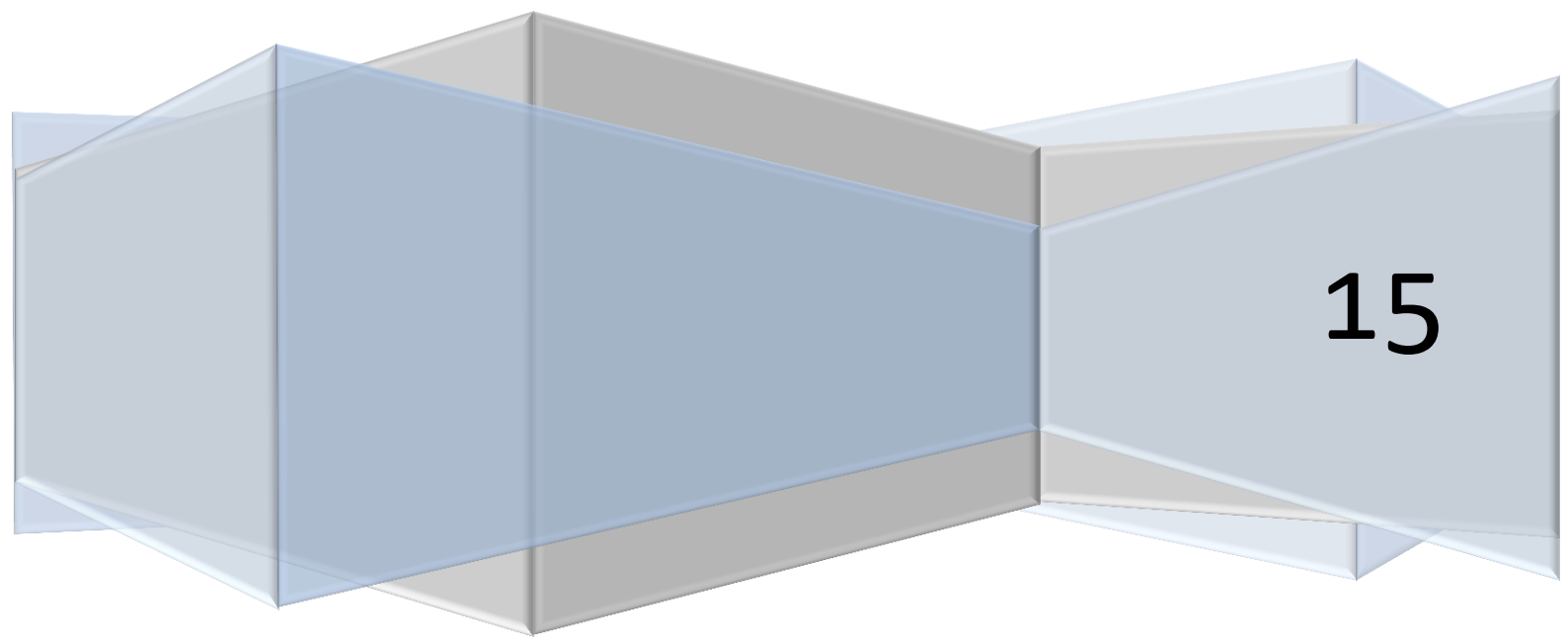


PUSPAL GUIDELINES



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Muka Surat

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MINISTRY OF COMMUNICATIONS AND MULTIMEDIA OF MALAYSIA

GUIDELINES ON APPLICATION FOR FILMING AND PERFORMANCE BY FOREIGN ARTISTES (FAs)

1. OBJECTIVES

These guidelines are intended to clarify the following matters:

- 1.1 The government policy regarding the application procedures for filming and performance by foreign artistes (FAs).
- 1.2 The determination of detailed procedures for employing FAs according to the various categories.
- 1.3 The determination of any regulations to be complied with in order to obtain approval for filming and performance by FAs.

2. BACKGROUND

- 2.1 Based on the Cabinet decision made in 2001, a central agency committee was established to coordinate and consider all applications for filming and performance by FAs. All applications shall go through a one-stop process managed by the Ministry of Communications and Multimedia of Malaysia (previously known as the Ministry of Information, Communications and Culture) (hereinafter referred to as “the Ministry”).
- 2.2 The government, through the Ministry, has set up:
 - 2.2.1 A one-stop agency to coordinate applications for filming and performance by FAs, known as the Central Agency for Application for Filming and Performance by Foreign Artistes (PUSPAL).
 - 2.2.2 A committee known as JK – PUSPAL, placed under the purview of the Ministry of Culture, Arts and Tourism, in 2002, to consider applications for filming and performance by FAs made through PUSPAL.
- 2.3 The PUSPAL Guidelines was published in 2005 in order to facilitate matters, and was revised in 2007 and 2010.
- 2.4 Since 2002, PUSPAL has been placed under the purview of the following ministries:

2002 - Ministry of Culture, Arts and Tourism

2005 - Ministry of Culture, Arts and Heritage

2008 - Ministry of Unity, Culture, Arts and Heritage

2009 - Ministry of Information, Communications and Culture

2013 - Ministry of Communications and Multimedia

3. INTERPRETATION

For the purposes of these Guidelines, the following interpretations shall be applied to the meanings in reference to:-

“government agency” means the ministry, department or statutory body of the Federal Government, which are the government administrative machinery empowered according to their respective functions, and are responsible in assisting, coordinating and controlling the running of, as well as ensuring that all matters related to artistic and cultural performances and/or filming, are conducted smoothly and efficiently;

“foreign artistes (FAs)” means any individual or group of individuals, who are neither Malaysian citizens nor permanent residents of Malaysia, carrying out artistic and cultural performances;

“withholding tax” means the tax to be deducted from specific payments to be made or credited to recipients who are not residents (individuals/bodies other than individuals), whilst in Malaysia, in accordance with Section 109A of the Income Tax Act 1967;

“drugs” means any dangerous drugs or substances set out in the First Schedule of the Dangerous Drugs Act 1952 [Act 234];

“agent” means any entity registered under the Companies Commission of Malaysia and PUSPAL, acting as representative of the organisers/local film production companies in handling the entry of foreign artistes and/or foreign crew;

“film” means film as defined under Section 2 of the *Perbadanan Kemajuan Filem Nasional Malaysia* (National Film Development Corporation) Act 1981 [Act 244] which includes feature films, short films, short subject films, trailers, documentaries, advertising filmlets and any recording on any material of any kind, including video tapes and discs, of any moving images, whether accompanied by sound or not, for the viewing of the public or any class of the public;

“entertainment” means:

- a. A happy, joyful, pleasant and peaceful feeling that a person experiences as a result of something;

- b. An art, ability and capability to entertain and provide satisfaction in any reasonable manner to delight anyone;
- c. An artistic and cultural performance exhibited and performed before an audience;

