None (3) None (4) Unbound except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Translation and interpretation services (CPC 87905)	(1) 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. (4) None subject to domestic regulation	(1) None (2) None (3) None (4) None subject to domestic regulation	
Student Placement Services, covering promoting, recruiting and facilitating students for studies outside Malaysia (CPC 87909)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Operational Headquarters (OHQ) Services</p> <p>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 (CPC 87909)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None except OHQ must operate in Malaysia and fulfil criteria as set out in the Guidelines on Setting up Operational Headquarters in Malaysia.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	
<p>International Procurement Centre (IPC)</p> <p>(IPC refers to a locally incorporated 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)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None except that an IPC must be locally incorporated, conducts its business in Malaysia and fulfils the criteria of an IPC</p> <p>(4) Unbound except as indicated in 2(a) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in the horizontal section</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Regional Distribution Centre (RDC)</p> <p>(An RDC is a collection and consolidation centre for finished 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 outside the country. Among the activities are bulk breaking, re-packaging and labelling)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None except that an RDC must be locally incorporated, conducts its business in Malaysia and fulfils the criteria of an RDC</p> <p>(4) Unbound except as indicated in 2(a) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
COMMUNICATIONS SERVICES			
Courier services CPC 7512	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Telecommunication Services			
Basic Telecommunications 1. Voice service (wired or wireless) (CPC 7521) 2. Packet-switched data transmission services, including frame-relay services (CPC 7523) 3. Circuit switched data transmission services (CPC 7523) 4. Facsimile Service (CPC 7521**, PCPC 7529**) 5. Private leased circuit service (CPC 7522** & CPC 7523**)	(1) None (2) None (3) Foreign shareholding of up to 70 per cent in these service providers is allowed (4) Unbound	(1) None (2) None (3) None (4) Unbound	Pro-competition regulatory principle in respect of interconnection arrangement and competition (Refer to Annex I)

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Telex services (CPC 7523)	(1) None (2) None (3) Foreign shareholding of up to 70 per cent is allowed (4) Unbound	(1) None (2) None (3) None (4) None	
Telegraph services (CPC 7522)	(1) None (2) None (3) Only through locally incorporated JV corporation with Malaysian individuals or Malaysian controlled corporations; or Foreign shareholding of up to 70 per cent is allowed (4) Unbound	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Data and message transmission services Covering electronic mail, voice mail, on-line information and database retrieval, enhanced facsimile, code and protocol conversion (CPC 7523)	(1) None (2) None (3) Foreign shareholding of up to 70 per cent is allowed (4) Two specialists/experts for each institution, for a maximum period of two years, subject to domestic regulations.	(1) None (2) None (3) None (4) None	
Basic Telecommunications Paging services (CPC 75291)	(1) None (2) None (3) Foreign shareholdings of up to 70 per cent is allowed (4) Unbound	(1) None (2) None (3) None (4) Unbound	

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For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Other telecommunication services	(1) None	(1) None	Pro-competition regulatory principle in respect of interconnection arrangement and competition (Refer to Annex I)
7. Domestic/International satellite services and satellite links/capacities (inclusive of mobile satellite)	(2) None (3) Foreign shareholding of up to 70 per cent is allowed	(2) None (3) None	
8. Satellite earth station	(4) Unbound	(4) Unbound	
9. International switching and other international gateway			
10. Mobile services analogue/digital cellular			
11. Trunked radio services			
12. Video transport services			
Mobile telephone service (CPC 75213)	(1) None (2) None (3) Foreign shareholding of up to 70 per cent is allowed (4) Unbound	(1) None (2) None (3) None (4) Unbound	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Mobile data services (CPC 7523)	(1) None (2) None (3) Foreign shareholding of up to 70 per cent is allowed (4) Two specialists/experts for each institution, for a maximum period of two years, subject to domestic regulations.	(1) None (2) None (3) None (4) Unbound except for the categories of natural persons referred to under market access	
Interconnection services (CPC 7525 and 76250) Integrated telecommunication services (CPC 7526, 75260)	(1) None (2) None (3) Foreign shareholding of up to 70 per cent is allowed (4) Unbound	(1) None (2) None (3) None (4) Unbound	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Audiovisual Services Motion picture, video tape and audio recording distribution services (CPC 96113) Motion picture or video tape production services (CPC 96112) Other services in connection with motion picture or video tape production and distribution (CPC 96114)	(1) 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 shall not exceed 51 per cent (4) Unbound, except as indicated in 1a) and b) and 2a) and c) in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Motion picture projection services CPC 96121 Video tape projection services CPC 96122	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

