



PETRONAS

APPENDICES
TO GENERAL GUIDELINES
PETRONAS LICENSE / REGISTRATION
APPLICATIONS

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GLOSSARY & APPENDICES

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GLOSSARY	
Term	Definition / Explanation
Employee	Employees of the company which includes: - <ul style="list-style-type: none"> • Executive Directors or working directors • Management employees for any employment status i.e. permanent, contract, secondment etc. • Non-management employees (executive and non-executive) on permanent basis only.
General SWEC	Products or services which are less complex, less critical to the business and require low investment; easily available in the market
License	<ul style="list-style-type: none"> • License is required for any entity that wishes to supply product / services for the upstream sector in the oil and gas industry in Malaysia (which involves exploration, development, production and decommissioning of oil and gas blocks/fields/wells/facilities/structures) • With a valid License, an entity is allowed to supply product / services to the upstream sector and the downstream sector, i.e. for PETRONAS Group of Companies
Management	Employees (permanent, contract or secondment) sitting in <u>managerial positions and above</u> , e.g. Executive Director, Managing Director, Project Manager, Finance Manager, HR Manager, etc.
Minimum Technical Requirement (MTR)	Set of requirements a company needs to comply when applying for a particular SWEC. Not all SWECs are imposed with MTR; normally required for Strategic SWECs
Registration	PETRONAS has made a policy that requires an entity to register with PETRONAS before participating in tender for supply of product / services to the downstream sector, i.e. for PETRONAS Group of Companies
Strategic SWEC	Products or services of high complexity, high business impact, and / or high investment
SWEC	SWEC (Standardised Work & Equipment Categories) is a product / services category relating to both upstream and downstream requirements in the oil and gas industry in Malaysia
Top Management	A salaried employee with the <u>highest-ranking position</u> in the company (e.g. Chairman, CEO, MD, President, Executive Director, etc.) who is responsible for the entire corporation

DOCUMENT CHECKLIST FOR **NEW / RENEWAL / UPDATE LICENSE OR REGISTRATION APPLICATIONS**

No.	Requirement / Documentation	Explanation and Important Attachments
1.0	Registered with Companies Commission of Malaysia (CCM)/Suruhanjaya Syarikat Malaysia (SSM)	<p>a. Company must be locally incorporated as a 'Sdn Bhd' or 'Berhad' company.</p> <p>b. Exception is given to professional bodies e.g. Board of Land Surveyor for 'Land Surveyor', Board of Valuers, Appraisers and Estate Agents Malaysia for 'Valuer', Board of Architects Malaysia for 'Architectural firm' or other relevant professional bodies. Company is required to submit the relevant registration/certification of the professional body.</p> <p>c. Company need to ensure their latest company information is updated in SSM.</p> <p>d. Information on Management and Employees are self-declared by Company.</p>
2.0	Latest Annual Audited Report (AAR)	<p>a. The company's Net Worth must be <u>positive</u>.</p> <p>b. If the Net Worth is negative:</p> <ul style="list-style-type: none"> ▪ The application will not be accepted. ▪ Company is required to perform capital injection in order to turn their Net Worth from negative to positive. ▪ In case of capital injection has been performed & Net Worth has turned positive, but not reflected in vendor's latest AAR in SSM, company may submit the following supporting documents: <ul style="list-style-type: none"> i. Latest Company Profile report from SSM. ii. Latest Management Account at the end of recent month, <u>signed by Company's Top Management</u> (e.g. if submission is made within June 2021, please submit Management Account as of 31 May 2021). <p>c. Exception is given to Company which is:</p> <ul style="list-style-type: none"> ▪ Incorporated less than 18 months from date of application submitted. ▪ Not a 'Sdn Bhd' or 'Berhad' (i.e. under professional body category). However, Company has to submit its Annual Financial Statement not exceeding 18 months from Company's application submission date, <u>duly signed by Company's Top Management</u>.
3.0	Meet requirements for the applied SWEC	<p>a. Company must meet the requirements for the applied SWECs which include:</p> <ol style="list-style-type: none"> i. Meet minimum Bumiputera requirement ii. Minimum Technical Requirements (MTR) iii. All certificates from Government Ministries/Agencies must be valid and not expired.
4.0	Bumiputera status verification for shareholder, director, and management team	<p>a. For shareholder and director Bumiputera verification: Latest Form of Annual Return (FoAR) of a Company Having a Share Capital / Section 68</p> <p>b. For management team Bumiputera verification:</p> <ol style="list-style-type: none"> i. Birth certificate ii. Bumiputera status confirmation letter from: <ol style="list-style-type: none"> a. Pejabat Hal Ehwal Anak Negeri Sabah (PHEANS) b. Mahkamah Anak Negeri Wilayah Persekutuan Labuan (MANWPL) c. Sijil Anak Negeri dari Mahkamah Bumiputera Sarawak (SAN) iii. For management team whose name is already inside FOAR/Section 68, no additional supporting document is required.

