

APPENDICES TO GENERAL GUIDELINES

PETRONAS LICENSE / REGISTRATION APPLICATIONS



Licensing and Registration Licensing & Local Capability Development Group Procurement

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GLOSSARY & APPENDICES

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	GLOSSARY					
Term	Definition / Explanation					
Berhad Company	Berhad Company which is listed in Bursa Malaysia					
Employee	 Employees of the company which includes:- Executive Directors or working-position directors Management employees for any employment status i.e. permanent, contract, secondment etc. Non-management employees (executive and non-executive) on permanent basis only. 					
Form 9 / Notice of Registration	 Certificate of incorporation of Company Document indicating that the company was incorporated in Malaysia 					
Form 24 / Section 78	 Return of Allotment of Shares Document indicating additional shareholding 					
Form 32A / Section 105	 Form of Transfer of Securities Document indicating transfer of share to new shareholders 					
Form 49 / Section 58	 Return Giving Particulars In Register of Directors, Managers and Secretaries and Changes of Particulars Document indicating the latest member of Board of Directors 					
Form of Annual Return (FOAR) / Section 68	 Form of Annual Return of a Company Having a Share Capital Document indicating the latest shareholding and Board of Directors 					
General SWEC	Products or services which are less complex, less critical to the business and require low investment; easily available in the market					
License	 License is required for any entity that wishes to supply goods / services for the upstream sector in the oil and gas industry in Malaysia (which involves exploration, development and production of oil and gas) With a valid License, an entity is allowed to supply goods / services to the upstream sector in the oil and gas industry in Malaysia and the downstream sector of PETRONAS Group of Companies 					
Management	Employees (permanent, contract or secondment) sitting in <u>managerial positions and above</u> , e.g. Executive Director, Managing Director, Project Manager, Finance Manager, HR Manager, etc.					
Minimum Technical Requirement (MTR)	Set of requirements a company needs to comply when applying for a particular SWEC. Not all SWECs are imposed with MTR; normally required for Strategic SWECs					
Registration	PETRONAS has made a policy that requires an entity to register with PETRONAS before participating in tender for supply of goods / services to the downstream sector of PETRONAS Group of Companies					

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GLOSSARY						
Term	Definition / Explanation					
ROS	Registration of Supplier:					
	Online system for the <u>first time application</u> by company to apply for PETRONAS License / Registration					
sus	Suppliers Self Service:					
	Online system for Licensed / Registered company to manage application for PETRONAS License / Registration i.e. renewal, extension of scope, upgrade from registration to license, etc.					
Strategic SWEC	Products or services of high complexity, high business impact, and / or high investment					
SWEC	SWEC (Standardised Work & Equipment Categories) is a work and equipment category relating to both upstream and downstream requirements in the oil and gas industry in Malaysia					
Top Management	A salaried employee with the <u>highest ranking position</u> in the company (e.g. Chairman/Chairwoman, CEO, MD, President, Executive Director, etc.) which is responsible for the entire corporation					