“Central Committee for Application for Filming and Performance by Foreign Artistes (JK-PUSPAL)” means a committee comprising several government agencies responsible for considering applications for filming and performance by FAs;

“culture” means any cultural elements said to be universal culture, which can be divided into cultural tools for basic human needs, economic system, social system, language, arts and games, knowledge, religion and magic;

“Government” means the Federal Government;

“arts” means works such as poetry, painting, music and other compositions created with talent (competence), a product of a creation and description of art, something related to art, beauty (refined);

“foreign crew (FC)” means an individual or a group of individuals who are neither citizens nor permanent residents of Malaysia, involved in an artistic and cultural performance or carrying out filming in Malaysia, including directors, cameramen, make-up artists, crew, officials and staff as well as any other position that are required for any performance and filming;

“Minister and the Ministry” shall mean the Minister and Ministry responsible for the entry of FAs and/or FCs;

“liquor” means intoxicating liquor as defined by Section 2 of the Customs Act 1967 [Act 235];

“nation” means Malaysia, unless otherwise stated;

“Applicant” means the party qualified to make the application for performance and filming by FAs, by fulfilling all the requirements set out in paragraph 6 regarding Qualification of Applicant;

“Organiser” means:

- a. Any company specialising in organising art and cultural performances;
- b. The management of any hotel or tourist accommodation premises or entertainment premises intending to hold performances by FAs on the said premises;
- c. Any government agency or registered organisation intending to carry out filming activities or performances by FAs;

“filming” means filming activities in the form of interviews, documentaries, feature films, entertainment, commercial advertisements and/or other forms of filming carried out in Malaysia by foreign film production companies;

“gambling” means games based on chance or skills and chance played with bets, either monetary or goods in lieu of money, and includes any such games stipulated by any laws in force;

“performance” means:

- a. Any artistic and cultural activities carried out in relation to the performing arts, whether in closed or open premises and whether entrance fees are charged or not;
- b. Performing arts activities held in the following venues:-
 - i. Hotels;
 - ii. Entertainment centres;
 - iii. Entertainment premises;
 - iv. Cultural centres;
 - v. Stadiums;
 - vi. TV stations (recording);
 - vii. Other premises deemed appropriate by JK-PUSPAL;
- c. Artistes’ activities that involve:
 - i. Performances or concerts in open or closed premises;
 - ii. Promotion of the artistes’ albums, songs and films; and
 - iii. Promotion of goods and products;

“local authority” means:

- a. Any local authority established or deemed to be established under the Local Government Act 1976 [Act 171];
- b. In the case of the Federal Territory of Labuan, the local authority established under the Local Government Ordinance 1961 Sabah which is enforced in the Federal Territory of Labuan, as revised by the Federal Territory of Labuan (Modification of the Local Government Ordinance) Order 1984;
- c. In the case of the Federal Territory of Kuala Lumpur, the Commissioner of the City of Kuala Lumpur appointed in accordance with Section 3 of the Federal Capital Act 1960 [Act 190]; and
- d. Includes any person or group of persons appointed or authorised under any written law to carry out and implement the power and function given to and imposed on any local authority by any written law;

“open premises” means public venues or any open spaces allocated or designated for public use or opened to the public at any given time;

“closed premises” means any place upon which exists any construction or structure, any premises or building whether permanent or temporary, or any other place where any form of entertainment is held and where the public is allowed entry, with or without payment;

“representation” means the process of fact preparation for the consideration of JK-PUSPAL, for the purposes of maintaining its decision or otherwise;

“cigarette” means any product consisting, wholly or partially, of tobacco which is cut, shredded or manufactured, or of any tobacco derivative or substitute, rolled up in single or more paper wrapper, and which can be immediately smoked;

“Local Film Production Company” means any local company, holding a film production licence issued by the National Film Development Corporation (FINAS), that is appointed by the foreign film production company to manage the application for filming;

“tobacco” means the Nicotiana tabacum plant species or any parts of it, whether cured or not, including hybrids of the species, hybrids resulting from crossbreeding of the species or crossbreeding with other species or hybrids of the plant and genetically engineered versions of the species or hybrids.

4. CENTRAL COMMITTEE FOR THE APPLICATION FOR FILMING AND PERFORMANCE BY FAs (JK-PUSPAL)

4.1 Function

The function of the committee is to consider and make decisions on applications for filming and performance by FAs.

4.2 Members

The Central Agency Committee comprises the following members:

Chairman: Secretary General of the Ministry of Communications and Multimedia

Acting Chairman: Deputy Secretary General (Operation) or any officer of the Ministry assigned by the Chairman or Acting Chairman

Permanent members: Ministry of Communications and Multimedia of Malaysia;

- Director General of FINAS or representative

Secretary General of the Ministry of Foreign Affairs or representative

Ministry of Home Affairs:

- Secretary of the Film Censorship and Enforcement Control Division or representative

- Secretary of the Publication and Quranic Text Control Division or representative

The Royal Malaysian Police:

- Director of the Special Branch or representative

- Assistant Chief of the Inspector General of Police Secretariat (Corporate Communications) or representative

Director General of the Department of Immigration of Malaysia or representative

Ministry of Tourism and Culture;

- Secretary of the Policy and Strategic Planning (Culture) Division or representative
- Director General of the Malaysian Tourism Promotion Board or representative
- Director General of *Istana Budaya* or representative
- Director General of the Department of Culture and Arts or representative

Secretary General of the Ministry of Urban Wellbeing, Housing and Local Government or representative

Director General of the Kuala Lumpur City Hall or representative

Director General of Customs, Royal Malaysian Customs Department or representative

Director General of the Department of Islamic Development of Malaysia or representative

Inland Revenue Board of Malaysia;

- Director of Assessment Branch or representative
- Director of the Non-Resident Branch or representative

Associate members (ex-officio) : Other than the permanent members, JK-PUSPAL may invite any government agency to be present at the JK-PUSPAL meetings, as needed and appropriate

Secretariat: Secretariat Unit of JK-PUSPAL

4.3 **Quorum**

The minimum number of permanent members required to convene a JK-PUSPAL meeting is eight (8).

4.4 **Decision on Application**

The decision made by JK-PUSPAL on any application shall be the decision of the majority of the members of meeting.

4.5 Communication of Decision

The decision made by JK-PUSPAL on the application shall be made known to the applicant either in writing, or through telephone or facsimile, or e-mail or on the Ministry's website.

4.6 Implication

Any applicant who is not satisfied with the decision made by JK-PUSPAL may make a representation for consideration.

5. MANAGEMENT OF PUSPAL

For the purposes of management and discharge of its responsibilities, PUSPAL is operated as follows:-

5.1 Secretariat

Secretariat Unit of the PUSPAL Committee or any division/unit as determined by the Ministry.

