



**Suruhanjaya Komunikasi dan Multimedia Malaysia**  
Malaysian Communications and Multimedia Commission

# **LICENSING GUIDEBOOK**

## **FOR**

# **NON-UNIVERSAL SERVICE LICENCE APPLICATION**

Updated as of  
**1 April 2023**

**Notice:**

*The information in the Licensing Guidebook is intended as a guide only. For this reason, it should not be relied on as legal advice or regarded as a substitute for legal advice in specific cases. Parties should still refer to the legislative provisions contained in the law.*

*It is hoped that this guidebook can assist the applicant, existing licensee, investor and interested party on the processes involved in issuing a licence or any applications in relation to the licence under the Postal Services Act 2012 ('PSA 2012'). MCMC reserves the right to change and / or amend this document without giving prior notice.*

**Malaysian Communications and Multimedia Commission ('MCMC')**  
**MCMC Tower 1, Jalan IMPACT, Cyber 6**  
**63000 Cyberjaya, Selangor Darul Ehsan**  
**MALAYSIA**

## **1. INTRODUCTION**

- 1.1. The purpose of this Guidebook is to provide guidance to the applicant and existing licensee who wish to apply for new non-universal service licence (known as courier licence), renewal application of non-universal service licence and assignment or transfer of non-universal service licence registered under the Postal Services Act 2012 ('PSA 2012').
- 1.2. Postal service means the collection, transmission, and delivery of any postal article. The postal article comprises of a letter, a package, a parcel, a wrapper, or a container that can be collected, transmitted, and delivered through the postal network of a licensee.
- 1.3. The licensing requirement under the PSA 2012 shall not apply to the activities, as shown below.
  - i. Trade announcement, circular, printed extracts from newspapers or advertisements, without any name, address or particulars of the recipient;
  - ii. Postal articles (a letter, a package, a parcel, a wrapper or a container) delivered by an employee of the sender;
  - iii. Postal articles delivered by a messenger on request by the sender specifically for that purpose, not being a person employed or engaged in the course of his business or employment in delivering or procuring the delivery of postal articles;
  - iv. Postal articles exceeding two kilograms in weight per postal articles;
  - v. Postal articles sent with the goods and delivered together with the goods;
  - vi. Postal articles carried to or from a post office;
  - vii. Postal articles carried in accordance with an agreement entered into by the licensee;
  - viii. Transfers between document exchanges;
  - ix. Electronic postal services;
  - x. Postal articles carried and delivered by a private friend without hire, reward or other profit; and
  - xi. Postal articles carried and delivered personally by the sender.

## **2. TYPE OF LICENCE UNDER NON-UNIVERSAL SERVICE**

- 2.1. Non-universal service means postal services that may be provided to consumers at rates other than the prescribed rates of the universal service<sup>1</sup>. The prescribed

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<sup>1</sup> Universal service means postal services which include basic postal services determined by the Commission to be provided to consumers throughout Malaysia, at the prescribed rate.

rates of the universal service are specified in Postal Services (Postage Rates) Regulations 2020 which is available in MCMC website.

2.2. The non-universal service shall be provided in an expedited manner with track and trace services.

2.3. The non-universal service is divided into 3 types of licences, as shown below:

<b>TYPE OF LICENCE</b>	<b>LICENSABLE ACTIVITIES</b>
<b>Licence A</b>	Provide international inbound and outbound courier service and domestic courier service in Malaysia.
<b>Licence B</b>	Provide international inbound courier service and domestic courier service in Malaysia.
<b>Licence C</b>	Provide intra-state domestic courier service in Malaysia. The following States and the Federal Territories are to be considered as a single state: a) Selangor, the Federal Territory of Kuala Lumpur and the Federal Territory of Putrajaya; and b) Sabah and the Federal Territory of Labuan.

### **3. ELIGIBILITIES OF APPLICANT APPLYING FOR NON-UNIVERSAL SERVICE LICENCE**

3.1 The applicant shall comply with the following criteria before applying for non-universal service licence, as shown below.

- i) The applicant shall be a company incorporated in Malaysia as a private limited company ('Sendirian Berhad') or a public limited company ('Berhad');
- ii) The applicant shall maintain a registered office in Malaysia;
- iii) The applicant shall have sufficient working capital to enable it to carry out its services under the PSA 2012;
- iv) The Board of Directors (as declared in Form 49 or equivalent under the Companies Act 2016) and Chief Executive Officer shall fulfil the qualifications specified in the First Schedule of Postal Services (Licensing) Regulation 2015. The First Schedule is illustrated in **Annexure 1**; and

- v) The applicant shall have minimum paid-up capital, as shown below.

