

1. WHAT IS EXPATRIATE (EMPLOYMENT PASS)

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.

Companies and organization must take part and ensure that Malaysian will be trained in order to have more Malaysian in various sectors and industry in this country.

An Employment Pass is a document issued to a foreigner who wishes to enter Malaysia in order to take up employment under

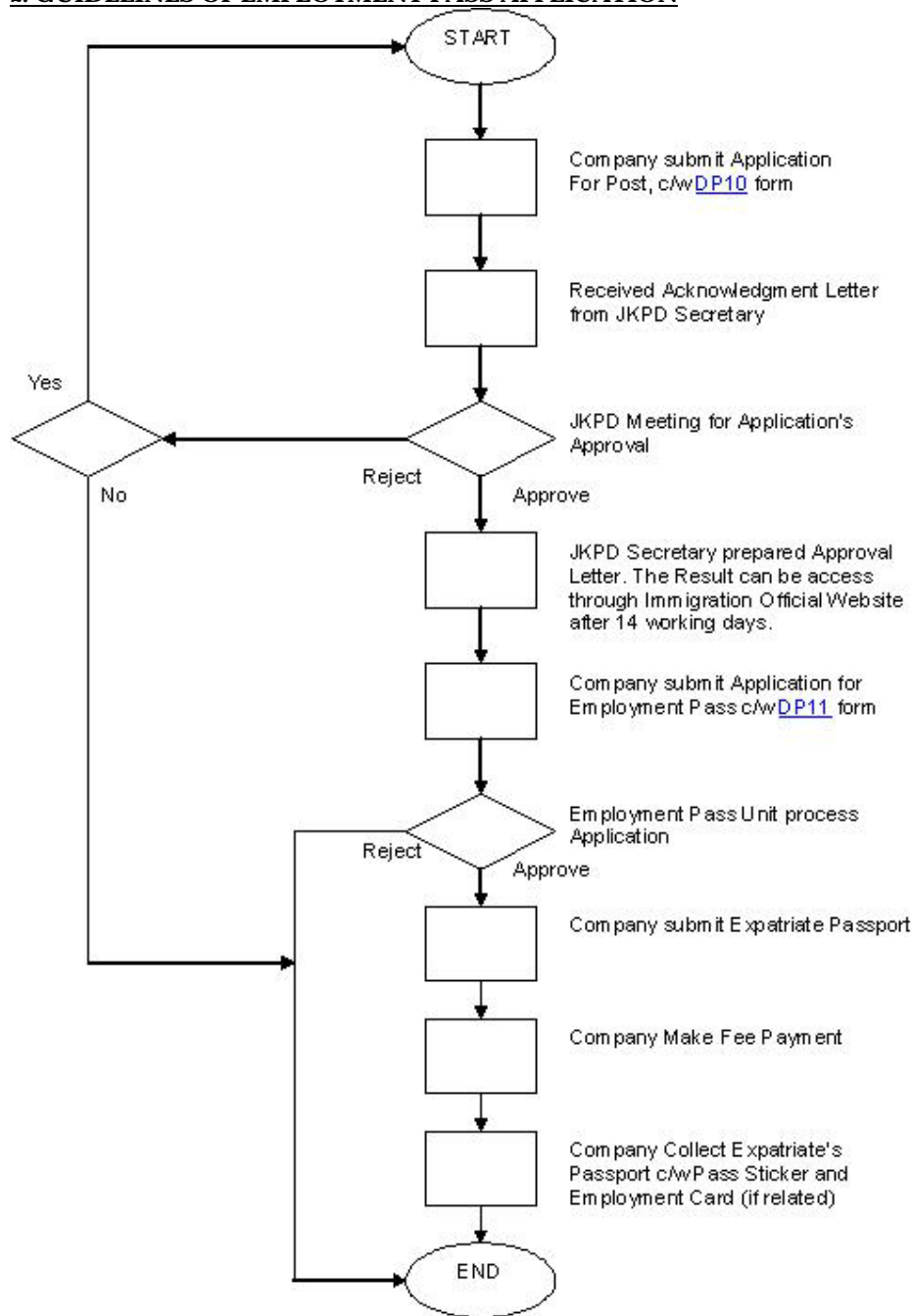
- a contract of service with
 - the Government of Malaysia or
 - the Government of any State in Malaysia or
 - any City Council or Municipality in Malaysia

or

- a contract
 - for a minimum period of 2 years employment in Malaysia with a company or firm approved for the purpose and
 - under which such person is entitled to a salary of not less than RM\$1,200.00 per month.