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For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Broadcasting services covering transmission from foreign broadcast station of foreign broadcast matter from foreign territory through television or radio (CPC 7524*)	(1) None (2) None (3) Unbound* (4) Unbound*	(1) None (2) None (3) Unbound* (4) Unbound*	
Sound Recording services. Covering production, distribution and public display of sound recordings, but excluding all broadcasting and audiovisual services and materials that are broadcasting-related.	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

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) Unbound*	(1) Unbound*	
Construction Work for Buildings (CPC 512)	(2) None	(2) None	
Construction Work for Civil Engineering (CPC 513)	(3) None except through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both. Aggregated foreign shareholding in the joint venture corporation shall not exceed 51per cent	(3) None	
Assembly and Erection of Prefabricated Constructions (CPC 514)			
Special Trade Construction (CPC 515)	(4) Unbound except as indicated in the horizontal section	(4) Unbound, except as indicated in the horizontal section	
Installation Work (CPC 516)			
Building Completion and Finishing Work (CPC 517)			

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For the 8th Package of Commitments under ASEAN Framework Agreement on Services

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
DISTRIBUTION SERVICES			
Commission agents' services (CPC 621*) Only for textiles, clothing and footwear	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Wholesale, and Retail Trade Businesses (CPC 6111, 6113, 6121, 6130, 6221, 6222, 6223, 6224, 6225, 6226, 6227, 6228, 631, 632)	(1) Unbound (2) None (3) Aggregate foreign equity is allowed up to 51 per cent. Minimum foreign capital investment in respective formats of businesses is as per the Guidelines on Foreign Participation in Distributive Trade Services.	(1) Unbound (2) None (3) Unbound	

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For the 8th Package of Commitments under ASEAN Framework Agreement on Services

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(4) One (1) key post and a maximum of ten (10) time posts per company subject to the following conditions:</p> <p><u>a) Key Post</u> The person applying for the post must hold or has held a management position in the company's wholesale or retail business outside Malaysia for a period of not less than 3 years preceding the date of application for the work permit.</p> <p><u>b) Time Post</u> These posts are for executives or experts who must possess the necessary qualification and practical experience including holding equivalent or related position in the company's business for not less than 3 years and subject to the condition that Malaysians are trained to eventually take over the post concerned through an acceptable training programme.</p>	<p>(4) Unbound</p>	

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For the 8th Package of Commitments under ASEAN Framework Agreement on Services

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Franchising (CPC 8929)	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

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For the 8th Package of Commitments under ASEAN Framework Agreement on Services

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
EDUCATION SERVICES			
Primary education services (CPC 921) Covering international schools only General secondary education services (CPC 9221) Covering international schools only	(1) Unbound* (2) None (3) Only through a joint venture with foreign equity not exceeding 51 per cent. (4) Unbound, except as indicated in the horizontal sections	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal sections	
Technical and vocational secondary education services (CPC 9223) Covering private education services only Technical and vocational secondary school-type education services for handicapped students (CPC 9224) Covering private education services only	(1) Unbound* (2) None (3) Only through a joint venture with foreign equity not exceeding 51 per cent. (4) Unbound, except as indicated in the horizontal sections	(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal sections	

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For the 8th Package of Commitments under ASEAN Framework Agreement on Services

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Other Higher Education Services provided by privately funded higher education institutions excluding private higher education institutions with Government of Malaysia equity or that receive assistance from Government of Malaysia (CPC 92390)</p> <p>Adult education services provided by privately funded education institutions excluding private education institutions with Government of Malaysia equity or that receive assistance from Government of Malaysia (CPC 924)</p>	<p>(1) Unbound, except for requirement for commercial presence</p> <p>(2) None</p> <p>(3) Only through a joint venture with foreign equity not exceeding 51 per cent and subject to the requirement of a needs test if necessary</p>	<p>(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</p> <p>(2) Unbound</p> <p>(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.</p>	<p>3) Up to than 51per cent foreign equity will be considered subject to additional criteria which include:</p> <p>a) courses deemed important to attain Malaysia’s educational objective</p> <p>b) Potential to generate export revenues</p>
	<p>(4) Unbound except for measures affecting the entry and temporary stay of natural persons defined below:</p> <p>1. <u>Intra-corporate Transferees</u></p> <p>a) senior managers being persons with an organization having propriety information of the organization and who exercise wide latitude in decision making relating to the establishment, and receive only general supervision or direction from the board of</p>	<p>(4) Unbound except as listed in the market access column</p>	