TYPE OF LICENCE	MINIMUM PAID-UP CAPITAL
Licence A	RM 1,000,000
Licence B	RM 500,000
Licence C	RM 100,000

#### 4. SUBMISSION OF APPLICATION

##### New Application

4.1 The applicant who wishes to apply for non-universal service licence shall submit in **hard copy format** the following documents to MCMC.

- i. Checklist for submission of application (refer **Annexure 2**);
- ii. Application form (refer **Annexure 3**);
- iii. The application fee of RM100.00 (Ringgit Malaysia One Hundred) through online transfer to MCMC's account, details of which will be provided by MCMC upon complete submission.
- iv. Certified copies of audited financial statements for the last three (3) financial years;
- v. Fit and proper statutory declaration by the Board of Directors (as declared in Form 49 or equivalent under the Companies Act 2016) and Chief Executive Officer (refer **Annexure 4**);
- vi. Certified copies<sup>2</sup> of relevant forms under the Companies Regulation 1966 [P.U 173/1966] or any other relevant documents under the Companies Act 2016 of the applicant which have been filed with the Registrar of the Companies, as follow:
  - (a) Memorandum & Articles of Association (relevant to courier business);
  - (b) Form 9, 13, 24, 44, 49 and 32A; and
  - (c) Latest Annual Return.
- vii. Business write-ups on the following:

Current business and corporate information:

  - (a) Current business activities.
  - (b) Corporate structure of the applicant, its relationship with any related company and holding company within the group (if any);
  - (c) Paid-up capital and details on the shareholding structures.

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<sup>2</sup> All photocopies must be certified by the Director or the Company Secretary.

- (d) List of Directors (as declared in Form 49 or equivalent under the Companies Act 2016);
- (e) Organisation chart; and
- (f) Curriculum vitae of the top management.

Proposed business plan:

- (a) Proposed business activities;
- (b) Proposed courier service operational process flow chart;
- (c) Proposed delivery location and rates; and
- (d) Proposed General Terms and Conditions to be imposed on the customers. Please refer to the Guidelines of General Terms and Conditions established by MCMC (refer **Annexure 5**).

3-years rollout plan:

- (a) Proposed location of the business premises for customer access. The holder of Licence A and Licence B must establish a minimum of 5 business premises within 3 years;
- (b) Proposed location of the sorting hubs;
- (c) Anticipated operating expenditure and capital expenditure of the proposed rollout plan (refer **Annexure 6**);
- (d) Anticipated profit and loss for 3 years (refer **Annexure 6**);
- (e) Source of funds to finance the CapEx and OpEx
- (f) Proposed holding agents and details, if any.

## **Renewal of Licence**

- 4.2 The licensee shall submit the renewal application **not later than 6 months from the expiry date of the licence**.
- 4.3 The licensee shall submit in **hard copy format** the following documents to MCMC.
  - i. Checklist for submission of application (refer **Annexure 2**);
  - ii. Application form (refer **Annexure 3**);
  - iii. The application fee of RM100.00 (Ringgit Malaysia One Hundred) through online transfer to MCMC's account, details of which will be provided by MCMC;
  - iv. Certified copies of audited financial statements for the last two (2) financial years;
  - v. Fit and proper statutory declaration by the Board of Directors (as declared in Form 49 or equivalent under the Companies Act 2016) and Chief Executive Officer (refer **Annexure 4**); and

- vi. Certified copies<sup>3</sup> of relevant forms under the Companies Regulation 1966 [P.U 173/1966] or any other relevant documents under the Companies Act 2016 of the applicant which have been filed with the Registrar of the Companies, as follows:
  - (a) Memorandum & Articles of Association (relevant to courier business);
  - (b) Form 9, 13, 24, 44, 49 and 32A; and
  - (c) Latest Annual Return
  
- vii. Business write-ups on business and corporate information:
  - (a) Current business activity;
  - (b) Corporate structure of the company, its relationship with any related company and holding company within the group (if any);
  - (c) Paid-up capital and details on the shareholding structures;
  - (d) List of Directors (as declared in Form 49 or equivalent under the Companies Act 2016);
  - (e) Organisation chart;
  - (f) Courier service operational process flow chart;
  - (g) Delivery location and rates;
  - (h) Details of business premises established by the licensee;
  - (i) On-going promotion offered to the customers, if any; and
  - (j) Copy of General Terms and Conditions imposed on the customers.

### **Assignment or Transfer of Licence**

- 4.4 The licensee who wishes to assign or transfer the licence shall submit in **hard copy format** the following documents to MCMC.
- i. Checklist for submission of application (refer **Annexure 2**);
  - ii. A formal letter to MCMC on the proposed assignment or transfer of licence which includes the reason(s) for the assignment or transfer of licence;
  - iii. The application fee of RM100.00 (Ringgit Malaysia One Hundred) through online transfer to MCMC's account, details of which will be provided by MCMC

Relevant documents and business write-ups pertaining to the assignee or transferee shall be enclosed in the application, as listed below:

- i. Application form (refer **Annexure 3**). The form shall be fulfilled by the assignee or transferee;

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<sup>3</sup> All photocopies must be certified by the Director or the Company Secretary.