DOCUMENT CHECKLIST FOR MODE OF OPERATION FOR APPLIED SWEC

Types of Operation	Explanation and Important Attachments
Dealer (for products)	a. Dealer is a company that can supply products from any supplier / manufacturer. b. To provide other document requested for the applied SWEC.
Agent (for products or services)	a. Agent is a company that <u>represents a local or foreign Principal*</u> in providing product / service in Malaysia. b. To provide 'Agency appointment letter' from Principal: Please refer to Appendix 4 for further information on Agent appointment. c. Principal may choose to provide products / services directly or through Agent (exclusive or non-exclusive). An Agent may have more than 1 Principal in the same SWEC. d. The minimum duration of agency appointment shall be three (3) years. Duration longer than three (3) years is highly encouraged e.g. 5 year agency appointment. e. The duration of agency appointment is to match or be aligned with License/Registration duration. f. To provide other document requested for the applied SWEC.
Self-operated (for services)	a. Self-operated is a company that carries-out works using its internal resources such as workforce, expertise, facilities and equipment. b. To provide other document requested for the applied SWEC.
<ul style="list-style-type: none"> • Manufacturer • Assembler • Chemical Blender • Fabricator • Packager • System Integrator 	a. List of equipment / machine / hardware / software / vehicle b. Manufacturing license from Malaysian Industrial Development Authority (MIDA) or Local Council. Company to attach exemption letter from MIDA in case they are eligible. c. Technical / commercial brochure for products d. Factory details and layout plan e. Flow chart for the process as e.g. manufacturing processes f. To provide other document requested for the applied SWEC.

DOCUMENT CHECKLIST FOR MODE OF OPERATION FOR RIG / MARINE VESSEL SWECsA) For Rig Applications

The following documents are required to be submitted for NEW AND RENEWAL APPLICATION based on the respective Mode of Operation applied:

DOCUMENT REQUIRED	CERTIFICATE OF REGISTRY (CoR) OF RIG	APPOINTMENT LETTER	REMARKS
MODE OF OPERATION			
AGENT	Must be under rig owner's name	Must be from rig owner	CoR and Appointment Letter from Rig Owner's group of companies is acceptable, with minimum 51% equity. To provide supporting document to verify the company's structure.
RIG OPERATOR		Must be from rig owner	
RIG OWNER-OPERATOR		Not Applicable	CoR from Rig Owner's group of companies is acceptable, with minimum 51% equity. To provide supporting document to verify the company's structure.

The following additional documents are required to be submitted for NEW AND RENEWAL APPLICATION as Rig Owner-Operator:

DOCUMENT REQUIRED	RIG SALES & PURCHASE AGREEMENT (SPA)	LOAN FACILITIES AGREEMENT FROM LOCAL BANK	PROOF OF OWNERSHIP/ ULTIMATE BENEFICIARY	REMARKS
MODE OF OPERATION				
RIG OWNER-OPERATOR	Must be under rig owner's name	Must be under rig owner's name	Official Letter from the Company showing the breakdown of the rig ownership in percentage (%)	SPA and Loan Facilities Agreement from Rig Owner's group of companies is acceptable, with minimum 51% equity. To provide supporting document to verify the company's structure.

Other required documents to comply with the Minimum Technical Requirements (MTR) must be provided by Company as attachments in the applications.

DOCUMENT CHECKLIST FOR MODE OF OPERATION FOR RIG / MARINE VESSEL SWECs**B) For Marine Vessel Applications**

The following documents are required to be submitted based on the **respective Mode of Operation** applied:

DOCUMENT REQUIRED	CERTIFICATE OF REGISTRY (CoR) OF VESSEL**	SAFETY MANAGEMENT CERTIFICATE*	DOCUMENT OF COMPLIANCE (DoC)*	APPOINTMENT LETTER	REMARKS
MODE OF OPERATION					
AGENT	Must be under vessel owner's name	Must be under vessel's name	Must be under vessel owner's name	Must be from vessel owner	CoR, DoC and Appointment Letter from Vessel Owner's group of companies is acceptable, with minimum 51% equity. To provide supporting document to verify the company's structure.
VESSEL OPERATOR			Must be under vessel operator's name	Must be from vessel owner	
VESSEL OWNER-OPERATOR			Must be under vessel owner's name	Not Applicable	Application of group of companies is acceptable, with minimum 51% equity. To provide supporting document to verify the company's structure.

**Applicable for vessel > 500 MT only **For vessel registered in Denmark, please submit Certificate of Nationality.*

Other required documents to comply with the Minimum Technical Requirements (MTR) must be provided by Company as attachments in the applications.

