



Malaysia

Your Ideal Location for

Regional Establishments



MALAYSIAN INVESTMENT DEVELOPMENT AUTHORITY

www.mida.gov.my



Malaysia

Your Ideal Location for Regional Establishments

Malaysia holds many attractions for multinational companies (MNCs) looking for a strategic location to headquarter their global operations. In line with the trend of company hierarchies and decision-making processes shifting towards a more decentralised model, many MNCs are moving their traditional corporate centres to offshore locations.

Due to its prime geographical location in the centre of ASEAN, Malaysia offers companies close proximity to customers. Apart from this, competitive costs of operation as well as strong supply chain linkages in the regional market underscores the importance of Malaysia as a regional hub location. Top-class infrastructure and telecommunication networks, advanced financial markets, pro-business legislation, multicultural and & multilingual professional talent, and attractive tax incentives are additional attractions.

Despite the competition from its regional neighbours, Malaysia ranked 3rd as a global offshoring destination, after the People Republic of China and India in AT Kearney's Global Services Location Index 2019; a position that the nation has held since 2004.



Some of the world renowned MNCs which have established Regional Operations in Malaysia are:

OHQ	
USA	- General Electric, Du Pont, Dow Chemicals, PepsiCo, Grey Communications, Hess Oil & Gas, Air Products, Henry Schein, Kellogg's, Freudenberg-Nok Spansion, Schlumberger, Baker Hughes, Intel, Transocean, Agilent, IBM, Mars Foods, Hewlett-Packard
Japan	- Sharp Electronics, Japan Tobacco International, Bridgestone, NGK Spark Plugs, NEC Infrontia, Sumitomo. Nippon Electric Glass, Nippon Menard, Oji Paper Asia
Germany	- BASF, Muehlbauer, Eppendorf, Arvato, Siemens, Nordenia, Bayer, Binder, A. Hartrodt
Australia	- IBA Health, IEV Group, Leighton, Linfox, Wagners, Worley Parsons, Execujet, Paradigm, Ansell, Dome, Delta Asia, Cochlear, Avanser
UK	- RMC Industries, British-American Tobacco, Diagonal Consulting Group, Fosroc Asia, Ikon Science, Avocet Mining, OHM Surveys, Fitness First, G4S Management, Velosi
Switzerland	- Novartis Corporation, SBM Group, Omya Group, Tetra Pak
France	- Lafarge. Thales International, Monier, Bionersis S.A
Netherlands	- Flexsys, Prometric, Friesland Foods, Dow Corning, Barry Callebaut, Organon, Mammoet, Subsea, Core, Acision
Sweden	- Volvo, UCB Group, Ascom
Norway	- Aker Kvaerner, Wilhelmsen, AGR
Singapore	- NOL Global, ACE Asia Pacific, Global Footware, International SOS
Hong Kong	- Aramis, OMG, DBC, Promat
Belgium	- Oleon

IPC	
USA	- Dell, Knowles, Darden, Smart Modular Technologies, Jabil
JAPAN	- Matsushita, Sharp, Sony, Kenwood, TDK Corporation, Canon Opto, Murata, Sumiden, Katolec, Nifco, Ohshima, G-Tech, Hitachi, JVC Electronic, NEC Electronics, Brother Engineering, Sharp-Roxy, Nitto Denko, Mitsumi, Mitsubishi, Nippon Wiper Blake, Nidec
Germany	- Robert Bosch, Henkel, B. Braun
Taiwan	- Acer, Inventec Electronics, Titan
France	- Mapa Spontex, Safic-Aican
Hong Kong	- Lee Kum Kee
Netherlands	- Flextronics, Benchmark Electronics
Singapore	- Ghim Li, Woleco, Jackspeed Leather, World Kitchen, Om Materials

ROC	
Germany	- Osram Opto Semiconductors, BMW, EPCOS AG, Siteco Group, BD Agriculture
Japan	- UMW Toyota
UK	- Scapa Group
Belgium	- Agfa
France	- Sidel Group
Finland	- Amer
Spain	- Acerinox
Canada	- International Merchandising Inc
India	- BEML
Hong Kong	- CPM

* Effective from 1st May 2015, the Principal Hub incentive replaces the International Procurement Centres (IPC), Regional Distribution Centres (RDC) and Operational Headquarters (OHQ) incentive schemes

Opportunities for Regional Establishments

Principal Hub

A Principal Hub refers to a locally incorporated company that uses Malaysia as a base for conducting its regional or global businesses and operations to manage, control, and support its key functions including management of risks, decision making, strategic business activities, trading, finance, management and human resource.

