



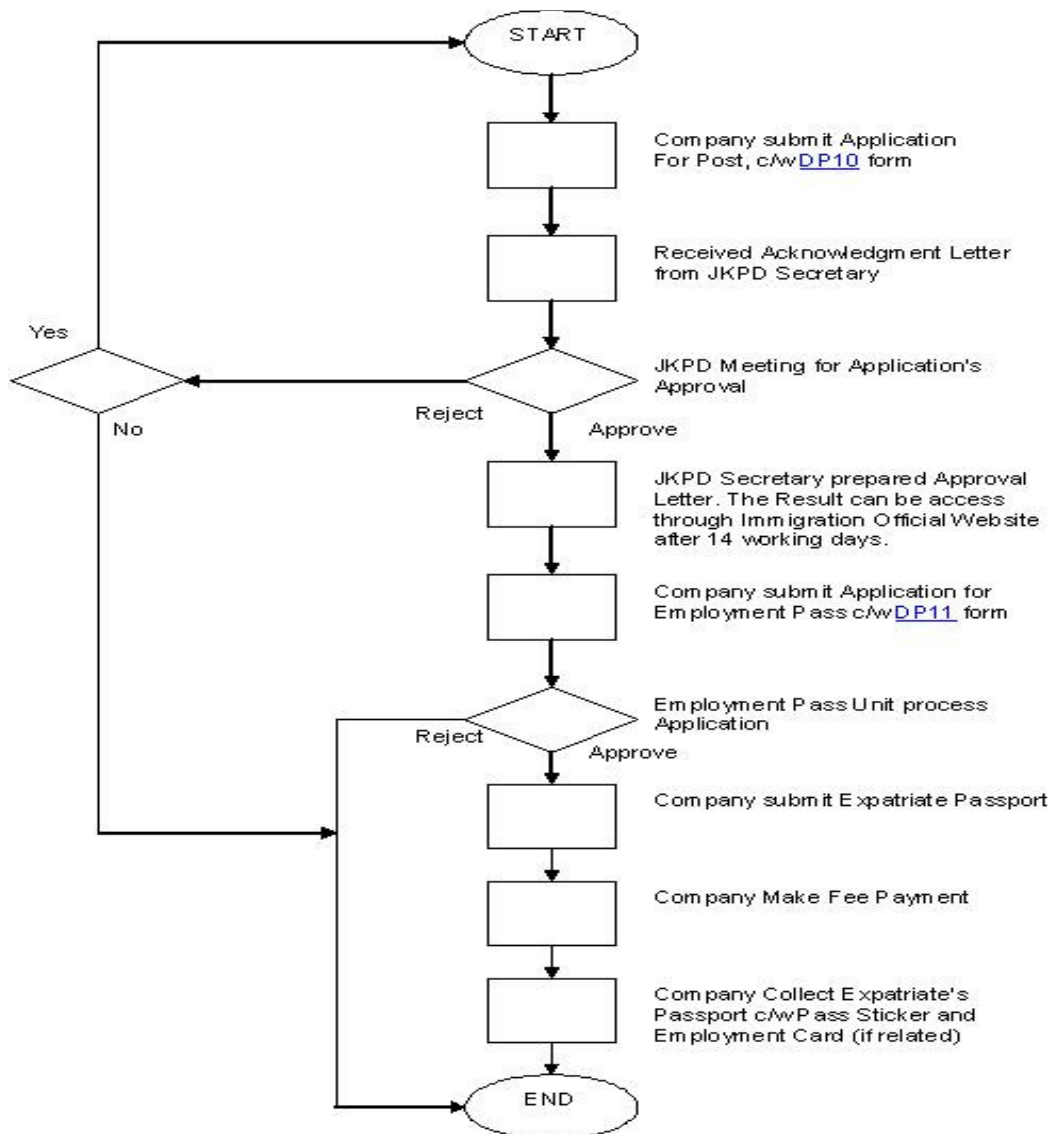
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## PROFESSIONAL/ DP 10/ EXPATRIATE

It has been Malaysian Government Policy to ensure Malaysians, in facing the new era of globalization, will be trained and able to serve in various sector. However, companies and industry movers are allowed to employ foreign trained and skilled workers to fill in the vacancy, which Malaysian human resource can't provide with. Furthermore, expatriate who holds the important position in foreign company are allowed to hold the position permanently.

However, companies and organization must take part and ensure that Malaysian will be trained in order to have more Malaysian in various sector and industry in this country.