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For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>directors or partners of the organization.</p> <p>b) <u>Lecturers and experts</u> 10 lecturers and/or experts but not more than 30 per cent of lecturers employed in an educational institution who possess the necessary qualifications, knowledge, credentials or experience.</p> <p>2. <u>Others</u></p> <p>a) <u>Professionals</u> 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) <u>Business visitors</u> 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 least one year by a foreign educational institution, whose entry and temporary stay is for the purposes of evaluating business opportunities.</p>		

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For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>c) <u>Contractual Service Suppliers</u></p> <p>(i) <u>Independent Professionals</u></p> <ul style="list-style-type: none"> - the natural person has obtained a service contract in the territory of the Member 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) <u>Employees of Juridical Persons</u></p> <ul style="list-style-type: none"> - 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 Member where the service is to be provided; 		

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<ul style="list-style-type: none"> - The juridical person has obtained a service contract to be provided in the territory of another Member - The employees receive remuneration from their employer while abroad; - The employees may not engage in other employment in the territory of the Member where the service is to be provided; - The employees have appropriate educational and professional qualifications relevant to the service to be provided; - Commitment relates only to the service activity which is the subject of the contract; it does not confer entitlement to exercise the professional title of the Member State concerned; - Commitment applies only to the List of sectors specified and the employee provides the service as a professional/specialist in the specified sector. 		

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Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Other education services (CPC 929 / 9290 / 92900)	(1) Unbound* (2) None (3) Only through a joint venture with foreign equity not exceeding 51 per cent. (4) Unbound, except as indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in the horizontal section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
ENVIRONMENTAL SERVICES			
<p>Wastewater Management (CPC 9401)</p> <p>Covers only removal, treatment and disposal of industrial effluents.</p> <p>(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)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a locally incorporated, joint-venture with Malaysian individuals or Malaysian control corporations or both and aggregate foreign shareholding shall not exceed 54 per cent.</p> <p>(4) Unbound except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated under the market access column.</p>	
<p>Refuse disposal services</p> <p>CPC 9402*</p> <p>Covering private industrial waste management services covering treatment and disposal services</p>	<p>(1) None</p> <p>(2) None</p> <p>(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.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

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Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Refuse disposal services CPC 9402*</p> <p>Covering solid waste disposal services, only for: - integrated biomass treatment facility services - 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.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Foreign equity shall not exceed 51 per cent.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	
<p>Protection of Ambient Air Climate (CPC 9404 –corresponds to Cleaning Services of Exhaust Gases)</p> <p>Covers only services provided at industrial premises to remove air pollutants including monitoring of mobile emissions and implementation of control systems or reduction programmes.</p> <p>(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)</p>	<p>(1) None</p> <p>(2) None</p> <p>(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 49%.</p> <p>(4) Unbound, except as indicated in paragraph 1 (a), 1(b) and 2(a) of the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in market access column.</p>	