The Principal Hub initiative is a driver for innovation as it encourages the transfer of high-value technology to the country, including R&D and high-end technical support. It also creates job opportunities for Malaysians in a knowledge rich environment.

Malaysia has seen a steady increase in companies setting up their regional headquarters in the country whereby a total of 35 PH projects have been approved. Not only do they bring in business for the long term, which stands at RM35.1 billion but also spill-over effects of spending on ancillary services amounting to RM5.5 billion and the creation of 2,686 high value jobs for Malaysians over the next 10 years.

It is evident that the PH incentive has been successful in encouraging many MNCs to make Malaysia their regional operations hub. The attractiveness of the PH incentive was further enhanced under Budget 2019 which is PH 2.0, whereby companies with existing operations in Malaysia can now enjoy 10% corporate

tax rate on their statutory income, compared to the earlier treatment of tax exemption on only value-added income. The enhancement of the PH Incentive reflects the commitment of the Malaysian Government to support the continued business growth of MNCs and local companies which have long made Malaysia their base for regional expansion.

The PH2.0 guidelines is already available in MIDA's website at www.mida.gov.my



1. ELIGIBILITY CRITERIA FOR PRINCIPAL HUB 2.0 INCENTIVE

- 1.1. Local incorporation under the **Companies Act 2016** and resident in Malaysia.
- 1.2. **Paid-up capital** of more than **RM2.5 million**.
- 1.3. **Minimum annual sales of RM500 million** (Additional requirement for companies applying for tax exemption on trading income).

- 1.4. **Serve and control a minimum number of network companies as specified in the Appendices.**

Network companies is defined as following:

- **Related companies or an entity within a same group including subsidiary, branches and joint venture; or**
- **Non-related companies have contractual agreement with applicant or applicant's ultimate company in regards with applicant's business and supply chain for at least 3 years**

- 1.5. **Core income generating activities** of a Principal Hub includes **providing the compulsory**


services activities, Regional P&L*/Business Unit Management and Strategic Business Planning and Corporate Development and carrying out a **minimum number of other qualifying services under strategic services, business services or shared services** as specified in the **Appendices**.

- 1.6. **The qualifying services** are as follows:

A. Strategic Services

- a) **Regional P&L/ Business Unit Management**
P&L Management focuses on the growth of the company with direct influence on how company resources are allocated - determining the regional/ global direction, monitoring budget expenditure and net income, and ensuring every program generates a positive ROI
- b) **Strategic Business Planning and Corporate Development**
- c) **Corporate Finance Advisory Services**
- d) **Brand Management** ¹
- e) **IP Management** ¹

*P&L: Profit & Loss

- 
- f) Senior-level Talent Acquisition and Management

¹These activities are merely **services activities** which exclude royalties and other income derived from Intellectual Property Rights (IPRs) owned by the company.

B. Business Services

- a) Bid and Tender Management
- b) Treasury and Fund Management
- c) Research, Development & Innovation¹
- d) Project Management
- e) Sales and Marketing
- f) Business Development
- g) Technical Support and Consultancy
- h) Information Management and Processing
- i) Economic/ Investment Research Analysis
- j) Strategic Sourcing, Procurement and Distribution
- k) Logistics Services

C. Shared Services

- a) Corporate Training and Human Resource Management
- b) Finance & Accounting (Transactions, Internal Audit)

1.7. Employment Requirement

Definition of High Value Jobs

Jobs that require higher and more diverse set of managerial/ technical/ professional skills such as management, analytics, communication, problem-solving, and proficiency in information technology:

- **Minimum monthly salary for high value jobs is at least RM5,000.00.**
- **Minimum monthly salary of key strategic/ management positions is at least RM25,000.00.**

1.8. Annual Operating Expenditure

Definition of operating expenditure

Expenses incurred in carrying out the Principal Hub's day-to-day operation **excluding cost of goods sold and expenses that are not directly related to the core income generating activities of Principal Hub** such as depreciation and interest on borrowings.