5.2 Role and Duties of the Secretariat

- a. To receive and process applications for FA performance and filming;
- b. To collect the withholding tax on behalf of the Inland Revenue Board and channel the same to the said agency as well as being authorised to issue receipts for the collection of the withholding tax;
- c. To manage weekly meetings of JK-PUSPAL;
- d. To present the applications at the weekly JK-PUSPAL meetings;
- e. To notify the applicants of the decisions made;
- f. To jointly coordinate and monitor all FA performance and filming activities with the relevant government agencies in order to ensure such activities comply with the specified regulations;
- g. To receive and channel information on cases of breach of conditions or regulations stipulated by JK-PUSPAL to the relevant government agencies for action, in accordance with their respective jurisdictions; and
- h. To provide advisory service in relation to FA performance and filming.

6. QUALIFICATION OF APPLICANT

- 6.1 Only organisers or local film production companies are qualified to apply. However, the organisers or local film production companies may be represented by agents. Agents applying on behalf of the organisers or local film production companies shall include letters of authorisation from the organisers or local film production companies in their submission.
- 6.2 Organisers or local film production companies such as those listed below are not qualified to make applications:
- a. Liquor companies;
 - b. Tobacco / cigarette companies;
 - c. Gambling companies;
 - d. Sex product companies.

7. PRE-APPLICATION

- 7.1 Applicants may submit a pre-application for the purposes of checking the status and concept of the FA performance or filming before submitting their official applications.
- 7.2 Applicants need to submit an official application letter for pre-application which includes the background, song lyrics, recorded performances, the latest video clips of the FA performances, and any other relevant documents if required.
- 7.3 Any approval by JK-PUSPAL shall be subject to the following:
- a. A formal application letter stated in paragraph 7.2 above being presented to JK-PUSPAL; and
 - b. Any advertisement, promotion or sale of tickets carried out before issuance of JK-PUSPAL official decision shall be at the applicant's risk.
- 7.4 JK-PUSPAL has the right to revoke its approval should the FA performance or filming touch upon religious, racial and cultural issues of the Malaysian communities and be damaging to the country's interest.
- 7.5 What constitutes as "the country's interest" shall be determined solely by the Government and such determination shall be final and may not be contested.

8. APPLICATION PROCEDURES

- 8.1 A formal application shall be made:
 - a. Online; and
 - b. By the submission of the relevant physical application forms and documents, by hand or by post, to the PUSPAL Secretariat.
- 8.2 A complete application shall be submitted at least fourteen (14) days before the date of the FA performance or filming.
- 8.3 For first time applications for FA performance or filming, a complete application shall be submitted at least thirty (30) days before the date of the FA performance or filming.
- 8.4 Applications shall be submitted in accordance with the checklist as set out in Appendix A or Appendix B.
- 8.5 Applications to extend the period of FA performance or filming shall be submitted not later than fourteen (14) days before the expiry of the approved FA performance or filming period.
- 8.6 Applicants may submit the application for entry of FAs and/or FCs in stages.
- 8.7 Application procedures for filming are set out in Appendix A.
- 8.8 Application procedures for FA performance are set out in Appendix B.

9. SPONSORSHIP

Any sponsorship for FA performance or filming shall not involve;

- 9.1 Any matter which is prohibited under Malaysian laws or which touches upon religious, racial and cultural issues of the Malaysian communities.
- 9.2 Cigarette or tobacco brands;
- 9.3 Sex products;
- 9.4 Gambling brands;
- 9.5 Brands of liquor. However, liberalisation of sponsorship may be given subject to the following conditions:

- a. All promotions involving direct sponsorship by liquor brands which display the logo, image, encouragement to drink or any uses of the said products are strictly prohibited for any matters involving the said FA performance or filming;
- b. In the case of performances involving the distribution, sale and serving of liquor, the applicant shall;
 - i. submit an organisational layout plan and clearly show on the plan the areas specifically designated for the distribution, sale and serving of the said drinks;
 - ii. ensure that the distribution, sale and serving of the said drinks are not carried out in areas other than that shown on the plan; and
 - iii. ensure that no sale and distribution of liquor are carried out in any areas of the performance during the performance.
- c. The sale of liquor to persons under the age of twenty-one (21) years is strictly prohibited as stated in Subsection 14A (1) of the Entertainment (Federal Territory of Kuala Lumpur) Act 1992 [Act 493] and other state entertainment enactments; and
- d. No persons who are intoxicated shall be allowed to enter or remain in any entertainment premises in accordance with Rule 24 of the Entertainment (Federal Territory of Kuala Lumpur) Rules 1993 P.U(A) 259/93 and other state entertainment enactments.

10. PROHIBITION ON HOLDING OPEN CONCERT PERFORMANCES

All open concert performances by FAs shall not be permitted on the following days;

- 10.1 Throughout the independence month from the 25th of August to the 16th of September
- 10.2 Throughout the month of Ramadhan
- 10.3 On religious public holidays unless permitted by the relevant religious administrator or the local authority
- 10.4 On the day of decease of the *Yang di-Pertuan Agong* (the King) or the *Sultan* or head of the related state or country

- 10.5 On other days deemed unsuitable by the Government or State Government as the case may be

11. PROFESSIONAL VISIT PASS (PLIK)

- 11.1 The PLIK is issued to all FAs and/or FCs who carry out performances or filming. Approval of the PLIK shall be subject to the existing immigration conditions and regulations.
- 11.2 Carrying out performances or filming without the PLIK contravenes Sub-regulation 39(b) of the Immigration Regulations 1963, i.e. the offence of misuse of social visit pass, special pass or others.
- 11.3 The rate for the PLIK is as set out in the Third Schedule of the Immigration Regulations 1963.
- 11.4 Exemption of PLIK payment may only be given to any FA and/or FC for the following:
- a) Inter-government filming programme or cultural exchange programme; and
 - b) Government invitation only.

12. CANCELLATION OF APPLICATION / CHANGE OF FA AND/OR FC / CHANGE OF DATE

12.1 Cancellation of Application

The organiser or local film production company shall submit, in writing and online, the reasons for cancellation together with supporting documents.

12.2 Change of FA and/or FC

The organiser or local film production company shall submit, in writing and online, an application for change of FA and/or FC which shall include reasons for the change together with supporting documents.

12.3 Change of Date

The organiser or local film production company shall submit an application for change of date not later than seven (7) days from the first day of the performance dates. However, due consideration will be given subject to the relevant government agency regulations.

13. MONITORING

- 13.1 The PUSPAL Secretariat, members of JK-PUSPAL and FINAS enforcement officers will carry out monitoring of any FA performance area or filming location that has been applied for or that has been approved.
- 13.2 Failure on the part of the organiser or local film production company to give cooperation during the monitoring may affect the decision on the application or consideration of future applications.
- 13.3 The organiser shall allocate twenty (20) tickets and any amount of passes, not later than seven (7) days before the performance date, for the purpose of monitoring by JK-PUSPAL. The relevant tickets or passes shall have seat allocations in the case of performances with seating.
- 13.4 The PUSPAL monitor has the right to carry out any form of image or video recording of the FA performance or filming for an appropriate duration, for the purpose of PUSPAL records and shall not use the same for any commercial purposes.