- ii. Certified copies of audited financial statements for the last three (3) financial years;
- iii. Fit and proper statutory declaration by the Board of Directors (as declared in Form 49 or equivalent under the Companies Act 2016) and Chief Executive Officer (refer **Annexure 4**);
- iv. Certified copies of relevant forms under the Companies Regulation 1966 [P.U 173/1966] or any other relevant documents under the Companies Act 2016 of the applicant which have been filed with the Registrar of the Companies, as follow:
  - (a) Memorandum & Articles of Association (relevant to courier business);
  - (b) Form 9, 13, 24, 44, 49 and 32A; and
  - (c) Latest Annual Return.
- viii. Business write-ups on the following:

Current business and corporate information:

- (a) Current business activities;
- (b) Corporate structure of the applicant, its relationship with any related company and holding company within the group (if any);
- (c) Paid-up capital and details on the shareholding structures;
- (d) List of Directors (as declared in Form 49 or equivalent under the Companies Act 2016);
- (e) Organisation chart; and
- (f) Curriculum vitae of the top management.

Proposed business plan:

- (a) Proposed business activities;
- (b) Proposed courier service operational process flow chart;
- (c) Proposed delivery location and rates; and
- (d) Proposed General Terms and Conditions to be imposed on the customers. Please refer to the Guidelines of General Terms and Conditions established by MCMC (refer **Annexure 5**).

3-years rollout plan

- (a) Proposed location of the business premises for customer access. The holder of Licence A and Licence B must establish a minimum of 5 business premises within 3 years;
- (b) Proposed location of the sorting hubs;
- (c) Anticipated operating expenditure and capital expenditure of the proposed rollout plan (refer **Annexure 6**);
- (d) Anticipated profit and loss for 3 years (refer **Annexure 6**);
- (e) Source of funds to finance the CapEx and OpEx; and
- (f) Proposed holding agents and details, if any.

## 5. Fees

5.1. The list of applicable licence fees are as per table below:

DESCRIPTION		FEES (RM)	TIME OF PAYMENT
Application for non-universal service licence		100	Upon submission of an application.
Renewal of non-universal service licence		100	Upon submission of an application.
Annual fee for non-universal service licence	<b>Licence A</b>	30,000	Upon approval of licence or within thirty days from the effective date of licence. Subsequently on the anniversary of the licence every year.
	<b>Licence B</b>	10,000	
	<b>Licence C</b>	500	
Application for assignment or transfer of licence		100	Upon submission of an application.
Replacement of licence		50 per page	Upon submission of an application.

## CONTACTING MCMC

More information on the above may be obtained by writing to the following address:

### Head of Licensing Department

Licensing and Monitoring Division  
Malaysian Communications and Multimedia Commission  
MCMC Tower 1, Jalan IMPACT, Cyber 6  
63000 Cyberjaya  
Selangor Darul Ehsan  
Email : [licensing@mcmc.gov.my](mailto:licensing@mcmc.gov.my)  
General line : 603-8688 8000

**FIRST SCHEDULE**

**[Paragraphs 4(b), 5(2)(b), 7(2)(c), 9(1)(e) and 9(2)(d) of *Postal Regulations*]**

**QUALIFICATIONS OF A BOARD OF DIRECTOR AND  
A CHIEF EXECUTIVE OFFICER**

The Board of Director and Chief Executive Officer of a applicant/licensee at all times shall have the following qualifications:

- (a) competent to carry out the role;
- (b) is not an undischarged bankrupt;
- (c) has never been -
  - (i) issued an order of detention, supervision, restricted residence, banishment or deportation; or
  - (ii) imposed by any form of restriction or supervision by bond or otherwise, under any written law relating to prevention of crime; and
- (d) has not held the position of a director or been directly concerned in the management of any company which has been convicted of an offence in relation to dishonesty, incompetence, or malpractice during the tenure of his office unless he proves to the Commission that such offence was committed without his knowledge or consent, and he was not in a position to prevent the offence.

## ANNEXURE 2

Checklist for submission of application is available in MCMC website. QR code made easy.