- 1.9. Companies **must undertake structured internship and training programmes approved by Talent Corporation Malaysia** as development plan for Malaysians.

- 1.10. The applicant company should be the planning, control and reporting centre for the qualifying services.

- 1.11. Malaysian-owned and incorporated businesses are encouraged to provide headquarters-related services and expertise to their overseas companies.

- 1.12. Significant use of Malaysia's banking and financial services and other ancillary services and facilities (e.g trade and logistics services, legal and arbitration services, finance and treasury services).

¹Cost of goods sold (COGS)* refers to direct labour, direct materials, rent of production facilities, depreciation of production equipment and facilities, maintenance and repair of production equipment and facilities, utility cost for production facilities, etc.

* For services companies, COGS can also be referred as cost of services directly associated with the delivery of services

2. FACILITIES ACCORDED TO PRINCIPAL HUB

- 2.1. Bring in raw materials, components or finished products with customs duty exemption into free industrial zones, LMW, free commercial zones and bonded warehouses for production or re-packaging, cargo consolidation and integration before distribution to its final consumers for goods-based companies.

- 2.2. No local equity/ownership condition.

- 2.3. Expatriate posts based on requirements of applicant's business plan subject to current policy on expatriates.

- 2.4. Use foreign professional services only when locally-owned services are not available.

- 2.5. A foreign-owned company is allowed to acquire fixed assets so long as it is for the purpose of carrying out the operations of its business plan.

- 2.6. Foreign Exchange Administration flexibilities will be accorded in support of business efficiency and competitiveness of companies under the Principal Hub.

(Note: All applications for Foreign Exchange Administration flexibilities are to be submitted directly to Central Bank of Malaysia).



3. MECHANISM

- 3.1. Principal Hub Tax Incentive to be provided under the **Income Tax Act, 1967 and approved in the National Committee on Investments (NCI) meeting.**
- 3.2. Royalties and other income derived from IPRs will be excluded from this incentive
- 3.3. Company must submit the PH-CAF (Principal Hub-Compliance Assessment Form) **within 6 months from the date of financial year end** to MIDA annually for evaluation of performance. If the company is not able to submit the PH – CAF in the stipulated period, the company may apply for an extension to the Business Services and Supply Chain Innovation Division, MIDA. **Failing to do so will cause the incentive to be withdrawn.**

(Note: MIDA will conduct preliminary verification on PH conditions imposed to the applicant. However, applicant is still subject to the final approval by IRB).

- 3.4. **An approved** PH company must comply with the stipulated conditions **throughout** the exemption period.
- 3.5. **Where in any year of assessment of the exempt period, the approved PH company fails to comply with the stipulated conditions, the company may not enjoy the exemption on statutory income derived from PH qualifying activities for that year of assessment.**

4. Malaysia’s participation in the Organisation for Economic Cooperation and Development (OECD) taxation initiatives

Malaysia had joined the **Inclusive Framework (IF) on Base Erosion and Profit Shifting (BEPS) in January 2017** and became a **BEPS Associate** under the Inclusive Framework (IF). As a BEPS Associate and **a member of the Forum on Harmful Tax Practices (FHTP)**, Malaysia has to comply with the **‘Base Erosion Profit Shifting (BEPS) Action 5: Countering Harmful Tax Practices More Effectively, Taking into Account Transparency and Substance’ Action 5 Report.**

Principal Hub incentive is one of the incentives evaluated by the FHTP in 2017. Information on the treatment of the tax incentive approval especially for companies which have been approved the PH incentive **before 1 January 2019**, please refer to the Ministry of Finance’s website at the following link:

<http://www.treasury.gov.my/index.php/en/tax/malaysia-s-commitment-in-international-tax-standard.html>

5. EFFECTIVE DATE OF APPLICATION

Applications **received** by the Malaysian Investment Development Authority (MIDA) from **1 January 2019 until 31 December 2020.**



Integrated Logistic Services (ILS)

The logistics industry forms the backbone to the supply chain and is recognised as key to stimulate trade, facilitate business efficiency and spur economic growth. Given its strategic location, steady economic growth, presence of major players in shipping and logistics, good regional linkages and strong transport infrastructure, Malaysia has the right endowments to position itself as a regional logistics gateway.