14. PUSPAL SCOPE OF SUPERVISION

- 14.1 All FA performances and filming shall be under the PUSPAL scope of supervision except the following:
 - a. all FA performances in Sabah and Sarawak;
 - b. FAs who are performing under the Inter-Government Cultural Exchange Programme or Cultural Cooperation Programme; and
 - c. FAs who are working in Malaysia under the expatriate category for which the employment contract exceeds one hundred and eighty (180) consecutive days, without any application for extension of the relevant period.

15. REJECTED APPLICATIONS

15.1 Applications are rejected based on the following matters:

- a. Incomplete application (please refer to the checklist for complete application);
- b. The organiser or local film production company is directly involved in cigarette or tobacco brands, sex products and gambling;
- c. The organiser or local film production company has not made any payment arrears that have been stipulated by the relevant government agency;
- d. Breach of any conditions of these Guidelines by the organiser, local film production company, FA or FC;
- e. On the direction of the local authority or government agency having jurisdiction over a particular performance;
- f. Performances that touch upon national policy; religious, racial and cultural issues; and performances that may be harmful to the interest of the general public; and
- g. Other reasons deemed reasonable by JK-PUSPAL.

15.2 Any party affected by any actions of or decision made by JK-PUSPAL shall not have any rights to claim any damages or compensation from or take any legal action against the Government.

15.3 The organiser or local film production company may submit an appeal within fourteen (14) days of the decision of the JK-PUSPAL meeting. An appeal may be submitted only once and all decision shall be final.

16. RESPONSIBILITY OF THE ORGANISER OR LOCAL FILM PRODUCTION COMPANY

The organiser or local film production company shall comply with the following:

16.1 BEFORE FA PERFORMANCE OR FILMING

- a. To make payment of the FA withholding tax (the rate of withholding tax is 15% of the FA gross income) to the Inland Revenue Board of Malaysia (provision under Section 109A for imposition of tax and the rates in accordance with Schedule 1 Part 2 of the Income Tax Act 1967 [Act 53]);

- b. To obtain the PLIK from the Immigration Department of Malaysia. Carrying out FA performance or filming without the PLIK is an offence under Sub-regulation 39(b) of the Immigration Regulations 1963, i.e. an offence of misusing the social visit pass, special pass or others;
- c. In the case of applications under the category of hotels and entertainment premises, to obtain an entertainment licence or permit from the local authority before submission of the application to JK-PUSPAL;
- d. To refund ticket payments to purchasers should the performance be cancelled by the organiser;
- e. To be responsible to the FA and/or FC as well as the FA performance or filming as set out in the letter of undertaking included in the application form; and
- f. To comply with any provisions of the law, regulations and code of ethics in force throughout the duration of the FA performance or filming.

16.2 DURING THE FA PERFORMANCE OR FILMING

- a. The organiser or local film production company is required to be present during the performance or filming;
- b. FA performances held or filming carried out at locations not approved by PUSPAL is prohibited. Performances is held outside the location endorsed in the PLIK contravenes the condition of the pass issued in accordance with Sub-regulation 39(b) of the Immigration Regulations 1963;
- c. To ensure adequate security control is provided for the FA and/or FC and visitors throughout the duration of the FA performance or filming;
- d. To ensure involvement of local artistes and/or local crew in the FA performance or filming; and
- e. To give cooperation to the PUSPAL monitoring team.

16.3 AFTER FA PERFORMANCE OR FILMING

- a. To ensure that the FA and/or FC does not stay exceeding the approved period and the PLIK period issued under paragraph 15(1)(c) of the Immigration Act 1963;
- b. To make any relevant rental or service payments; and

- c. To attend the JK-PUSPAL meeting in order to provide explanation in the event of any breach.

17. ACTION TAKEN AGAINST BREACH OF THE PUSPAL GUIDELINES

- 17.1 In the event of any breach of the PUSPAL Guidelines, legal action may be taken against the relevant organiser or local film production company or its agents pursuant to the Entertainment (Federal Territory of Kuala Lumpur) Act 1992 [Act 493], the state Entertainment Enactment or Entertainment Control Enactment, subject to the facts of the breach committed.
- 17.2 In addition, JK-PUSPAL shall have the power to take any administrative action as follows:
 - a. In the case of a first time offence, a warning letter concerning the breach of the PUSPAL Guidelines will be issued to the organiser or local film production company;
 - b. In the case of a second time offence, a show-cause letter will be issued. The organiser or local film production company shall be required to provide an explanation within fourteen (14) days of the date of the said show-cause letter. Failure of the organiser or local film production company to submit an explanation will affect future applications;
 - c. If the explanation given is deemed to be unreasonable, the relevant organiser or local film production company will be required to provide further explanation at the JK-PUSPAL meeting; and
 - d. If the further explanation given is unsubstantiated, JK-PUSPAL may blacklist the organiser or local film production company for a period of three (3) to six (6) months, depending on JK-PUSPAL's consideration. If the same offence is repeatedly committed, the organiser or local film production company shall not be permitted to make any applications for a longer period as deemed reasonable and appropriate by JK-PUSPAL.

18. POWERS OF THE MINISTER

- 18.1 The Minister may, through written instructions to JK-PUSPAL, amend, add to or exempt the application of any provision, term, condition or procedure set out in these Guidelines as he deems necessary or appropriate for the purposes of improving or avoiding any difficulties in relation to the implementation of the Guidelines and Procedures for Application.
- 18.2 Any written instruction from the Minister, whether in the form of an amendment to, addition to or exemption of any provision, term, condition or procedures set out in these Guidelines and Procedures for Application, shall commence on the date the instruction is issued or on any dates specifically stated in the said written instruction.

19. APPLICATION PROCEDURES, GUIDELINES AND REGULATIONS FOR FILMING

The procedures are as set out in **APPENDIX A**.

20. APPLICATION PROCEDURES, GUIDELINES AND REGULATIONS FOR FA PERFORMANCE

The procedures are as set out in **APPENDIX B**.

21. WORK FLOW CHART FOR APPLICATION FOR FA FILMING AND PERFORMANCE

The flow chart is as set out in **APPENDIX C**.

JK-PUSPAL Secretariat Unit

Ministry of Communications and Multimedia of Malaysia

December 2014

APPLICATION PROCEDURES, GUIDELINES AND REGULATIONS FOR FILMING

A. APPLICATION PROCEDURES

1. Applications shall be submitted to:

Chairman of JK-PUSPAL

Ministry of Communications and Multimedia of Malaysia

24th Floor, Ministry of Communications and Multimedia Complex

Lot 4G9, Persiaran Perdana, Precinct 4

62100, PUTRAJAYA

Tel. : (6)03-89115356

Fax : (6)03-89115360

2. Applications shall be submitted using the PUSPAL form that can be obtained from the JK-PUSPAL Secretariat Unit or that may be downloaded from the following websites:

<http://www.kkmm.gov.my> or <https://epuspal.kkmm.gov.my>

3. Foreign film production companies must appoint a local film production company having a film production licence issued by FINAS. The foreign film production company may also be represented by a local film production company comprising any government agency. The local film production company is responsible for the management of all matters until completion of filming.