### Guidelines for Application of Expatriate Personnel





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### **MIDA's Approval**

Any company or organization with foreign paid up capital more than US\$ 2 million are automatically entitled to apply for five (5) Expatriate Post including the important post. Additional posts will be considered if applied.

### **Expatriate Committee Approval**

Application from any company or organization with foreign paid up capital less than US\$ 2 million will be considered based on:

- Important post will be considered if the foreign paid up capital are at least RM 500,000.00. However, this sum are only a guideline and the number of important post applied depends on the company's needs (by case, accordingly).
- Share holders, executive post with professional qualification and practical experience are entitled to work for 10 years maximum with a condition; a Malaysian has to be trained to take the post in future.
- Non- executive post which require experience and technical experience, Expatriate are allowed to work on 2+2 years maximum basis with a condition; a Malaysian has to be trained to take the post in future.

Before the Expatriate apply for the Employment Pass, the company or organization must apply for approval of the related post from the Immigration Department.

### **Enquiry of Expatriate Post Application Through Website**

Enquiry can be made online using Malaysian Immigration Department Enquiry of Expatriate Post Application System.

### **Paid up Capital**

Any company with low paid up capital, the company will have to fulfill condition regarding the paid up capital if the post applied has been approved.

- For **100% Bumiputra**, company's capital have to be increase to RM100,000.00
- For **100% non Bumiputra**, company's capital have to be increase to RM150,000.00
- For **jointly owned company, between Bumiputra and non Bumiputra**, the capital have to be increase to RM125,000.00 - RM150,000.00 depending on the composition of majority share.
- For **100% foreign share**, the paid up capital have to be increase to RM250,000.00
- For **jointly owned company between foreigner and Bumiputra/ non-Bumiputra** the capital have to be increase to RM200,000.00.

Extended Condition to FIC (Foreign Investment Committee) will be imposed until the equity are no longer 100% belongs to foreigner.

### **Age Policy for Expatriate**

IT Related Position - 21 years old

Other Management Position - 27 years old and above



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**Control and Supervise Agencies**

<b>Agency</b>	<b>Approval /Endorsement</b>	<b>Company Activities</b>
Malaysian Industrial Development (MIDA)	Approval	Manufacturing (export), Hotel, Agriculture (export), Tourism, Research and Development
Ministry of Education Malaysia	Endorsement	Lecturer/ Teacher/ Tutor for Institution and Private School
Malaysian Construction Industrial Development Board (CIDB)	Endorsement	Construction - Engineer, Architect, Quantity Surveyor, Town Planner and other technical post - registered with CIDB
Security Commissioner	Endorsement	Industrial Security Company, Kloffie, Investment Fund - economist, consultant, dealers
Bank Negara Malaysia	Endorsement	Bank and finance institution - economist, researchers, financial advisor, insurance consultant
Multimedia Development Corporation	Approval	Companies approved with Multimedia Super Corridor (MSC) status
Public Service Department	Approval	Government Hospital and Public Higher Education Institution
DCA	Endorsement	Any post related to airlines
Expatriate Committee	Approval	Others than above



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**Checklist Application for Expatriate Committee**

- Letter of Authorization from the Company / Copy of Identity Card/ Business Card
- DP10 Form
- Application Letter from the Company
- Organization Chart
- Copy of ROC
  - Form 9
  - Form 24
  - Form 49
  - Others company's relevant information
- Confirmation Letter from the Employer regarding Expatriate's Admission Status, for citizen of:
  - China
  - India
  - Philippines
  - Sri Lanka
  - Pakistan
  - Bangladesh
  - Nepal
  - Myanmar
  - North Korea
  - Vietnam
- Copy of Commentary Letter from related Government Agency (if required)
- Copy of Letter of Acceptance & Offer or Letter of Intent
- For manufacturing sector, please enclose brief description / picture of the product
- Resume, Academic Qualifications Certificate and Copy of Expatriate Passport
- Letter of Approval (for extension only)
- CIDB License/ Contract Project
- Bill of Lading/ WRT from KHEDN

\* Please arrange accordingly

Application must be address to:

Setiausaha,  
Jawatankuasa Pegawai Dagang,  
Bahagian Pas Penggajian, Aras 3,  
Jabatan Imigresen Malaysia,  
(PODIUM) Blok 2G4,  
Precint 2, Pusat Pentadbiran Kerajaan Persekutuan,  
62550 Putrajaya.