AGENCY APPOINTMENT: [GUIDELINE](#) FOR AGENCY APPOINTMENT LETTER

No.	Key Items	Explanation						
1.	Principal's Information	<p>a. Principal can either be a local or foreign company.</p> <p>b. Must consist the following Principal's details :</p> <ul style="list-style-type: none"> ▪ Principal's official letterhead ▪ Company name ▪ Address ▪ Telephone number ▪ Email address 						
2.	Agent's Information	a. Agent must be a local company which complies with the Licensing / Registration general requirements						
3.	Coverage of Appointment	<p>a. The appointment can either be exclusive or non-exclusive; to be stated clearly in the letter.</p> <p>b. The coverage for the appointment should also be stated clearly, i.e. Southeast Asia, West Malaysia, East Malaysia, Sabah, Sarawak, etc.</p>						
4.	Scope of Product/Service	<p>a. Product/Services supplied must be specified clearly in the appointment letter. Company must follow the following format.</p> <table border="1" data-bbox="532 919 1373 1192"> <thead> <tr> <th>SWEC CODE</th> <th>SCOPE DESCRIPTION</th> <th>INFORMATION OF PRODUCT/SERVICE</th> </tr> </thead> <tbody> <tr> <td>Refer to PETRONAS SWEC List E.g. 16221100P</td> <td>Refer to PETRONAS SWEC List E.g. Motor Vehicle</td> <td>Details of product/service offered E.g. Passenger car, motorcycle, pickup truck, etc.</td> </tr> </tbody> </table> <p>b. List of product/services must be clustered according to categories and the applied SWEC must be highlighted, i.e. bold / color.</p> <p>c. Specify the scope description and use the exact terminology as per latest SWEC list.</p>	SWEC CODE	SCOPE DESCRIPTION	INFORMATION OF PRODUCT/SERVICE	Refer to PETRONAS SWEC List E.g. 16221100P	Refer to PETRONAS SWEC List E.g. Motor Vehicle	Details of product/service offered E.g. Passenger car, motorcycle, pickup truck, etc.
SWEC CODE	SCOPE DESCRIPTION	INFORMATION OF PRODUCT/SERVICE						
Refer to PETRONAS SWEC List E.g. 16221100P	Refer to PETRONAS SWEC List E.g. Motor Vehicle	Details of product/service offered E.g. Passenger car, motorcycle, pickup truck, etc.						
5.	Duration of Appointment	<p>a. The agency appointment Start and End Date must be stated in complete date consisting day, month and year. Both Start and End Date must be highlighted in bold.</p> <p>b. The minimum duration for agency appointment letter shall be 3 years.</p> <p>c. The agency appointment letter must be renewed 3 months before expiry date.</p> <p>d. For renewal of License/Registration application, agent is encouraged to align the duration of agency appointment with Licensing/Registration duration.</p>						
6.	Letter Signatory	<p>a. Must consist the following signatory's details :</p> <ul style="list-style-type: none"> ▪ Signed by Principal's Top Management ▪ Signatory's full name ▪ Signatory's designation 						

AGENCY APPOINTMENT: TEMPLATE FOR AGENCY APPOINTMENT LETTER

Complete Principal's Name
 Full Address
 Postcode Country.
 Tel: +49 (0) XXXX / XXXX-X
 E-mail Address: xxx@xy.de Website: www.xx.de

Letter Head

Date of Letter

Complete Agent's Name
 Full Address
 Postcode Country.

Attention: Full Name
 Designation

Dear Sir,

RE: APPOINTMENT LETTER

We, (name of principal) hereby confirm that your company, (name of agent) has been appointed as our **AGENT** on exclusive / non-exclusive basis in the territory of Malaysia for our product as follows:

SWEC CODE	SCOPE DESCRIPTION	INFORMATION OF PRODUCT/SERVICE
Refer to PETRONAS SWEC List E.g. 28131000P	Refer to PETRONAS SWEC List E.g. Ball Valve	Details of product/service offered E.g. To supply and deliver Ball valve (Non-Firesafe)

This appointment shall be for a period of ____ (years) effective from ____ (day, month, year) to ____ (day, month, year) and must be renewed in writing before expiration.

Thank you.

Yours faithfully,

[SAMPLE]
 Principal Authorised Signature
 Full Name
 Designation

DOCUMENT CHECKLIST FOR [MANUFACTURER](#), [ASSEMBLER](#), [CHEMICAL BLENDER](#), [FABRICATOR](#), [PACKAGER](#) AND [SYSTEM INTEGRATOR](#)

Factory/Workshop and List of Equipment

Factory / fabrication yard / workshop / store	
Address	
Area	Ownership (please tick 'v') <input type="checkbox"/> Self-owned <input type="checkbox"/> Rented
Name of Owner (if rented)	
Address of Owner (if rented)	

Manufacturing license from Malaysian Industrial Development Authority (MIDA) / Local Council	
License number	License duration

Please include **copy of certificate** for the above manufacturing license.

List of Equipment				
No.	Equipment / machine / hardware / software / vehicle	Quantity / Size / Area	Ownership (self-owned / rented)	Owner (if rented)

- END OF APPENDICES TO GENERAL GUIDELINE