4. In the case of applications for filming in Sabah and Sarawak, applications must be submitted to JK-PUSPAL and the Sabah or Sarawak state government at the following addresses:-

Sabah State Secretary

Domestic and Research Affairs

Sabah Chief Minister's Department

4th Floor, Wisma Innoprise, Teluk Likas

88817 Kota Kinabalu, Sabah

Tel. : 088-328000

Fax : 088-328038

Sarawak State Secretary

Chief Minister's Department

(General Administration and Public Affairs Unit)

8th Floor, Wisma Bapa Malaysia, Petra Jaya

93502 Kuching, Sarawak

Tel. : 082-441957

Fax : 082-444321 / 082-445116

5. Applications shall comprise the following:

The supporting documents which must be submitted based on the type of film:

No.	Type of Film	Supporting Document
i.	Advertisement	Story board
ii.	Documentary	Treatment / Synopsis
iii.	Feature film	Script and synopsis
iv.	TV programme	Segment synopsis

The script / synopsis / treatment / story board must be submitted to the PUSPAL Secretariat and the Corporate Communications Division of the Inspector General of Police Secretariat in English or its translation in Malay.

6. Checklist of documents to be submitted to the PUSPAL Secretariat, in accordance with the requirements of the government agency, is as follows:

6.1 JK-PUSPAL Secretariat Unit

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the local film production company letterhead) addressed to the Chairman of JK-PUSPAL	1	-
2.	PUSPAL application form	1	-
3.	Script / Synopsis / Treatment / Story board (in Malay or English only)	1	-
4.	The contract between the foreign film production company and the local film production company (duly stamped by the Inland Revenue Board)	-	1
5.	<p>Details of the local crew involved, i.e. name, NRIC no., telephone no. and association membership no.</p> <ul style="list-style-type: none"> • Filming crew must consist of 30% local crew who are members of the local film association; • The local crew must be involved in technical work so as to ensure transfer of expertise or technology; • Applicants who wish to engage the services of local crew may contact the PROFIMA at 03-41060116 or profima.malaysia@gmail.com 	1	-
6.	Film production licence issued by FINAS	-	1
7.	Background of the foreign film production company and background of the filming	1	-
8.	Certificate of registration of business, association or organisation (for first time applications)	-	1
9.	The letter of authorisation granted to the agent dealing with PUSPAL	1	-

6.2 The Royal Malaysian Police (RMP)

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the local film production company letterhead) addressed to the Special Branch of the Royal Malaysian Police, Bukit Aman	1	-
2.	PUSPAL application form	-	1
3.	Coloured passport-sized photograph of each FA	1	-

	and/or FC member (attached to the space for photograph of the PUSPAL form)		
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6.3 Inland Revenue Board

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the local film production company letterhead) addressed to the Inland Revenue Board, Non-Resident Branch	1	-
2.	PUSPAL application form	-	1
3.	NR/RPS1 form	-	1
4.	The contract between the foreign film production company and the local film production company (duly stamped by the Inland Revenue Board)	1	-

6.4 Immigration Department of Malaysia

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the local film production company letterhead) addressed to the Immigration Department of Malaysia	1	-
2.	The letter of authorisation granted to the agent dealing with PUSPAL	-	1
3.	PUSPAL application form	-	1
4.	Bank guarantee for application by foreign company from China only	1	-
5.	Security bond (duly stamped by the Inland Revenue Board)	1	-
6.	Personal bond (duly stamped by the Inland Revenue Board)	1	-
7.	IMM.12 form for new application	1	-
8.	IMM.55 form for application for extension	1	-
9.	Certificate of registration of business, association or organisation (for first time application)	-	1
10.	Coloured passport-sized photograph for each FA and/or FC member	2	-
11.	Passport of each FC member (all pages)	-	1
12.	The contract between the foreign film production company and the local film production company (duly stamped by the Inland Revenue Board)	-	1

6.5 Royal Malaysian Customs Department

Applications must be submitted directly to the Royal Malaysian Customs Department. The local film production company is advised to inform the management of the FC involved to use the ATA CARNET facilities available in the FC's country of origin in order to facilitate and smoothen the process of bringing the necessary equipment and articles into Malaysia.

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the local film production company letterhead) addressed to the Royal Malaysian Customs Department	1	-
2.	PUSPAL application form	-	1
3.	CUSTOMS form no. 1 or ATA CARNET form	1	-

B. APPLICATION PROCESSING PERIOD

1. The Secretariat prepares a verified summary for the consideration of JK-PUSPAL.
2. JK-PUSPAL convenes a meeting to consider the application.
3. In certain cases, the local film production company will be called to attend the meeting in order to provide clarification.
4. A complete application shall be submitted at least fourteen (14) days before the date of the filming. The minimum duration of processing an application is five (5) working days, whereas in the case of an application for filming in Sabah and Sarawak, the application will be processed within at least twenty-one (21) days, provided the application submitted is complete.

C. WORK PERIOD

The period to enter and work must not exceed the maximum period of one hundred and eighty (180) days.

D. FILMING GUIDELINES AND REGULATIONS

1. The local film production company shall issue a letter of undertaking that the foreign production company will fully comply with the stipulated conditions and regulations.
2. Filming shall be changed or postponed if the specified location, date or time of shooting is not suitable after taking into consideration the safety, public peace, local sensitivities or other aspects concerning the regulations of the other relevant agencies. The period of postponement allowed shall be one (1) month. If the period of postponement exceeds one (1) month, a new application must be made to JK-PUSPAL.

3. The film crew must comprise at least 30% local crew. However, consideration will be given according to reasonable circumstances based on the requirements of filming.
4. The local film production company shall deal with the RMP concerning the assistance and services required, whether involving the role of the RMP in the film, crowd control, traffic control (by stating the location address, date and time of filming) or any other assistance required, within twenty-one (21) days of the date of filming.
5. The services of the RMP officers and personnel shall be paid for and insurance coverage shall also be provided.
6. The local film production company shall be liable to pay damages to the relevant RMP department in the event of any damage done to any premises or assets of the RMP.
7. The local film production company shall ensure that the foreign film production company has group insurance coverage.
8. Script / Synopsis / Treatment / Story board

The script / synopsis / treatment / story board shall not contain subjects or items that:

- 8.1 Against Government policies and the National Principles;
 - 8.2 Damaging to the country's image;
 - 8.3 Touch upon religious, racial and cultural issues of Malaysians and that may be detrimental to the public interest;
 - 8.4 Exhibit provocative behaviour or scenes which are contrary to the code of ethics of Malaysians;
 - 8.5 Promote tobacco products and/or liquor;
 - 8.6 Insult and deride the sanctity of the Islamic religion as well as the other religions in Malaysia; and
 - 8.7 Portray racial, religious, cultural discord and the like which may give rise to threats to the country's security and harmony.
9. Filming shall be carried out according to the approved script / treatment / synopsis / story board and filming schedule.
 10. Filming at or using images of prohibited locations as stipulated by the Government is not permitted, except with the approval of the parties responsible.
 11. All FAs and/or FCs shall respect the code of ethics and moral values of Malaysians.
 12. No activities that may cause damage and pollution to the environment and public property shall be carried out.
 13. Filming is encouraged to be done at interesting tourist locations, showcasing the country's unique culture, arts and local products.

