

## DECLARATION BY RESIDENT ON INVESTMENT ABROAD AND INVESTMENT IN FOREIGN CURRENCY ASSET ONSHORE

(This Declaration is mandatory and must be completed for investment abroad and investment in foreign currency asset onshore under the Foreign Exchange Administration Rules as set out below).

I/We hereby declare that for foreign exchange administration purposes *[To initial on the relevant box as declaration]*:-

☐ Currently I/we\* hereby declare that I/we do not have any domestic Ringgit borrowing/financing<sup>i</sup>.  
\*For an investment abroad<sup>ii</sup> and investment in foreign currency asset onshore<sup>iv</sup> out of a joint account opened/maintained by two or more individuals, the applicant/customer is required to declare for or on behalf of other joint account holder(s). The applicant/customer is required to declare its compliance with the applicable threshold below in the event any one of the joint account holders has domestic Ringgit borrowing/financing.

☐ Currently I/we have domestic Ringgit borrowing/financing and hereby confirm that my/our total investment abroad and investment in foreign currency asset onshore including Demand Draft ("DD") / Telegraphic Transfer ("TT") / Dual Currency Investment ("DCI") / Foreign Currency Account ("FCA") / Foreign Currency ("FC") Fixed Deposit/ FC denominated Structured Investment/ any FC denominated deposits or investments application complies with the following thresholds:

	Applicable Threshold	
	<i>For a resident<sup>v</sup> individual, a sole proprietor or a general partnership</i>	<i>For a resident entity</i>
<b>Source of the fund for <u>investment abroad and investment in foreign currency asset onshore</u> including DD/TT/ DCI/ FCA/ FC Fixed Deposit/ FC denominated Structured Investment/any FC denominated deposits or investments</b>	<p>(1) Up to RM10 million equivalent<sup>vi</sup> of foreign currency borrowing from a licensed onshore bank or a non-resident</p> <p>(2) Up to RM1 million equivalent<sup>@</sup> in aggregate per calendar year using funds from:</p> <ul style="list-style-type: none"><li>· Conversion of ringgit</li><li>· Swapping of financial assets</li><li>· Transfer from Trade FCA</li></ul> <p><sup>@</sup> This is applicable to resident individual, sole proprietor or general partnership with domestic ringgit borrowing only.</p>	<p>(1) Up to the amount of</p> <ul style="list-style-type: none"><li>· approved foreign currency borrowing from non-resident</li><li>· foreign currency sourced from Initial Public Offering on the Main Market of Bursa Malaysia</li></ul> <p>(2) Up to RM50 million equivalent<sup>%</sup> in aggregate, per calendar year on a corporate group basis from:</p> <ul style="list-style-type: none"><li>· Conversion of ringgit</li><li>· Foreign currency borrowing from a licensed onshore bank for purposes other than direct investment abroad<sup>iii</sup></li><li>· Swapping of financial assets</li><li>· Transfer from Trade FCA</li></ul> <p><sup>%</sup> This is applicable to resident entities with domestic ringgit borrowing only.</p>

☐ Currently I/we have domestic Ringgit borrowing/financing and my/our total investment abroad and investment in foreign currency asset onshore (including DD/TT/ DCI/ FCA/ FC Fixed Deposit/ FC denominated Structured Investment/any FC denominated deposits or investments application) exceeds the above applicable threshold.

I/We hereby provide you with the relevant approval letter from Bank Negara Malaysia ("BNM") to effect the DD/TT/ DCI/ FCA/ FC Fixed Deposit/ FC denominated Structured Investment/ any FC denominated deposits or investments application<sup>#</sup>. I/We understand that the CIMB Bank Bhd / CIMB Investment Bank Bhd / CIMB Futures Sdn Bhd ("CIMB Entity") may decline or delay any investment abroad and investment in foreign currency asset onshore that does not fulfil any conditions set in BNM's approval letter.

I/We further declare that CIMB Entity is not responsible to advise the Applicant/Customer of:

- Any exchange control or similar restriction which may be imposed by the local laws or regulations in the country in which payment is to be effected and shall not be liable for any loss or delay as a result of the payment being subject to such control and restriction. Applicant/Customer is strongly advised to make his own inquiries.
- Any charges which may be imposed by overseas bank and shall not liable if such information cannot be provided.

