

**\*Definition**

Term	Definition
<p><b>Borrowing</b></p>	<p>a) any utilised or unutilised credit facility or financing facility;            b) any utilised or unutilised trade financing facility, including but not limited to, trade guarantee or guarantee for payment of goods;            c) redeemable preference share or Islamic redeemable preference share;            or            d) corporate bond or sukuk.</p> <p>Notwithstanding the above, the following are <b>excluded</b> from the definition of borrowing –</p> <p>i. a trade credit term extended by a supplier for any goods or services;            ii. a credit limit that a LOB apportions for its client to undertake a forward basis transaction, <b>excluding</b> a transaction that involves—            (A) exchanging or swapping of Ringgit or Foreign Currency debt for another Foreign Currency debt; or            (B) exchanging of Foreign Currency debt for a Ringgit debt;            iii. a financial guarantee or non-financial guarantee;            iv. an operational leasing facility;            v. a factoring facility without recourse;            vi. a credit card or charge card facility obtained by an Individual from a resident and used for payment for retail goods or services only; or            vii. a credit facility or financing facility obtained by a resident individual from a resident to purchase one (1) residential property and one (1) vehicle.</p> <p><b>Note:</b> For clarity purposes, the transactions in paragraphs (ii)(A) and (ii)(B) shall be considered as Borrowing.</p>
<p><b>Direct Investment Abroad</b></p>	<p>a) an investment in Foreign Currency asset offshore by a resident resulting in at least 10% equity ownership or control of a non-resident entity outside Malaysia or a Labuan entity;            b) an inter-company lending by a resident entity to a non-resident entity within the resident entity's group where the non-resident entity is outside Malaysia or a Labuan entity; or            c) a capital expenditure by a resident investor in an unincorporated entity outside Malaysia or a project outside Malaysia by an agreement with no establishment created, where the resident investor:            i. contributes capital of at least 10% of the cost of the project;            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.</p>
<p><b>Direct Shareholders</b></p>	<p>A shareholder with at least 10% effective shareholding in a resident entity.</p>