14. The local film production company is required to submit the product of the filming done, in the form of DVD or any suitable format, for JK-PUSPAL's reference before the same is screened or before any period to be stipulated.
15. The credit title shall include the fact that the said film or scenes therein have been filmed in Malaysia.

E. CHANGE OF DATE

Change of date is permitted not later than seven (7) days after the date of commencement of filming.

F. REVOCATION OF APPROVAL

1. JK-PUSPAL may revoke the approval given for filming on the following grounds:
 - 1.1 Breach of any condition of the PUSPAL Guidelines by the local film production company or the FA or FC or the foreign film production company;
 - 1.2 On the direction of the local authority;
 - 1.3 On the direction of the RMP;
 - 1.4 On the direction of any other government agency having jurisdiction over the filming;
 - 1.5 The filming involves matters related to the public interest and national policy; and
 - 1.6 The film touches upon religious, cultural and racial sensitivities.
2. Any party affected by any action of or decision made by JK-PUSPAL shall have no rights to claim any damages or to take any legal action against the Government.

G. AMENDMENT

These procedures are subject to further amendments that may be made from time to time.

APPLICATION PROCEDURES, GUIDELINES AND REGULATIONS FOR FA PERFORMANCE

A. APPLICATION PROCEDURES

1. Applications shall be submitted to:

Chairman of JK-PUSPAL

Ministry of Communications and Multimedia of Malaysia

24th Floor, Ministry of Communications and Multimedia Complex

Lot 4G9, Persiaran Perdana, Precinct 4

62100, PUTRAJAYA

Tel. : (6)03-89115356

Fax : (6)03-89115360

2. Applications shall be submitted using the PUSPAL form that can be obtained from the JK-PUSPAL Secretariat Unit or that may be downloaded from the following websites:

<http://www.kkmm.gov.my> or <https://epuspal.kkmm.gov.my>

3. Applications for FA performance shall be made through the organiser. In the case of applications for FA performance in Sabah and Sarawak (not including the Federal Territory of Labuan), the same shall be submitted directly to the Sabah and/or Sarawak state governments at the following addresses:

Sabah State Secretary

Domestic and Research Affairs

Sabah Chief Minister's Department

4th Floor, Wisma Innoprise, Teluk Likas

88817 Kota Kinabalu, Sabah

Tel. : 088-328000

Fax : 088-328038

Sarawak State Secretary
 Chief Minister's Department
 (General Administration and Public Affairs Unit)
 8th Floor, Wisma Bapa Malaysia, Petra Jaya
 93502 Kuching, Sarawak
 Tel. : 082-441957
 Fax : 082-444321 / 082-445116

4. Checklist of documents to be submitted to the PUSPAL Secretariat, according to the requirements of the government agency, are as follows:

4.1 JK-PUSPAL Secretariat Unit

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the organiser's letterhead) addressed to the Chairman of JK-PUSPAL	1	-
2.	PUSPAL application form	1	-
3.	Synopsis / script for theatre, stand-up comedy or poetry reading categories (whichever is relevant)	1	-
4.	Letter of approval from the owner of the performance location	-	1
5.	The contract between the FA and the organiser (duly stamped by the Inland Revenue Board)	-	1
6.	The contract between the local artiste and the organiser – for performances under the category of hotels and entertainment premises (duly stamped by the Inland Revenue Board)	-	1
7.	The entertainment licence issued by the local authority for the performance location	-	1
8.	Certificate of registration of business, association or organisation (for first time application)	-	1
9.	DVD/VCD/CD albums for promotional or other categories, if required	1	-
10.	Album lyrics or product description (in Malay or English) for promotional category	-	1
11.	Letter of authorisation granted to the agent dealing with PUSPAL	1	-

4.2 The Royal Malaysian Police (RMP)

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the organiser's letterhead) addressed to the Special Branch of the RMP, Bukit Aman	1	-
2.	PUSPAL application form	-	1
3.	Coloured passport-sized photographs of each FA and/or FC member (attached to the space for photograph of the PUSPAL form)	1	-
4.	RMP form (if bringing equipment or props which are explosive in nature into Malaysia)	1	-

4.3 Inland Revenue Board

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the organiser's letterhead) addressed to the Inland Revenue Board, Jalan Duta Branch	1	-
2.	PUSPAL application form	-	1
3.	Performa B form	1	-
4.	The contract between the FA and/or FC and the organiser (duly stamped by the Inland Revenue Board)	1	-

4.4 Royal Malaysian Customs Department

Application must be submitted directly to the Royal Malaysian Customs Department. The organiser is advised to inform the management of the FA involved to use the ATA CARNET facilities available in the FA's country of origin in order to facilitate and smoothen the process of bringing the necessary equipment and articles into Malaysia.

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the organiser's letterhead) addressed to the Royal Malaysian Customs Department	1	-
2.	PUSPAL application form	-	1
3.	CUSTOMS form no. 1 or ATA CARNET form	1	-

4.5 Ministry of Home Affairs (in cases involving album promotion)

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the organiser's letterhead) addressed to the Ministry of Home Affairs (Publication and Quranic Text Control Division)	1	-
2.	PUSPAL application form	-	1
3.	DVD/VCD/CD and album lyrics for album promotion category	1	-

4.6 Immigration Department of Malaysia

NO.	DOCUMENT	ORIGINAL	COPY
1.	Application letter (using the organiser's letterhead) addressed to the Immigration Department of Malaysia	1	-
2.	The letter of authorisation granted to the agent dealing with PUSPAL	1	-
3.	PUSPAL application form	-	1
4.	Bank guarantee	1	-
5.	Security bond (duly stamped by the Inland Revenue Board)	1	-
6.	Personal bond (duly stamped by the Inland Revenue Board)	1	-
7.	IMM.12 form for new application	1	-
8.	IMM.55 form for application for extension	1	-
9.	Certificate of registration of business, association or organisation (for first time application)	-	1
10.	Coloured passport-sized photograph for each FA and/or FC member	2	-
11.	Passport of each FA and/or FC member (all pages)	-	1
12.	The contract between the FA and/or FC and the organiser (duly stamped by the Inland Revenue Board)	-	1
13.	The contract between the local artiste and the organiser for performances under the hotel or entertainment premises category (duly stamped by the Inland Revenue Board)	-	1

B. APPLICATION PROCESSING PERIOD

1. The Secretariat prepares a verified summary for the consideration of JK-PUSPAL.
2. JK-PUSPAL convenes a meeting to consider the application.