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Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Noise Abatement Services (CPC 9405)</p> <p>Covers only monitoring programmes, and installation of noise reduction and screen in residential, commercial and industrial premises.</p> <p>(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)</p>	<p>(1) None</p> <p>(2) None</p> <p>(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</p> <p>(4) Unbound, except as indicated in paragraph 1 (a), 1(b) and 2(a) of the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in market access column.</p>	
<p>Nature and Landscape protection Services covering only contaminated soil clean-up and remediation. (part of CPC 94060)</p> <p>(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)</p>	<p>(1) None</p> <p>(2) None</p> <p>(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</p> <p>(4) Unbound, except as indicated in paragraph 1 (a), 1(b) and 2(a) of the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in market access column.</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
HEALTHCARE SERVICES			
<p>Specialised medical services (CPC 93122)</p> <p>covering forensic medicine, nuclear medicine, geriatrics, micro vascular surgery, neurosurgery, cardiothoracic surgery, plastic surgery, clinical immunology and oncology, traumatology, anaesthesiology, intensive care specialist, child psychiatry and physical medicine</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Specialised medical services may be supplied only by a natural person</p> <p>(4) Unbound, except indicated in 2 a) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) - 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 group practices is not permitted</p>	<p>4) The qualifying examination to determine the competence and ability to supply the service will be conducted in English language.</p>
<p>Dental Services (CPC 93123)</p> <p>Covering at least five (5) dental specialties in the fields of:</p> <p>Oral Surgery, Orthodontics, Periodontics, Pediatric Dentistry, Oral Pathology/Oral Medicine, and Special Care Dentistry; with competency/competencies in the field of orthognathic surgery, cranio-facial surgery, dental oncology, dental-facial trauma or cleft lip and cleft palate</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Foreign equity in the PDSC shall not exceed 70 per cent</p> <p>(4) Unbound except indicated in 2 (a) in the horizontal section.</p> <p>In respect of 2(b), only two (2) foreign dental specialists with specified competency/competencies per establishment.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) As in market access limitations.</p> <p>(4) As in market access limitations-</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Veterinary services (CPC 932)	(1) 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, ownership shall be restricted to veterinarian professionals with professionals qualification relevant to the services provided and recognized by and registered with relevant professional bodies (4) Unbound, except indicated in 2 a) in the horizontal section	(1) None (2) None (3) Unbound (4) Unbound, except indicated in the market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Specialised Nursing Services (CPC 93191)</p> <ul style="list-style-type: none"> - Intensive Care Nursing - Coronary Care Nursing - Peri-Operative Nursing - Neonatal Nursing - Pediatric Nursing - Emergency and Trauma Care - Oncology Nursing - Gerontology - Renal Nursing - Orthopedic Nursing - Ophthalmology Nursing 	<p>(1) None</p> <p>(2) None</p> <p>(3) Services may be supplied by a natural person.</p> <p style="padding-left: 20px;">The setting up of individual or joint group practices is not permitted.</p> <p>(4) Unbound except indicated in 2 (a) in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Unbound</p> <p>(4) Practice to be only at a specified location and a change of location requires approval.</p>	
<p>Private hospital services (CPC 93110*)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) 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 corporations shall not exceed 70 per cent; and</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Establishment of feeder out patient clinics is not permitted</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Other human health services CPC 93199 covering pharmacy services in the manufacturing sector only	(1) None (2) None (3) Foreign equity shall not exceed 70 per cent. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Welfare services delivered through residential institutions to old person and the handicapped (CPC 93311) Vocational rehabilitation services for the handicapped (CPC 93324)	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal sections.	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

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: (i) Hotel Lodging Services (CPC 64110) (ii) Holiday Centre and Holiday Home Services (CPC 64192) (iii) Letting Services of Furnished Accommodation (CPC 64193) Covering the management and operational of hotels or resorts including, outlet which may not necessarily include ownership of such properties	(1) None (2) None (3) Joint venture corporation with Malaysia individuals or Malaysia – controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 70 per cent foreign equity (for 4&5 star hotel) (4) Unbound except as indicated in (a) and (b) and 2 (a) and (c) in the horizontal section	(1) None (2) None (3) None (4) Unbound except for the categories of natural persons referred to under market access	
Food serving services (CPC 642) Beverage serving services for consumption on the premises (CPC 643)	(1) 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 70 per cent foreign equity. (4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.	(1) None (2) None (3) None (4) Unbound except for the categories of natural persons referred to under market access.	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Travel Agencies and Tour Operators Services (CPC 7471) (For inbound travel only)	(1) None (2) None (3) 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. (4) Unbound except as indicated in 1(a) and (b) in the horizontal section	(1) None (2) None (3) None (4) Unbound except for the categories of natural persons referred to under market access	
Tourist Guide Services (CPC 7472)	(1) None (2) None (3) Unbound* (4) None	(1) None (2) None (3) Unbound* (4) None	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
RECREATIONAL, CULTURAL AND SPORTING SERVICES			
Other entertainment services (CPC 96191, 96192, 96194)	(1) Unbound* (2) None (3) Entertainment services may be supplied only by a natural person (4) Unbound except as indicated in 2 a) in the horizontal section	(1) (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	
Services provided by authors, composers, sculptors, entertainers and other individual artists (CPC 96192)	(1) None (2) None (3) Foreign shall not exceed 51 per cent. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Theme Park</p> <p>(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, edutainment, adventure and excitement. The concept of the park can either be outdoor or indoor or a combination of both)</p>	<p>(1) None</p> <p>(2) None</p> <p>(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.</p> <p>(4) Unbound except as indicated in 1(a) and (b) and 2 (a) and (c) in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access</p>	
<p>Library Services</p> <p>CPC 96311</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Foreign equity shall not exceed 51 per cent</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Sports events management services (CPC 96411, 96412)	(1) None (2) None (3) None except only through a Malaysian-controlled corporation acting as the local sponsor (4) Unbound, except as indicated in 2 a) in the horizontal section	(1) None (2) None (3) None (4) Unbound, except for the categories of natural persons referred to under market access	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
TRANSPORT SERVICES			
<p>A. Maritime Transport Services</p> <p>International maritime transportation services, excludes cabotage (CPC 7211, 7212)</p>	<p>(1) None</p> <p>(2) None</p> <p>(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.</p> <p><u>Malaysian registered vessels</u> To register a vessel in Malaysia, the following conditions must be met:</p> <p>a) Owner of that vessel must be a Malaysian citizen or corporation incorporated in Malaysia;</p> <p>b) Majority shareholding to be held by Malaysians;</p> <p>c) Majority of the board of directors to be Malaysians; and</p> <p>d) Principal place of business to be in Malaysia.</p> <p>(4) Unbound, except as indicated in the horizontal section. Ship crew is permitted to disembark only for duration of berth.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except for the categories of natural persons referred to under market access</p>	<p>The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:</p> <ol style="list-style-type: none"> 1) Pilotage 2) Towing and tug assistance 3) Provisioning, fuelling and watering 4) Garbage collection and ballast waste disposal 5) Port Captain's services 6) Navigation aids 7) Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8) Emergency repair facilities 9) Anchorage, berth and berthing services