<p><b>Domestic Ringgit Borrowing</b></p>	<p>a) any borrowing in Ringgit obtained by a resident from another resident; or  b) any obligation considered or deemed as domestic Ringgit borrowing under any of the FEP Notices.</p> <p><b>Note:</b>  For purposes of determining the domestic Ringgit borrowing status of a resident entity—</p> <p>a) the resident entity is deemed to have a domestic Ringgit borrowing when another resident entity with parent-subsiary relationship has a domestic Ringgit borrowing; and</p> <p>b) the following shall not be considered as domestic Ringgit borrowing—</p> <ol style="list-style-type: none"> <li>i. a borrowing obtained from another resident entity with parent-subsiary relationship;</li> <li>ii. a borrowing obtained from its direct shareholder; or</li> <li>iii. any facility including credit facility or financing facility which is used for sundry expenses or employees' expenses only. <ul style="list-style-type: none"> <li>- "sundry expenses" refers to small and infrequent expenses for office supplies (e.g. stationaries), ancillary services (e.g. software and online subscription) and other minor expenses to facilitate daily business operation.</li> <li>- "employees' expenses" refers to business-related expenses which may include, but not limited to, travel (e.g. lodging and transportation), entertainment, health, insurance, takaful and other employees' expenses, excluding investment.</li> <li>- "borrowing" refers to the definition of "Borrowing" above.</li> </ul> </li> </ol> <p>Below are the scenarios for reference:</p>
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No	Scenario	Domestic Borrowing
1	Customer has 1 HL, 1 HP, & any number of credit/charge card [card not converted to AKPK]	N
2	Customer has 1 HL, 1 HP & any number of credit/charge card; and card that converted to term loan	Y
3	Customer has 1 HL, 1 HP & any number of credit/charge card; and card that converted to AKPK	Y
4	Customer has 0 HL, 0 HP & any number of credit/charge card [card not converted to AKPK]	N
5	Customer has 0 HL, 0 HP & any number of credit/charge card; and card that converted to term loan	Y
6	Customer has 0 HL, 0 HP & any number of credit/charge card; and card that converted to AKPK	Y
7	Customer has *2 HL, 1 HP & any number of credit/charge card	Y
8	Customer has 1 HL, 2 HP & any number of credit/charge card	Y
9	Customer has 0 HL, 2 HP & any number of credit/charge card	Y
10	Customer has *2 HL, 0 HP & any number of credit/charge card	Y
11	Customer has >*1 HL or >1 HP & any number of credit/charge card	Y
12	Corporate Credit Card and Charge Card (Corporate issuing the credit card/charge card becomes domestic borrower) (Refer to item #25 for exclusion)	Y
13	Credit cardholders that perform cash advance transaction overseas and the amount latter on being converted into with instalment on top of minimum monthly payment by customer	N
14	Credit cardholders that perform cash advance transaction overseas and the amount latter on being converted into with instalment on top of minimum monthly payment by customer. Should the card be cancelled and refinanced (i.e. AKPK)	Y
15	Personal Loans, ASB	Y
16	Personal credit cards being restructured into term loans	Y
17	Personal credit cards being restructured into AKPK loan	Y
18	Corporate credit cards being restructured into AKPK loan	Y
19	Pre-paid card	N
20	Term Loans	Y
21	Overdraft (including unutilized limit) (Refer to item #25 for exclusion)	Y
22	1 Flexi Housing Loan/ mortgage loan (i.e. shop-lots) (for Corporate and Commercial) being restructured into term loan	Y
23	1 Flexi Housing Loan/ mortgage loan (i.e. shop-lots) (for Corporate and Commercial) being restructured into AKPK loan	Y
24	Share Margin Financing	Y
25	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 private debt security.	Y
26	Any credit facility, financing facility (including Corporate Credit Cards and Charge Cards), and other facility obtained by Resident Entity, which is used for sundry expenses and employees' expenses ONLY.	N
27	Trade credit terms extended by a supplier for all types of goods and services	N
28	Performance Guarantee or Financial Guarantee	N
29	Operational Leasing facility	N
30	Forward contract with licensed onshore bank	N
31	Factoring facility without recourse	N
32	Credit facility or financing facility obtained by a resident individual from a resident to purchase one residential property and one vehicle	N
33	Credit card and charge card facility obtained by a resident individual from a resident;	N
<b>Summary:</b>		
No.	Scenario	Domestic Borrowing (Y/N)
1	>1 Housing Loan ( <i>NOT for education, employment or migration</i> )	Y
2	>1 Hire Purchase	Y
3	1 Housing Loan + 1 Credit Card*	N
4	1 Hire Purchase + 3 Credit Cards*	N
5	0 Housing Loan + >1 Credit Card*	N
6	0 Hire Purchase + >1 Credit Card*	N
*Credit Card NOT converted to AKPK/Term Loan. If yes, then classified as Domestic Borrowing.		

**Export of Goods**

- a) movement or transfer of goods by land, sea or air from Malaysia to any territory outside Malaysia; or
- b) transfer of ownership in goods originated from Malaysia by a resident entity to a non-resident outside Malaysia or to a Labuan entity declared by the Bank as a non-resident under section 214(6)(a) of the FSA or section 225(6)(a) of the IFSA.

<b>External Account</b>	<p>an account in Ringgit opened with any Financial Institution in Malaysia—</p> <ul style="list-style-type: none"> <li>a) by a non-resident— <ul style="list-style-type: none"> <li>i. individually;</li> <li>ii. jointly with another non-resident; or</li> <li>iii. jointly with a resident, excluding— <ul style="list-style-type: none"> <li>(A) for a joint venture in Malaysia;</li> <li>(B) a husband and wife; or</li> </ul> </li> </ul> </li> <li>b) by a person who operates the account in trust for or on behalf of a non-resident. The designation of the account shall be determined based on the residency of the beneficiary.</li> </ul>
<b>Financial Institution</b>	<p>Person carrying out a financial business regulated under the laws administered by the Bank and any person carrying out any other financial business as may be specified by the Bank.</p> <p>For the avoidance of doubt, Financial Institution includes—</p> <ul style="list-style-type: none"> <li>(a) a LOB;</li> <li>(b) a prescribed institution under the Development Financial Institutions Act 2002 [Act 618];</li> <li>(c) a licensed insurer;</li> <li>(d) a licensed takaful operator;</li> <li>(e) a licensee under the MSBA; and</li> <li>(f) approved issuer of a designated payment instrument under the FSA or a designated Islamic payment instrument under the IFSA.</li> </ul>
<b>Foreign Currency Asset</b>	<p>Foreign currency asset refers to Foreign Currency Asset Offshore and Foreign Currency Asset Onshore.</p> <p><u>Foreign Currency Asset Offshore (previously referred to as “Investment Abroad”)</u></p> <ul style="list-style-type: none"> <li>a) a financial asset in Malaysia swapped for a financial asset in a Labuan entity or outside Malaysia;</li> <li>b) Foreign Currency borrowing given to a non-resident;</li> <li>c) working capital arising from the set-up of any business arrangement outside Malaysia (including a joint venture project where no entity is created or established);</li> <li>d) deposit in a Foreign Currency Account maintained with a Labuan entity or outside Malaysia excluding reasonable amount of deposit for education, employment or migration outside Malaysia; or</li> <li>e) Foreign Currency-denominated—</li> </ul>

