

GUIDELINES FOR REGISTRATION OF FOREIGN COMPANIES UNDER SECTION 562, COMPANIES ACT 2016

A company incorporated outside Malaysia may conduct its business in Malaysia through the following two (2) methods:

- i. As a shareholder of a local company registered under Section 14 of the Companies Act 2016 (CA 2016); or
- ii. As a foreign company registered under Section 562 of CA 2016.

For the first option, applicants may refer to the Guidelines for Registration of Local Companies.

Meanwhile, the registration procedures for foreign companies are as follows:

PROCEDURE FOR REGISTRATION OF FOREIGN COMPANIES

The procedure for registering a foreign company is divided into two (2) different parts based on the submission channel. Applicants must follow each step carefully to ensure the application is complete and ready for submission.

The first part involves the application and reservation of the company name, followed by the second part, which is the registration of the foreign company.

1. Application and Reservation of Company Name

Applicants are required to submit the Section 27(1) & (4) CA 2016 form titled 'Availability of Company's Name' through the MyCoID portal.

Once the company name is approved and still within the reservation period, the applicant must submit a printed copy of the foreign company registration application at any nearby SSM counter, whether at the headquarters, state, or branch office (excluding UTC).

2. Documents Required for Foreign Company Registration

The following documents must be submitted:

- a) Section 562 CA 2016 Application Form for Foreign Company Registration, including Beneficial Ownership Information;
- b) Memorandum or Letter of Appointment of Agent;
 - duly sealed by the company, and
 - RM10 revenue stamp certificate;
- c) Affidavit Confirming the Appointment Memorandum / Statutory Declaration Confirming the Appointment Memorandum (certified by a Notary Public / Commissioner for Oaths);
- d) Section 562(2) CA 2016 Statement by the Foreign Company's Agent;

- e) Certified copy of the Certificate of Incorporation of the company;
- f) Printed copy of the latest company information;
- g) Certified copy of the Company Constitution;
- h) Section 27(1) & (4) CA 2016 'Availability of Company's Name' Form;
- i) Printed email notification of name approval and reservation;
- j) Other documents:
 - Foreign exchange rate;
 - Copies of passports of Directors and Agent;
 - Foreign language documents must be translated into English by a qualified translator; and
 - Two (2) printed copies of the letter (for the purpose of payment receipt franking);
- k) Payment of registration fee according to Schedule of Regulation 8, Companies Regulations 2017.

FOREIGN COMPANY REGISTRATION FEE

Nominal Share Capital (Equivalent in RM)	Fee (RM)
Not exceeding RM1 million	5,000
Exceeding RM1 million but less than RM10 million	20,000
Exceeding RM10 million but less than RM50 million	40,000
Exceeding RM50 million but less than RM100 million	60,000
Exceeding RM100 million	70,000

- To determine the registration fee rate, the nominal share capital of the foreign company must first be converted from its original currency to Malaysian Ringgit based on the prevailing exchange rate.
- If the foreign company does not declare any share capital, a flat rate of RM70,000 must be paid to SSM.

FORM DOWNLOAD LINK

The form for Section 562 Foreign Company Registration can be downloaded at:

[s 562\(1\)\(fa\) 170524.pdf](#)

IMPORTANT INFORMATION

- Applications must retain information on all Directors and Shareholders as registered in the country of origin.
- Foreign companies must appoint an agent who is either an individual and/or a corporate body with a Malaysian address.
- Information regarding the beneficial owner must be completed.

CLIENT CHARTER

A complete application submitted with payment will be processed within one (1) working day.

VERIFICATION OF APPLICATION

UPON APPROVAL OF THE APPLICATION

If the application is approved, the applicant must go to the same SSM counter with the payment receipt to collect:

- Notice of Registration; and
- Approval Letter.

IF THE APPLICATION IS QUERIED

If the application is queried, the applicant must retrieve the copy of the application and the query letter at the same counter by presenting the payment receipt. The corrected and complete application must then be resubmitted at the counter to be processed again in accordance with the Client Charter.