<https://www.skmm.gov.my/en/sectors/postal-courier/licensing>

## Application Form of Non-Universal Service Licence (All type of licence)

		SURUHANJAYA KOMUNIKASI DAN MULTIMEDIA MALAYSIA <b>BORANG PERMOHONAN LESEN PERKHIDMATAN BUKAN SEJAGAT</b> <b>NON-UNIVERSAL SERVICE LICENCE APPLICATION FORM</b>	
<b>A. LESEN DIPOHON / LICENCE APPLIED</b>			
<b>A1</b>	Jenis lesen <i>Type of licence</i>	Lesen A <i>Licence A</i> <input type="checkbox"/>	Lesen B <i>Licence B</i> <input type="checkbox"/>
		Lesen C <i>Licence C</i> <input type="checkbox"/>	Tandakan '√' (satu sahaja) <i>Mark '√' (only one)</i>
<b>A2</b>	Kawasan perkhidmatan (untuk Lesen C sahaja) <i>Service area (only for Licence C)</i>		Negeri <i>State</i>
	<ul style="list-style-type: none"> <li>▪ Selangor, WP Kuala Lumpur &amp; WP Putrajaya dianggap satu negeri</li> <li>▪ Sabah dan WP Labuan dianggap satu negeri</li> </ul>		
	<ul style="list-style-type: none"> <li>▪ Selangor, FT of Kuala Lumpur &amp; the FT of Putrajaya are to be considered as a single state</li> <li>▪ Sabah and FT of Labuan are to be considered as a single state</li> </ul>		
<b>B. BUTIRAN PEMOHON / APPLICANT PARTICULARS</b>			
<b>B1</b>	Nama syarikat <i>Company's name</i>		
<b>B2</b>	No. pendaftaran perniagaan <i>Business registration no.</i>		<b>B3</b> Tarikh ditubuhkan <i>Incorporation date</i>
<b>B4</b>	Alamat berdaftar (Seperti Borang 44) <i>Registered address (As per Form 44)</i>		
	Poskod <i>Postcode</i>		Bandar <i>Town</i> <input style="width: 100%;" type="text"/>
	Negeri <i>State</i>		

The edited version is available in MCMC website. QR code made easy.



<https://www.skmm.gov.my/en/sectors/postal-courier/licensing>

**Fit and Proper Statutory Declaration by the Board of Directors (as declared in Form 49 of the Companies Commission of Malaysia) and Chief Executive Officer**

**NON-UNIVERSAL SERVICE LICENCE APPLICATION**

**STATUTORY DECLARATION**

I \_\_\_\_\_ (name of applicant)  
(NRIC No. \_\_\_\_\_) of full age and a Malaysian citizen with an address at \_\_\_\_\_ solemnly  
and sincerely declare the following:

1. I am \_\_\_\_\_ (position in Company) in \_\_\_\_\_ (Company name and address) and am has been working with the Company for \_\_\_\_\_ years.
2. I make this declaration in full knowledge and awareness.
3. I am competent to carry out the roles as the director and/or chief executive officer.
4. I have not been convicted of a criminal offence under the Companies Act 1965 (Act 125) or relating to dishonesty or fraud under any written law within or outside Malaysia.

The template of the statutory declaration form can be obtained from MCMC website. QR code made easy.



<https://www.skmm.gov.my/en/sectors/postal-courier/licensing>

## ANNEXURE 5

Please refer to the Guidelines of General Terms and Conditions established by MCMC.  
The document is available on MCMC website.



<https://www.skmm.gov.my/en/sectors/postal-courier/licensing>

### Anticipated Capital and Operating Expenditure

Breakdown of capital and operating expenditure for 3 years plan with relevant assumptions. Please note that the format and items in the table below are meant as a guide only.

<b>Capital Expenditure of the proposed business</b>	<b>Year 1 (RM)</b>	<b>Year 2 (RM)</b>	<b>Year 3 (RM)</b>
Item 1 Item 2			
<b>Total Capital Expenditure</b>			
<b>Operating Expenditure of the proposed business</b>			
Item 1 Item 2			
<b>Total Operating Expenditure</b>			

### Anticipated Profit and Loss

Anticipated profit and loss for 3 years with relevant assumptions. Please note that the format and items in the table below are meant as guide only:

<b>Assumptions</b>	<b>Year 1 (RM)</b>	<b>Year 2 (RM)</b>	<b>Year 3 (RM)</b>
Market demand ( <i>a</i> ) Penetration (%) ( <i>b</i> ) Estimated no. of subscribers ( <i>a</i> ) × ( <i>b</i> ) Customers unsubscribe (%) ( <i>c</i> ) No. of subscribers [ $(a) \times (b) - (c)$ ]			
<b>Financial projection of the proposed business</b>	<b>Year 1 (RM)</b>	<b>Year 2 (RM)</b>	<b>Year 3 (RM)</b>
Sales: Service 1 Service 2			
<b>Total sales</b>			
Direct costs: Direct cost 1 Direct cost 2			
<b>- Total direct costs</b>			

<b>Net profit</b>			
- Total operating expenditure			
<b>Income before interest and tax</b>			
- Interest expense			
<b>Income before tax</b>			