As at 2019, a total of 100 ILS projects have been granted incentives with investments valued at RM6.92 billion. In 2019 alone, a total of 8 ILS were approved and further growth is expected in this subsector. The ILS projects approved are from Malaysian companies with investments totaling RM841.98 billion.

1. INCENTIVES

Companies providing integrated logistics services are eligible for Pioneer Status of Investment Tax Allowance as follows:

- **Pioneer Status**
Income tax exemption of 70% of statutory income for a period of five years
- **Investment Tax Allowance**
Investment Tax Allowance of 60% of qualifying capital expenditure incurred within five years from the date on which the first qualifying capital expenditure is incurred. The allowance can be offset against 70% of statutory income.

2. ELIGIBLE APPLICANTS

A company undertaking integrated logistics services, whether new entrants or existing logistics services providers intending to expand/diversify into integrated operations, may apply.

3. QUALIFYING CRITERIA

i) Locally Incorporated

The applicant should incorporate a local company under the Companies Act, 2016.

ii) Eligible Services

An integrated logistics services provider who undertakes the following three (3) principal activities:

- Freight forwarding
- Warehousing
- Transportation and at least one of the following activities:
- Distribution
- Other related and value-added services/activities (e.g. palletizing, product assembly/installation, breaking bulk, consolidation, packaging/re-packaging, procurement, quality control, labelling/relabeling, testing, etc.)
- Supply chain management

iii) Equity

The equity of the company must be at least 60% Malaysian

iv) Minimum Infrastructure to be Owned by Applicant Company

- Commercial vehicles - 20 units
- Warehousing facilities - 5,000 sq. metres

4. PROCEDURE FOR APPLICATION

Applications should be made using the relevant Form as follows:

- a) New Integrated Logistics Services Project
ILS-1
- b) Expansion/Diversification of Integrated Logistics Services Project
ILS-2

INTERNATIONAL INTEGRATED LOGISTIC SERVICES (IILS)

An International Integrated Logistics Services (IILS) provider is a company that provides integrated and seamless logistics services (door-to-door) along the logistics supply chain as a single entity on a regional or global scale.

The company will be eligible to apply for the IILS Status and will be issued the Customs Forwarding Agent approval by the Royal Customs Department. However, this status is not a guarantee for the consideration of the tax incentives under the Promotion of Investments Act, 1986.

As at 31 December 2019, a total of 161 companies were approved IILS status.

1. ELIGIBLE APPLICANTS

New entrants or existing logistics service providers may apply.

2. QUALIFYING CRITERIA

- Local incorporation under the Companies Act 2016
- Must undertake the following three (3) principal activities:
 - Warehousing
 - Transportation

- Freight forwarding, including customs clearance

and at least one of the following activities:

- Distribution
 - Other related and value-added logistics services/activities
 - Supply chain management
- Manage at least:
 - 20 units of commercial vehicles; and
 - 5,000 sq. metres of warehouse space
 - Employ majority Malaysians and preference must be given to local professionals.
 - Use Malaysia as a hub for logistics supply chain services in the region.
 - Having good networks with logistics service providers abroad in order to provide seamless integrated logistics services for the regional market.
 - Substantial usage of ICT infrastructure throughout the logistics chain and value-added activities.
 - Compulsory attendance to the Customs Agent course conducted by the Royal Malaysian Customs Department.



POSITIONING MALAYSIA IN THE GLOBAL E-COMMERCE LANDSCAPE

Disruptions affecting the logistics industry are on the rise as the retail industry and supply chains are being revolutionised by digital technology. For instance, the rise of E-commerce has led to new digital entrants in the last-mile delivery market. An increasing number of logistics companies in Malaysia are harnessing new technologies and adopting innovative distribution methods and specialised warehousing facilities to improve operational efficiency, provide faster delivery and create a better customer experience.