	<ul style="list-style-type: none"> <li>i. asset (tangible or intangible) offered by a non-resident or any person whose residency cannot be determined;</li> <li>ii. asset (tangible or intangible) in or maintained with a Labuan entity, or outside Malaysia;</li> <li>iii. financial instrument or Islamic financial instrument (excluding exchange rate derivatives) without firm commitment offered on a specified exchange under the CMSA outside Malaysia undertaken by a resident through a resident futures broker; or</li> <li>iv. financial instrument or Islamic financial Instrument (excluding exchange rate derivatives) without firm commitment issued or offered by a non-resident.</li> </ul> <p><u>Foreign Currency Asset Onshore</u></p> <ul style="list-style-type: none"> <li>a) Foreign Currency-denominated securities or Islamic securities offered in Malaysia by a resident as approved in writing by BNM;</li> <li>b) Foreign Currency-denominated financial instrument or Islamic financial instrument offered in Malaysia by a resident as approved in writing BNM excluding a derivative or Islamic derivative transaction entered with firm commitment;</li> <li>c) deposit in Investment Foreign Currency Account with a licensed onshore bank or an approved financial institution as specified in Notice 3; or</li> <li>d) any instrument offered by a licensed onshore bank with Foreign Currency delivery at maturity (such as dual-currency investment).</li> </ul>
<b>Global Supply Chain</b>	a business activity where a resident imports goods or services to support production or distribution of goods or services by a resident exporter for the resident exporter’s export activities. This includes domestic trade in goods or services between the resident importer and the resident exporter undertaken through a resident intermediate entity.
<b>Group</b>	an entity’s: <ul style="list-style-type: none"> <li>a) ultimate or direct holding/ parent entity;</li> <li>b) head office;</li> <li>c) branch;</li> <li>d) subsidiary company where the entity owns more than 50% of ordinary shares in the subsidiary company;</li> <li>e) associate company where the entity owns between 10% and 50% of ordinary shares in the associate company; or</li> <li>f) sister company where the entity and its sister company have a common shareholder with minimum of 10% of ordinary shares in both the entity and its sister company.</li> </ul>
<b>Immediate Family Member</b>	a legal spouse, parent, legitimate child (including legally adopted) or legitimate sibling of an Individual.
<b>Licensed Onshore Banks</b>	<ul style="list-style-type: none"> <li>a) a licensed bank or a licensed investment bank under the FSA; and</li> <li>b) a licensed Islamic bank under the IFSA.</li> </ul>

<b>Parent-Subsidiary Relationship</b>	a relationship between a resident entity and its direct or indirect: a) resident holding/ parent entity; or b) resident subsidiary.  For the avoidance of doubt, this includes a relationship between a resident subsidiary of a non-resident holding/ parent entity with the resident subsidiary's ultimate resident holding/ parent entity.
<b>Real Sector Activity</b>	an activity relating to: a) construction or purchase of a residential or commercial property, <b>excluding</b> purchase of land which will not be utilised for construction or production of goods or services; or b) production or consumption of goods or services, <b>excluding</b> : i. activity in financial services sector, whether Islamic or otherwise; ii. purchase of securities or Islamic securities; or iii. purchase of financial instrument or Islamic financial instrument.