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Rental of cargo vessels with crew for international shipping (CPC 7213)</p> <p>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.)</p> <p>* These are limited to services of hiring of a vessel with crew under charter party terms for voyage or period of time.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Ships crew (for vessels with crew) is permitted to disembark only for duration of berth subject to applicable domestic regulations</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except for the categories of natural persons referred to under market access.</p>	
<p>Maintenance and repair vessels (CPC 8868**)</p> <p>(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)</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(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 maximum of 51 per cent.</p> <p>(4) Unbound, except as indicated in the horizontal sections</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Unbound</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
F. Supporting services for maritime transport Vessel salvage and refloating services (not applicable in harbour) (CPC 74540) (Vessels salvage services provided on ocean and seas. Such services	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Classification Societies ¹ (Except for statutory services for Malaysia flag vessels)	(1) 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. (4) Unbound, except as indicated in the horizontal sections	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

¹ 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.

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
E. Rail Transport Services Maintenance and repair of rail transport equipment CPC 88688**	(1) 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 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
F. Road transport services Freight Transportation Covering private carriers (Class C Licence) (CPC 7123)	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Maintenance and repair services not elsewhere classified of trailers and semi trailers on a fee or contract basis CPC 88670*	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Private services provided by car parks, parking lots and parking garages, whether or not roofed CPC 74430	(1) None (2) None (3) Foreign equity shall not exceed 51 per cent (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>H. Services Auxiliary to all modes of transport</p> <p>Maritime Cargo Handling Services (CPC 741 **)</p> <p>(Limited only for sea transport)</p> <p>Maritime Cargo Handling services limited to activities exercised by terminal operators but not including the direct activities of dockers, when 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.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both. Aggregate foreign shareholding in the joint venture corporation shall not exceed 49 per cent.</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Storage and warehousing services. Covering private bonded warehousing services only. CPC 742</p>	<p>(1) None</p> <p>(2) None</p> <p>(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</p> <p>(4) Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal commitments.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	
<p>Maritime freight forwarding services (CPC 7480)</p> <p>(Consist of organizing and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, reparation of documentation and provision of business information)</p>	<p>(1) None</p> <p>(2) None</p> <p>(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 51 per cent</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 8th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Maritime agency services 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 (CPC 7454*)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
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)	(1) None (2) None (3) 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 70 per cent; and (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

MALAYSIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 6th Package of Commitments under ASEAN Framework Agreement on Services

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	To ensure that the following principles pertaining to interconnection arrangement are adhered to: - Interconnection and access between network operators shall be on an equitable and non-discriminatory basis; - Charges for interconnection facilities and services provided by network operators shall be fair and equitable; - 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; - 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; - The network operator that provides the access connection to the customer should be allowed to tell him (the customer); - 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.