The Economic Planning Unit (EPU) has formulated the Logistics and Trade Facilitation Masterplan (2015-2020) which provides the strategic framework and roadmap to elevate Malaysia as the “Preferred Logistics Gateway to Asia” by 2020 and beyond. The Malaysian Government remains committed to support the evolution of logistics companies in the new digital era with the provision of top quality infrastructure such as the Digital Free Trade Zone, KLIA Aeropolis, new sea ports and rail connectivity. With these endeavours, the Government hopes to thrust Malaysia as the leading regional logistics hub.

MIDA is among the main Government agencies responsible for the development of Malaysia’s E-commerce sector, particularly in the E-fulfillment segment. MIDA is a member of the National E-commerce Council (NeCC) which implements the National E-commerce Strategic Roadmap (NESR). NESR focuses on building good infrastructure, improving governance framework and empowering key players across the E-commerce supply chain, which include the E-merchants, E-payment service providers and E-fulfillment service providers.

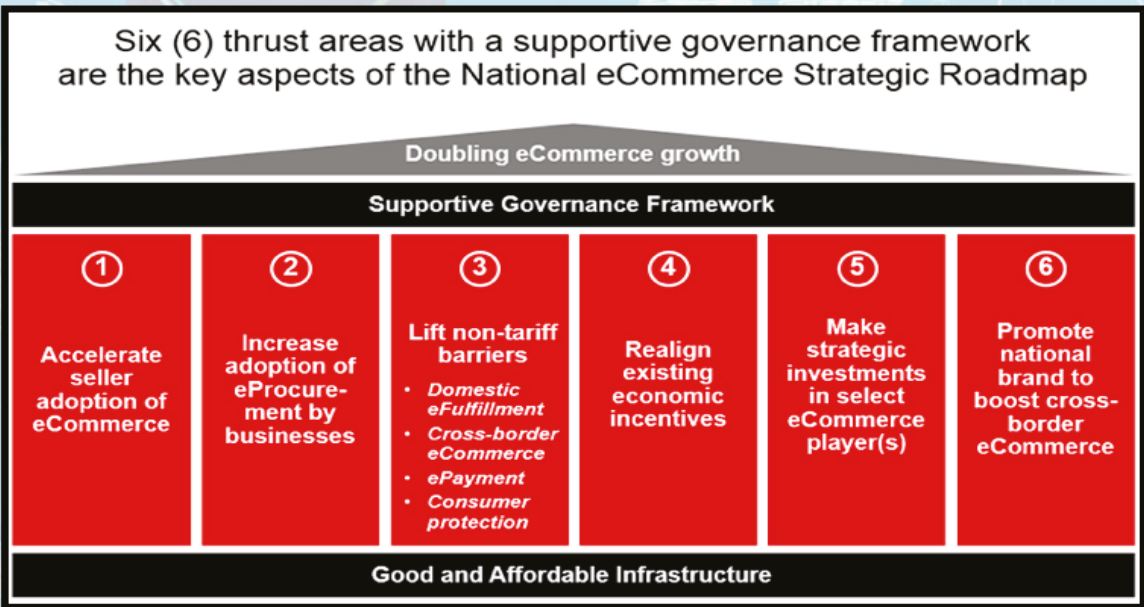
Within this, MIDA has been appointed as the leader in transforming Malaysia into an E-fulfillment Hub.



MIDA is focusing on developing the capability and efficiency of logistics service providers in operating E-fulfillment facilities to cater to the diverse needs of the online shopping market. Logistics companies are being encouraged to invest in ICT systems, such as Warehouse Management Systems (WMS) and Smart Logistics. This would enable them to undertake complex activities such as managing large orders and inventories, coordinating and tracking real-time delivery and processing returned items.

To date, several key logistics companies have undertaken E-fulfillment projects in Malaysia. This includes YCH Logistics, which has partnered with E-commerce giant, Zalora to develop a Regional Hub in Malaysia. Pos Malaysia is another major player in the E-fulfillment business. Leveraging on its strength as Malaysia’s leading courier company, Pos Malaysia has strategically positioned itself to provide end-to end logistics solutions, beginning from E-fulfillment until the last mile delivery.

Apart from providing support to the logistics service providers, MIDA also works on attracting investments from global E-merchants, such as Zalora, Alibaba and Lazada into Malaysia. These companies act as catalysts in Malaysia’s E-commerce sector as they create the demand for support facilities including online payment platforms and E-fulfillment infrastructure.



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