I/We make this declaration in full knowledge and awareness of reliance placed by the CIMB Entity on such declaration as a basis to undertake any investment abroad and investment in foreign currency asset onshore on my /our behalf.

I/ We undertake to notify the relevant CIMB Entity immediately in writing of any changes in the declaration given herein.

<sup>#</sup>Acknowledgement Receipt of the BNM's Approval Letter

Officer / Relationship Manager  
Date:

### Applicant/Customer's Authorised Signatory(ies)

Name:  
NRIC:  
Designation:  
Company Seal / Stamp  
Date:

- i. "Domestic Ringgit Borrowing/financing" means borrowing/financing in Ringgit obtained by a resident from another resident. For a resident entity, the borrowing/financing shall exclude borrowing/financing from another resident entity within its group of entities with parent-subsidiary relationship. Borrowing/financing means any credit facility, financing facility, trade guarantee or guarantee for payment of goods, redeemable preference share, Islamic redeemable preference share, private debt security or Islamic debt security *other than*:-
- (a) trade credit terms extended by a supplier for all types of good or services;
  - (b) forward contract with a licensed onshore bank excluding a contract that involves the exchanging or swapping of Ringgit or foreign currency debt obligation with another foreign currency debt obligation or the exchanging or swapping of foreign currency debt obligation with a Ringgit debt obligation;
  - (c) performance guarantee or financial guarantee;
  - (d) operational leasing facility;
  - (e) factoring facility without recourse;
  - (f) a credit facility or financing facility obtained by a resident individual from a resident to purchase one residential property and one vehicle;
  - (g) credit card and charge card facility obtained by a resident individual from a resident.
- ii. "Investment Abroad" means –
- (a) making of any payment for
    - (i) purchase of foreign currency-denominated asset in Malaysia offered by a non-resident, including Labuan entity;
    - (ii) purchase of foreign currency-denominated asset offered outside Malaysia;
    - (iii) lending/financing in foreign currency to a non-resident;
    - (iv) administrative expenses, working capital arising from the set up of any business arrangement, including a joint venture project where no entity is created or established, outside Malaysia;
    - (v) purchase of foreign currency-denominated financial instrument or Islamic financial instrument without firm commitment, other than exchange rate derivative, offered on an overseas Specified Exchange under the Capital Markets and Services Act 2007 (Act 671) undertaken by a resident through a resident futures broker; or
    - (vi) placement into foreign currency account overseas other than for education or employment abroad; or
  - (b) swapping of a financial asset in Malaysia for a financial asset outside Malaysia.
- iii. "Direct Investment Abroad" means –
- (a) investment abroad resulting in at least 10% equity ownership or control of a non-resident entity;
  - (b) inter-company lending to a non-resident entity within its group of entities; or
  - (c) capital expenditure in unincorporated entities or projects by agreement with no establishment created, where a resident investor –
    - (i) contributes capital of at least 10% of project cost;
    - (ii) is entitled to at least 10% of profits from the unincorporated entity or project; or
    - (iii) has management control of the unincorporated entity or project
- iv. "Investment in foreign currency asset onshore" means making of any payment in Malaysia for-
- (a) purchase of foreign currency denominated security or Islamic security offered in Malaysia by a resident as approved by the Bank;
  - (b) purchase of foreign currency-denominated financial instrument or Islamic financial instrument offered in Malaysia by a resident as approved by the Bank; or
  - (c) placement into foreign currency account with a licensed onshore bank other than placement for investment abroad.
- v. "Resident" means –
- (a) a citizen of Malaysia, excluding a citizen who has obtained permanent resident status in a country or a territory outside Malaysia and is residing outside Malaysia;
  - (b) a non-citizen of Malaysia who has obtained permanent resident status in Malaysia and is ordinarily residing in Malaysia;
  - (c) a body corporate incorporated or established, or registered with or approved by any authority, in Malaysia;
  - (d) an unincorporated body registered with or approved by any authority in Malaysia; or
  - (e) the Government or any state Government.