

PROCEDURE/GUIDELINES FOR REGISTRATION OF A BUSINESS

METHOD TO REGISTER A BUSINESS

REGISTERING A NEW BUSINESS

A business is defined as every form of commerce, craftsmanship, occupation, profession or other activities that is carried out for the purpose of making a profit. Businesses that can be registered under the Registration of Businesses Act 1956 at the Companies Commission are:

1. Sole Proprietorship – a business wholly owned by a single owner.
2. Partnership – a business owned by 2 persons or not more than 20 partners.

REGISTRATION PROCEDURE

1. Obtain prior approval from the Companies Commission for the proposed business name.
2. Complete Form A (Registration of Business) and return within 30 days from the date of commencement of the business. Include the following details in Form A:
 - Details of the applicant
 - Date of commencement of business
 - Branch(es) of the business
 - Nature of business
3. Every business owner must sign the completed Form A in the presence of the Authorised Officer stated in the form.

GENERAL GUIDELINES

1. Citizens and permanent residents of Malaysia aged 18 and above may register a business.
2. Register the business within 30 days from the date of commencement of business.
3. The nature of the registered business should not contravene any laws.
4. Submit a copy of specific approval such as a permit, licence, letter of authority or support when registering a business that requires special consent or approval.
5. Submit the application for registration personally at the nearest office of the Companies Commission or send via post.
6. Attach the following documents:
 - Copy of Identity Card
 - Copy of Partnership Agreement (if available)
 - The Permit, Licence, Letter of Authority or Letter of Support from another agency (if available)

REGISTRATION FEES

1. Sole proprietorship using own name as per identity card – RM30.00
2. Sole proprietorship and partnership using a trade name – RM60.00
3. Registration of branch – RM5.00 per branch
4. Certified copy of new business details – RM10.00

The business owner is responsible for renewal of the Business Registration Certificate within 30 days before its expiry.

METHODS TO REGISTER CHANGE IN BUSINESS DETAILS

To change the details of a business, the business owner or the person responsible for the business needs to complete the following forms:

1. FORM B1 – Change in Business Address
2. FORM B2 – Change in Nature of Business
3. FORM B3 – Change in Branch Details
4. FORM B4 – Change in Owner/Partner Details

PROCEDURE FOR REGISTRATION OF CHANGE IN BUSINESS DETAILS

1. The new partner must be a Malaysian citizen aged 18 and above (permanent residents are allowed).
2. Prior to registering the change in business details, please ensure that the Business Registration Certificate has been renewed.
3. Register the change in business details within 30 days from the date of change.
4. A change in the nature of business should be appropriate to the name of the business.
5. A registered sole proprietor using his own name as per his identity card cannot take on an additional partner. However, a partnership can change its status to a sole proprietorship and vice-versa if a trade name is used.
6. Change in business ownership details including changes in the residential address, withdrawal or addition of a partner, deaths and change of positions held in the partnership.
7. Details of the owner in Form B should be certified by the Authorised Officer stated in the said form.
8. Attach the following documents:
 - Copy of Identity Card of the new partner
 - Copy of the Death Certificate if a partner has passed away
 - Copy of the Letter of Approval or Letter of Support for businesses that require a permit or licence

REGISTRATION FEES

1. Registration of Form B – RM20.00
2. Registration to add/close a branch – RM5.00 per branch
3. Computer printout of business information – RM10.00

GENERAL GUIDELINES

1. Submit the application for registration personally at the nearest office of the Companies Commission or send via post.
2. The Business Registration Certificate can be collected within one (1) hour.

A fine of RM10,000 or jail term of not more than one year or both can be imposed for failure to register changes in registration under the Registration of Businesses Act 1956.

METHODS TO TERMINATE A BUSINESS

A business can be terminated by presenting a notice for the termination of business via Form C (Notice of Termination for a Registered Business). A business can be terminated for the following reasons:

1. No interest to continue the business
2. Bankruptcy or death
3. Court Order

PROCEDURE TO TERMINATE A BUSINESS

1. Present the Notice of Termination for a Registered Business to the Companies Commission after completing Form C.
2. File Form C within 30 days from the date of termination of business.
3. The person responsible for the business or the owner needs to sign Form C in the presence of an Authorised Officer.
4. State the reasons for the termination of business.
5. File a notice of termination due to death within 4 months from the date of death.
6. The heir of the deceased needs to file a notice of termination if a sole proprietorship is terminated due to death. In the case of a partnership, the other partner(s) can file the said notice.
7. No fees are imposed for the registration of termination for a business.
8. Attach the following documents:
 - Business Registration Certificate (Form D)
 - Copy of the Court Order, if termination is upon Court order
 - Copy of the Death Certificate, if death is involved
 - Append the documents related to bankruptcy, if the owner is declared bankrupt

GENERAL GUIDELINES

1. Submit the application for registration personally at the nearest office of the Companies Commission or send via post.
2. Acknowledgement of Registration of Termination of Business will be issued to the owner or the person responsible after Form C has been registered.

METHOD TO RENEW A BUSINESS REGISTRATION CERTIFICATE

1. The Business Registration Certificate can be renewed at any nearest office of the Companies Commission or sent via a post office with online services after Form A1 (Renewal of Business Registration Form) is completed. Fill in the following details:
 - Business details
 - Status of the business
 - Registered changes
 - Signature of the owner or one of the partners

PROCEDURE TO RENEW A BUSINESS REGISTRATION CERTIFICATE

1. Submit the application for renewal of a business registration certificate personally at the nearest office of the Companies Commission or a post office with online services or via post. Applications to renew the certificate can only be done at any branch office of the Companies Commission after its expiry.
2. The application needs to be made within 30 days before the expiry of the certificate.

REGISTRATION FEES

1. Sole proprietorship using own name as per identity card – RM30.00
2. Sole proprietorship using a trade name – RM60.00
3. Partnership – RM60.00
4. Renewal of registration for a branch – RM5.00 per branch

DURATION OF RENEWAL OF A BUSINESS REGISTRATION CERTIFICATE

1. A business can apply to renew its registration for a period lasting 1 to 5 years.
2. A business owner who fails to renew the Business Registration Certificate under the Registration of Businesses Act 1956 can be fined up to RM50,000 or jailed for not more than 2 years or both concurrently.