However, a person wishing to take up employment in the state of Sabah, must apply for Work Pass and not Employment Pass.

2. GUIDELINES OF EMPLOYMENT PASS APPLICATION



2.1 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.

2.2 Expatriate Committee Approval

Application from any company or organization with foreign paid up capital less then US\$ 2 million will be consider 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.

2.3 Enquiry of Expatriate Post Application Through Website

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

2.4 Paid up Capital

Any company with low paid up capital, the company will have to fulfil 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 RM150,00.00
- 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 capitals have to be increase to RM200, 000.00.

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

2.5 Age Policy for Expatriate

- IT Related Position - 21 years old
- Other Management Position - 27 years old and above

2.6 Control and Supervise Agencies

Agency	Approval /Endorsement	Company Activities
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 - register with CIDB
Security Commissioner	Endorsement	Industrial Security Company, Klofffe, 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

3. CHECKLIST FOR THE APPLICATION

- 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.

4. HOW TO APPLY FOR EMPLOYMENT PASS?

4.1 Category for New Application

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

4.2 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

4.3 Checklist

- Cover Letter
- Letter of Authorization from the Company
- DP11 Form
- Approval Letter from JKPD/ MIDA/ MITI/ KPDN&HEP/ CIDB/ KPM or related
- Form 9
- Form 24
- Form 49
- Contract (stamping RM10)
 - o Requirement in Contract (Brief)
 - Position
 - Contract Period
 - Monthly Salary
 - Employer's and Expatriate Signature
- Personal resume, academic certificate and experience
- Full copy of Expatriate's passport containing Expatriate details.
- Passport size photo

** Please arrange accordingly*

5. HOW TO APPLY FOR DEPENDENT PASS?

5.1 What is Dependent Pass?

A Dependant's Pass is a document issued to a foreigner being the wife or dependent child of the holder of a valid Employment Pass to enable such wife or child to accompany or join such holder and remain with him in Malaysia.

The Dependant's Pass shall authorize the holder to enter Malaysia on or before the date stated in the pass and to remain for such period as may be stated but not exceeding the period for which the Employment Pass has been issued to the husband or father of the holder of such Dependant's Pass.

5.1 Category for New Application

- Wife and the children of Expatriate with Employment Pass
 - o Wife

- Children under 21 years old
- Disable Children
- Foster Children

5.2 Procedure

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

5.3 Checklist

- Cover Letter
- DP11 Form
- Passport Sized Photo
- Prove of Marriage
- Birth Certificate
- * Please arrange accordingly

5.4 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

6. SPOUSE PROGRAMME

6.1 Category for New Application

- 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.

6.2 Checklist

- Cover letter from the employer
- Approval Letter from related Agency
- Offer Letter from the Employer
- Company's ROC Form 9,24 & 49 (Verified by licensed Company Secretary)
- Work Contract (stamping RM10.00)
 - Position
 - Contract Period
 - Monthly Salary
 - Expatriate's and Employer's Signature
- Personal bond for PL(KS) - stamping RM10.00
- Forms:
 - DP11 Form
 - IM 10 Form

- [IM 55 Form](#)
- Academic Certificate and personal resume
- Copy of Husband's or Wife's Passport and Identity Card
- Two passport picture (Husband and Wife)
- Marriage Acknowledgement Letter (Verified by Commissioner of Oath)
- Copy of Marriage Certificate Verified By Religion Officer (Receipt from Marriage Registration Office for Non-Muslim)
- Wedding Picture
- Children's Birth Certificate (If the Children is not Malaysian)

6.3 Fees

ITEM		FEES	
PL(KS)		RM60.00 per annum or part of it	
<i>PL(KS) levy - by sectors</i>			
No.	Sectors	Per Annum New Rate	
		<i>Peninsular</i>	<i>Sabah and Sarawak</i>
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
PL(KS) Processing Fee		RM50.00 per post	
Journey Performed Visa (JP) Fee (if related)		RM500.00	
Payment for Multiple Entry Visa		RM 6 to RM 100 depends on Nationality	

7. OTHER INFORMATIONS

7.1 Countries That Shall Have Security Check Entrance

- China
- North Korea
- Vietnam

7.2 Countries That Shall Need Visa Entrance

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

7.3 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

8. FEES

8.1 Pass

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

Dependent Pass	RM 90 per annum
Temporary Employment Pass	RM 60 per annum
Social Visit Pass	RM 90 per annum

8.2 Levy

LEVY		FEES	
Employment Pass		No Levy	
PL(KS) Levi - 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

8.3 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.

9. 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)

For more information, please contact the nearest State Immigration Offices and Branches.