DOCUMENT CHECKLIST FOR <u>NEW / RENEW / UPGRADING REGISTRATION TO LICENSE</u> APPLICATIONS

No.	Requirement / Documentation	Explanation and Important Attachments			
1.0	Registered with Companies Commission of Malaysia (SSM)	 a. Company must be locally incorporated as a `Sdn Bhd' or `Berhad' company. b. Company information must be consistent with SSM, including but not limited to the following items: ROC No. Paid-up Capital Shareholders and the respective equity Board of Director c. Exception is given to profesional bodies, i.e. Board of Land Surveyor for 'Land Surveyor', Board of Valuers, Appraisers and Estate Agents Malaysia for 'Valuer', Board of Architects Malaysia for 'Architectural firm' or other relevant professional bodies. Company is required to submit the relevant registration/certification of the professional body. d. Information on Management and Employees are self-declared by Company. 			
2.0	Latest Form of Annual Return of a Company Having a Share Capital (FoAR) / Section 68	FoAR must be within 18 months from date of application submitted. Not applicable for Company which was incorporated less than 18 months from date of application submitted.			
2.1	For `Berhad' public—listed Company:- List of Equity Breakdown	 a. Company is required to provide the latest list of shareholding, which is within 3 months from the date of application submitted. b. Please refer to Appendix 2 – List of Equity Breakdown for 'Berhad' Company 			
2.2	For Company which is owned by another company	 a. If Company's share is owned by other companies ('Sdn Bhd' or 'Bhd' Company) at the 'Shareholder Level', Company has to provide the following forms of the other shareholding company: SSM Company Information FoAR /Section 68 Form 24/Section 78 and/or Form 32A/Section 105 b. Please refer to Appendix 3 (a) - Example of Shareholding Structure and Appendix 3 (b) - Company with Shares Owned by Other Company. 			
3.0	Latest Annual Audited Report (AAR)	 a. AAR must be <u>audited</u>, <u>signed by Auditor & Commissioner for Oaths</u> and <u>must not exceed 18 months</u> from Company's financial year-end date. b. The Shareholders' Fund must be <u>positive</u>. If the Shareholders' Fund is negative, the application will not be accepted. c. Exception is given to Company which is: Incorporated less than 18 months from date of application submitted. However, if the company was incorporated for more than 3 months, company has to submit the latest (ie a month before date of application submitted) <u>Management Accounts for the year duly signed by Company's Management</u>. Not a 'Sdn Bhd' or 'Berhad' (i.e. under professional body category). However, Company has to submit its Annual Financial Statement not exceeding 18 months from Company's financial year-end date, <u>duly signed by Company's Management</u>. 			
4.0	Bank Details	 a. <u>Bank account number</u> declared by Company must belong to the applicant, i.e. companyowned and not individually-owned bank account. b. Verification on the bank account details must be done by the relevant bank. Please refer to <u>Appendix 4</u> – Bank Account Verification for Bank Details. 			
5.0	Meet requirements for the applied SWEC	a. Company must meet the requirements for the applied SWECs which include: i. Minimum Technical Requirements (MTR) ii. Registered with the relevant government bodies, e.g. CIDB, BEM, IMM, etc.			

LIST OF **EQUITY BREAKDOWN** FOR 'BERHAD' COMPANY

Total equity of ABC Berhad (12345-A)

Status	Total number of	Value per share	Total value of share	Percentage	
	share	(RM)	(RM)	(%)	
Bumiputera					
Non-Bumiputera					
Foreign					
Total				100%	

List of Top 20 Shareholders for ABC Berhad (12345-A)

No.	Name of	Individual's		Value per	Total	Percenta	Individual's	Status
	Individual or Name of Company	IC/passport no. or Company's ROC No.	number of share	(RM)	(RM)	(%)	position / director's status	¹ (BM/NB/FG)
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								

¹ 'BM' ((Bumiputera)	/ 'NB'	(Non-Bumiputera	a) / 'FG'	(Foreign
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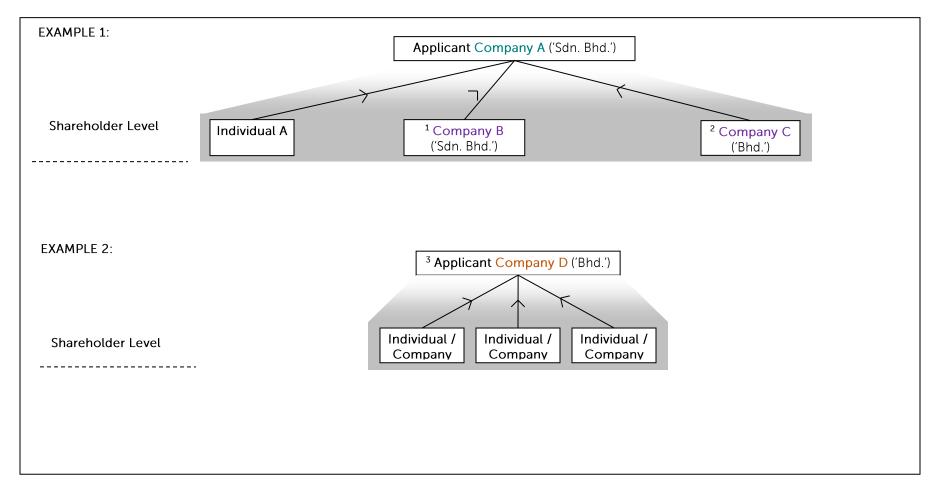
Certified by Company Director/Company Secretary:	
Date:	

Open



SHAREHOLDING STRUCTURE: EXAMPLES OF SHARES OWNED BY OTHER COMPANY

The diagram of the shareholding structure shown below is just an example. Company may not necessarily have the same shareholding structure as illustrated below.