3. In certain cases, the organiser will be called to attend the meeting in order to provide clarification.
4. A complete application shall be submitted at least fourteen (14) days before the date of the FA performance or filming. The minimum duration of processing an application is five (5) working days, provided the application submitted is complete.

C. PERFORMANCE GUIDELINES AND REGULATIONS

1. Category

1.1 FAs and/or FCs are divided into the following categories:

Category	Type of Performance	
A Stage	A1	Singing
	A2	Music
	A3	Dance
	A4	Concert
	A5	Theatre
	A6	Circus
	A7	Acrobatic
	A8	Martial Arts
	A9	Magic
	A10	Emcee/Comedian/Stand-up comedy
	A11	Promotion
	A12	DJ
B Opera / Religious	B1	Chinese
	B2	Buddhist
	B3	Hindu

- 1.2 FAs and/or FCs in category B include artistes brought in individually for their roles in an opera in support of the local artistes or operatic company in existence in the country.
- 1.3 FAs and/or FCs in category B will be considered based on the religion and customs covered by the Chinese, Buddhist and Hindu operas.
- 1.4 The performance location of the FAs and/or FCs under category B shall be at Buddhist, Chinese and Hindu temples, and other locations approved by the local authority.
- 1.5 The schedule and location of the performance under category B shall be as determined by JK-PUSPAL and any changes must be notified in writing for the consideration of JK-PUSPAL.
- 1.6 In the case of FA performance at hotels and entertainment premises, the JK-PUSPAL approval letter for the performance shall be displayed at a clearly visible place for public viewing.
- 1.7 FAs and/or FCs under categories A1 and A2 who are performing especially at entertainment centres are encouraged to perform several local songs.
- 1.8 The FAs and/or FCs intended to be brought in for a performance are not permitted to perform for another organiser or at a different location during the same period, except after the expiration of their contracts with the previous organiser. The overall period of entry by FAs and/or FCs shall not exceed the maximum period allowed.
- 1.9 The goods carried by the FAs must be declared and shall be subject to the approval of the Royal Malaysian Customs Department during the import or export of the same to and from the country.

2. Work Period

- 2.1 For FAs and/or FCs under categories A1-A10, the entry and temporary work period shall not exceed the maximum period of ninety (90) days, except for FAs and/or FCs from ASEAN countries who are allowed to enter and work for a period of one hundred and eighty (180) days including extension period. Approval for a period of up to one (1) year may be given for applications for large scale productions from overseas.
- 2.2 For FAs under category A11, for the promotion of album and product, the entry and temporary work period shall not exceed seven (7) days.

- 2.3 For FAs under category A12, the entry and temporary work period shall not exceed thirty (30) days, whereas the cooling period for the same premises shall be seven (7) days.
 - 2.4 For FAs and/ or FCs under category B, the performing period shall be one hundred and eighty (180) days. However, interim approval will be given for the first ninety (90) days. For the extension period of the following ninety (90) days, approval will be given based on JK-PUSPAL's evaluation.
 - 2.5 For FAs and/or FCs under category A, second applications are only allowed after the expiration of the first performance period.
3. Number of FAs
 - 3.1 The number of FAs at a particular entertainment premise shall not exceed ten (10) at any one time, subject to the stipulated Schedule B1. However, consideration will be given according to a reasonable number based on the requirements of the performance.
 - 3.2 Under the opera category, the number of FAs and/or FCs must not exceed thirty (30) at any one time. However, consideration will be given according to a reasonable number based on the requirements of the performance.
4. Preview
 - 4.1 JK-PUSPAL may require a preview of or pre-listening to any FA performance, whether live or in the form of a recording, before the application is approved.
 - 4.2 Failure to comply with this requirement may affect the organiser's future applications.
5. Dress Code and Code of Conduct during the Performance
 - 5.1 Each performance will be subject to the following code of ethics:
 - 5.1.1 Dress Code
 - a. Dress code for male FAs

Male FAs shall dress appropriately and not provocatively, and are prohibited from:-

 - i. wearing shorts (underwear or provocative dressing);
 - ii. wearing clothes that display any symbol, picture or words that are vulgar in nature, that touch upon religious, racial and cultural issues, or display brands of cigarettes, liquor and drugs;
 - iii. taking off clothes during their performance; and

iv. any other conditions stipulated by the local authority.

b. Dress code for female FAs

Female FAs shall dress appropriately and not provocatively, and are prohibited from:

i. wearing clothes that expose the chest area or that are too high above the knees;

ii. wearing clothes with high slits, and clothes that are too tight or figure-hugging;

iii. wearing see-through clothes that display underwear or the figure; and

iv. any other conditions stipulated by the local authority.

5.1.2 Conduct during the Performance

FAs are prohibited from displaying actions and speech that may cause discomfort to the audience and that touch upon religious and social sensitivities, and are contrary to the cultural values of the local society such as:

a. Performing in a wild manner, provocatively and displaying actions that are contrary to the performance code of ethics;

b. Throwing objects towards the audience;

c. Displaying actions or speech that is indecent, with provocative acts such as kissing, kissing a member of the audience or carrying out such actions among themselves;

d. Performing actions or making utterances that may be deemed as seditious, calling on the audience to be proud of a particular class of society or religion in the context of racial polarisation that may affect the country's stability;

e. Entertaining or mingling with the audience at any time whereas their performance should be limited to the stage; and

f. Any other conditions stipulated by the local authority.

6. Basis of Consideration for Extension of Performance

An application to extend a performance will be considered, subject to:

- 6.1 an application being submitted at least fourteen (14) days before the expiry of the period of FA performance:
 - 6.1.1 online; and
 - 6.1.2 by hand or post to the JK-PUSPAL Secretariat.
- 6.2 no comment or negative report being received from any parties against the FAs, their performance or the organisers during the previous performance.
- 6.3 for FAs under categories A1-A10, an application for extension of FAs and/or FCs from non-ASEAN countries may be considered for a specified period, with support from JK-PUSPAL and subject to approval from the Immigration Department of Malaysia.
- 6.4 for FAs and/or FCs under category B, application for extension may be considered subject to JK-PUSPAL's evaluation.