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### **Employment Pass**

#### **Category**

New Application

- Expatriate
- Minimum Contract 2 (two) years
- Minimum Wages not less than RM3,000.00 per month

#### **Procedure**

- Before one apply for the employment pass, one have to apply for the position from Expatriate Committee
- Employer must arrange the application of Employment Pass for their respective Expatriate
- Application can be submit to Immigration Headquarters Office, Putrajaya or any Immigration State Office

### **Dependent Pass**

#### **Category**

New Application

- Wife and the children of Expatriate with Employment Pass
  - Wife
  - Children under 21 years old
  - Disable Children
  - Foster Children

#### **Procedure**

- Application of Dependent Pass can be submit together with the Employment Pass application or upon approval of the Employment Pass.

#### **Fees**

Dependant Pass to Visit Pass (Temporary Employment) - PL(KS)	RM 90.00 per year
Processing Fee	RM 50.00 per post
Processing Fee for Journey Performed Visa	RM 500.00 per post



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### **Social Visit Pass**

#### **Category**

New Application

- Husband of an Expatriate with Employment Pass
- Parents of an Employment Pass Holder
- Common Law Wife (Verification from Embassy is required)
- Children above 21 years old
- Step Children

#### **Procedure**

- The application for this pass can be submitted with the application for Employment Pass or after Employment Pass have been approved.

#### **Fees**

Dependant Pass to the holder of Visit Pass (Temporary Employment) - PL(KS)	RM 90.00 per year
Processing Fee	RM 50.00 per post
Processing Fee for Journey Performed Visa	RM 500.00 per post

### **Temporary Working Permit For Husband or Wife of Malaysian Citizen (Spouse Programme)**

#### **Category**

- Foreign Spouse to Malaysian with Valid Referred Visa (if related) are entitled for this program
- Legally Married under the Malaysian Law (Registered Marriage in Malaysia)
- Applicant must have a valid permanent job offer, self employed applicant are not valid for this program
- Applicant with Educational or Health Discipline shall have recommendation from related agency such as Ministry of Health or Ministry of Education.



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### **Facilities Offered**

#### **Permission For Expatriate's Wife (On Dependent Pass) To Do Charity Works In Malaysia**

##### **Category**

New Application

- Expatriate's wife in this country which holds Dependent Pass
- To do only charity works

##### **Procedure**

- Application in writing to Head Director of Immigration or Director of Employment Pass or Director of State Immigration Office
- Doesn't make fixed income
- No activity against Malaysian culture and ethics
- Charity works defined as follow:
  - Old Folks Home
  - Disable Children Shelter
  - Foster Children Home
  - Charity Home
  - Red Cross Association

##### **Fees**

- Excluded

Education Facilities To Expatriate's Children Whom Under 18 Years Old And Holds Dependent Pass

##### **Category**

Expatriate's children who are under 18 years old and entered Malaysia with Dependent Pass are allowed to school without have to apply for Student Pass

##### **Condition**

- Schools / institute that have recognition from Malaysian Government
- Meet the Student Pass requirement



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## **Visa On Arrival Facilities To Foreigner That Have Malaysian Expatriate Approval**

### **Category**

Malaysian Government have decided to give Visa On Arrival to Expatriate's; including to their wife, children and maid

### **Condition and Procedure**

- Applicant must present at the Immigration Office
- Visa Application Form IM47
- Applicant must possess origin country passport and must be valid for the next 24 months
- Visa On Arrival will only be granted upon approval of the Employment Pass

With Visa On Arrival, Expatriate and his/her dependant would be exempted from Journey Perform Visa.

### **Where To Apply**

- Kuala Lumpur International Airport
- Kuching International Airport, Sarawak
- Kota Kinabalu International Airport, Sabah

## **🏠 Other Informations**

Countries That Shall Have Security Check Entrance

- China
- North Korea
- Vietnam

**Countries That Shall Need Visa Entrance**

- Philippine
- India
- Bangladesh
- Pakistan
- Sri Lanka
- Myanmar
- China
- North Korea
- Vietnam
- Pakistan
- Colombia





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### **Cooling Off Period**

Expatriate who intend to work with another company after the contract with the first company expired, will be impose 'Cooling Off Period' for six month.