7. Special Conditions

- 7.1 Concert / singing
 - 7.1.1 The organiser must involve local artistes in each FA performance.
 - 7.1.2 At least 30% of the technical staff for the FA performance shall be Malaysian citizens. However, consideration will be given according to the requirements of the performance.
 - 7.1.3 The duration of a large scale performance shall not exceed one (1) day, subject to the local authority's approval of the time of performance.
 - 7.1.4 Large scale performances should, as best as possible, be held indoors to facilitate security control and to avoid disturbance to public peace, such as from loud noise.
 - 7.1.5 The organiser must submit a safety procedure plan during the submission of application to PUSPAL and if required, the organiser will be called to be present in order to provide detailed explanation.
 - 7.1.6 The organiser must appoint trained security officers. The number of security officers must be reasonably commensurate with the expected size of the audience.
 - 7.1.7 The organiser is required to involve the Government enforcement and security agencies, as well as a medical team, at the location of the performance, according to reasonable circumstances.
- 7.2 Performance based on Electronic Dance Music (EDM)
 - 7.2.1 Any activity related to cigarettes, drugs and liquor is **STRICTLY** prohibited.

- 7.2.2 Performances must be held indoors in order to facilitate security control and to prevent disturbance of public peace such as from loud noise.
- 7.2.3 The organiser must submit a safety procedure plan during the submission of application to PUSPAL and if required, the organiser will be called to be present in order to provide detailed explanation.
- 7.2.4 The duration of the performance shall not exceed five (5) hours beginning from 8 pm until 1 am. The performance is limited to one (1) day only and shall not be held consecutively.
- 7.2.5 The size of the audience must not exceed 10,000 people and must be limited to persons aged 21 years and above. Adequate entry and exit points must be provided as appropriate.
- 7.2.6 The organiser must employ trained security officers. The number of security officers provided must be at a ratio of one officer to 50 people (1:50).
- 7.2.7 The organiser must involve enforcement and security agencies such as the Royal Malaysian Police, the local authority, the National Anti-Drug Agency, the People's Volunteer Corps (RELA) and the Civil Defence Department. Each agency shall be given its own special area at the performance location to facilitate the discharge of duties.
- 7.2.8 The organiser must provide trained drug sniffer dogs.
- 7.2.9 Bag and body checks must be carried out on members of the audience by the security officers at all entry points.
- 7.2.10 The performance location must be equipped with closed circuit television.
- 7.2.11 The performance location must have adequate parking facilities and must not obstruct the public traffic flow.
- 7.2.12 The organiser must appoint a team of paramedics qualified to administer emergency response. The number of medical team members provided must be at a ratio of two personnel to 500 people (2:500). Meanwhile, the number of ambulances provided must be at a ratio of one ambulance for every thousand people (1:1000).
- 7.2.13 The performance location must be easily accessible to personnel and emergency response vehicles, and must also be equipped with special areas designated for treatment.
- 7.2.14 The organiser must provide adequate drinking water for the audience for the whole duration of the performance. The drinking water must be placed in areas easily accessible to the audience.
- 7.2.15 The organiser must make health and safety announcements before and during the performance.
- 7.2.16 The organiser shall comply with all fire safety regulations stipulated by the Fire and Rescue Department of Malaysia.

7.3 Album Promotion

FAs may submit a new application for promotion of the same album. However, the new application may only be submitted at least ninety (90) days after the end of the previous promotion period of the album.

7.4 Hotels and Entertainment Premises

7.4.1 FA performances in hotels are only permitted for hotels with a rating of four (4) stars and above.

7.4.2 Special consideration may be given to three (3)-star hotels located within tourist zones (such as on resort islands) or in state capitals for a maximum period of ninety (90) days in a year, regardless of the number of performance outlets. FAs are limited to one (1) group at any one time.

7.4.3 Change of or name change of the performance outlet must be made known to JK-PUSPAL.

7.4.4 All performance outlets, located in an area or location within a hotel building, rented by the organiser shall be deemed to be fully owned by and under the full responsibility of the organiser concerning any matters related to the FA performance.

7.4.5 FA performance at shopping centres, private clubs and the like may be permitted if agreed by JK-PUSPAL and shall be subject to approval by the local authority.

7.4.6 FA performance at entertainment premises are only permitted for premises located within commercial zones or in main visitor attractions.

7.4.7 The ratio of artistes shall be 70:30, i.e. 70% local artistes and 30% FAs. Nevertheless, consideration will be given according to reasonable circumstances based on the requirements of the performance.

7.4.8 Local artiste performance must not be less than five (5) days in a week and the performance time shall be between 8.00 o'clock at night and 12.00 midnight. However, consideration will be given according to the appropriate time considered by JK-PUSPAL.

7.4.9 The organiser must comply with the use of outlet regulations as follows:

a. One Performance Outlet

- i. Performances must be held alternately between local artistes and FAs;
- ii. Ninety (90) days must be allocated for FA performances and the following ninety (90) days shall be for local artiste performances.

b. Two Performance Outlets

- i. Either one of the outlets shall be filled by local artistes while the other outlet may be filled by FAs the whole year;
 - ii. Alternate performances by local artistes and FAs at the performance outlets in the same premises are permitted.
- c. Three Performance Outlets
 - i. One outlet must be filled by local artistes for the whole year while another outlet may be filled by FAs.
 - ii. The third outlet must be filled alternately by local artistes for ninety (90) days followed by FAs for the next ninety (90) days.
- d. More Than Three Performance Outlets
 - i. Two performance outlets must be permanently filled by local artistes;
 - ii. The third performance outlet may be filled by FAs the whole year;
 - iii. The other performance outlets may be filled alternately or combined.

7.4.10 Transfer of FAs

- a. The FAs shall observe a cooling period of thirty (30) days before transferring from one entertainment premises to another entertainment premises, whether at the expiration of their contract or upon termination of the contract by either party, except with approval of JK-PUSPAL.
- b. FAs from non-ASEAN countries performing for less than three (3) months may carry out performances at other venues without observing the cooling period subject to the following conditions:
 - i. the prior approval of JK-PUSPAL; and
 - ii. Obtaining the PLIK for the new performance period from the Immigration Department of Malaysia.

7.4.11 Change of FA in a Group

Change of FA is permitted subject to the following conditions:

- a. Date of expiry is the same as that of the original group;
- b. The organiser is allowed to make not more than two (2) changes for each approved application; and

- c. The organiser must give written notification to JK-PUSPAL of the reason for the changes, together with supporting documents.

D. REVOCATION OF APPROVAL

1. JK-PUSPAL may revoke its approval based on the following:
 - 1.1 breach of any conditions of the Guidelines by the organiser/FA;
 - 1.2 on the instruction of the local authority;
 - 1.3 on the instruction of the RMP;
 - 1.4 on the instruction of the government agency having jurisdiction over performance;
 - 1.5 for reasons related to public interest and national policy;
 - 1.6 for reasons related to religious, cultural and racial sensitivities.
2. Any party affected by the actions of or decisions made by JK-PUSPAL shall have no rights to claim any damages or compensation from the Government, nor shall they have any right to take any legal action against the Government.

E. AMENDMENTS

These application procedures may be subject to further amendments from time to time.