Criteria that can be considered for Exception of "Cooling Off Period"

- Expatriate are the share holder/ new investor
- The Employer are the 'common share holder' or 'common director' in both new and previous company
- Expatriate's services are no longer required
- Expatriate's services were terminated caused by the previous company's economy crisis
- Previous Company were inactive/ bankrupt
- Previous Company has been taken over by a New Company
- Expatriate switch services from private company to government agency
- Expatriate switch services from government agency to another government agency
- Changes of Employer whilst changes of Expatriate's position are vertical
- Release from Previous Employer



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**Fees and Checklist Table**

**Fee Table**

**Pass**

PASS	FEES
Employment Pass <ul style="list-style-type: none"> <li>• Important Position (MIDA's Approval)</li> <li>• Management/ High Level/ Professional/ Technical Position</li> </ul>	RM 300 per annum RM 200 per annum
Dependent Pass	RM 90 per annum
Temporary Employment Pass	RM 60 per annum
Social Visit Pass	RM 90 per annum

**Levy**

LEVY		FEES	
Employment Pass		No Levy	
PL(KS) Levy - According to sectors			
No.	Sectors	Per Annum New Rate	
		Peninsular	Sabah and Sarawak
1.	Manufacturing	RM1,200.00	RM 960.00
2.	Construction	RM1,200.00	RM 960.00
3.	Plantation	RM 540.00	RM 540.00
4.	Agriculture	RM 360.00	RM 360.00
5.	Service	.	.
	a) Restaurants	RM1,800.00	RM1,440.00
	b) Washing and refinement	RM1,800.00	RM1,440.00
	c) Cargo handling	RM1,800.00	RM1,440.00
	d) Laundry	RM1,800.00	RM1,440.00
	e) Caddies	RM1,800.00	RM1,440.00
	f) Barber Shop	RM1,800.00	RM1,440.00
	g) Retail and Wholesale Business	RM1,800.00	RM1,440.00
	h) Textile	RM1,800.00	RM1,440.00
	i) Metal, Old and Faded, and Used Items	RM1,800.00	RM1,440.00
6.	Welfare Home	RM 600.00	RM 600.00
7.	Others	RM1,800.00	RM1,440.00



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**Others**

Processing Fees Employment Pass Temporary Employment Pass Dependent Pass Social Visit Pass Transfer Pass	RM 50 (per position/ application)
Processing Fees "Journey Performed" Visa	RM 500 (per position/ application)

1. Payment must be made using Bank Draft payable to Head Director of Immigration Department Malaysia.
2. Incomplete submission will be return for correction.
3. Original passport must be submitted if the applicant is in Malaysia when his/her application is submitted.
4. Foreign Applicant who wanted to enter Malaysia with Referred Visa (VDR), must be outside the country when the application is submitted.
5. Philippines applicant must be registered with POEA in advance and have a Referred Entry Visa before entering Malaysia to starts work.



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### Checklist Table

ITEM	JKPD	PP	PT	PLKS	PLS
Authorization Letter from the company / Copy of ID/ Business Card	X	X	X	X	X
Form DP10	X	.	.	.	.
Application Letter form the Company	X	X	X	X	X
Organization Chart	X	.	.	.	.
Copy of ROC and other relevant information related to the company	X	X	.	.	.
- Form 9	X	X	.	.	.
- Form 24	X	X	.	.	.
- Form 49	X	X	.	.	.
Letter of Confirmation from the Company/ Employer regarding the Expatriate's Admission Status to Malaysia (for citizen from China, India, Philippines, Sri Lanka, Pakistan, Bangladesh, Nepal, Myanmar, North Korea and Vietnam)	X	.	.	.	.
Copy of Commentary Letter from related Government Agency (if required)	X	.	.	.	.
Copy of Contract Agreement or "Letter of Acceptance & Offer" or "Letter of Intent"	X	X	X	X	.
Brief description / picture of the product (manufacturing sector only)	X	.	.	.	.
Resume, Academic Certificate and copy of Expatriate's passport	X	X	.	.	.
Copy of Approval Letter	X *	X	X	X	.
CIDB License/ Project Contract / Work Contract	X ^	X	.	.	.
Bill of Lading/ WRT from KHEDN	X ^	.	.	.	.
Form DP11	.	X	X	X	X
Personal Bond (stamping RM 10)	.	.	.	X	.
Passport Sized Photo	.	X	X	X	X
Marriage Certificate/ Birth/ Letter from Embassy Common Law Wife & Custody Letter	.	X	X	X	X

\* for extension only

^ for relevant only

JKPD - Jawatankuasa Pegawai Dagang (Expatriate Committee)

PP - Pas Penggajian (Employment Pass)

PT - Pas Tanggungan (Dependant Pass)

PLKS - Pas Lawatan Kerja Sementara (Temporary Employment Pass)

PLS - Pas Lawatan Sosial (Social Visit Pass)

**EXELITE RESOURCES SDN BHD**

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