Please refer to next page for further explanation for note 1, 2 and 3.

SHAREHOLDING STRUCTURE: LIST OF DOCUMENTS FOR SHARES OWNED BY OTHER COMPANY

	Description based on Illustration Above – EXAMPLE 1						
Note 1	If applicant (for example Company A) has a Shareholder which is a 'Sdn Bhd' company (for example Company B), applicant must submit:						
	1. SSM Company Information for Company B						
	2. The latest <u>FoAR</u> for Company B						
	a. If Company B was incorporated for less than 18 months, this document is not required to be submitted. However, applicant must submit Form 24 / Section 78, Form 49 / Section 58 or Form 32A / Section 105 (if any) for Company B, issued since its incorporation.						
Note 2	If the 'Shareholder' is a 'Berhad' company (for example Company C), applicant must submit:						
	1. List of Equity Breakdown for 'Berhad' Company (Appendix 2) for Company C.						

	Description based on Illustration Above – EXAMPLE 2						
Note 3	If applicant is a 'Berhad' (public-listed) Company (for example Company D), applicant must submit:						
	1. SSM Company Information for Company D						
	2. The latest <u>FoAR</u> for <u>Company D</u>						
	 a. If Company D was incorporated for less than 18 months, this document is not required to be submitted. However, applicant must submit Form 24 / Section 78, Form 49 / Section 58 or Form 32A / Section 105 (if any), issued since its incorporation. 						
	3. List of Equity Breakdown for 'Berhad' Company (Appendix 2) for Company D						

BANK ACCOUNT VERIFICATION FOR BANK DETAILS

Please attach the list of signatories for the company's cheques together with the original specimen signature for the accounts that are still active.

Bank Name : Account Number :						Company's Name : Account Type : CURF		JRRENT ACCOUNT	
was	confirmed that the following no	ominees have been autho	orized by the cor	npany to sign	cheques f	or the accou	nt above.		
No.	Name		Race	Status (BM/NB/I		IC No/pa	assport	Specimen Signature	
	ning condition (as per noted in the company regarding account bank		Verifiied by (bank	c officer signato	ory)		Original I	bank's stamp:	
e.g: 1 signatory, both signatories, etc.		Name (bank officer) :							
			Date :						
nis apı	pendix must be completed and ver	rified by the bank (signed b	y bank officer and	d contain bank'	s orginial st	amp).			

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LIST OF BANK FOR ONLINE PAYMENT



























(Not available for Retail)































Note: List of participated banks will be updated from time to time. Latest list will be made available in the system (ROS & SUS).

DOCUMENT CHECKLIST FOR MODE OF OPERATION FOR APPLIED SWEC

Types of Operation	Explanation and Important Attachments
Dealer (for products)	a. Dealer is a company that can supply products from any supplier / manufacturer.
	b. Other documents (please refer to relevant SWEC)
Agent (for products or services)	a. Agent is a company that <u>represents a local or foreign Principal*</u> in providing product / service in Malaysia.
	 b. To provide 'Agency appointment letter' from Principal: Please refer to <u>Appendix 7</u> for further information on Agent appointment.
	c. Other documents (please refer to relevant SWEC)
Self-operated (for services)	 Self-operated is a company that carries-out works using its internal resources such as workforce, expertise, facilities and equipment.
	b. Other documents (please refer to relevant SWEC)
Manufacturer	a. List of equipment / machine / hardware / software / vehicle
Assembler	 Manufacturing license from Malaysian Industrial Development Authority (MIDA) or Local Council
Chemical Blender Fabricator	c. Technical / commercial brochure for products
rabilicatoi	d. Factory details and layout plan
Packager	e. Flow chart for the process as e.g. manufacturing processes
System integrator	f. Other documents (please refer to relevant SWEC

^{*}Note: Principal may choose to provide products / services directly or through Agent (exclusive or non-exclusive). For direct dealing with Principal, Special License/Registration may be applied and recommended by business user. This is an interim approach until roll-out of new licensing system in 2019/2020. For any inquiry, please refer to the Licensing & Registration Counter.

DOCUMENT CHECKLIST FOR MODE OF OPERATION FOR RIG / MARINE VESSEL SWECS

A) For Rig Applications

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

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

B) For Marine Vessel Applications

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

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

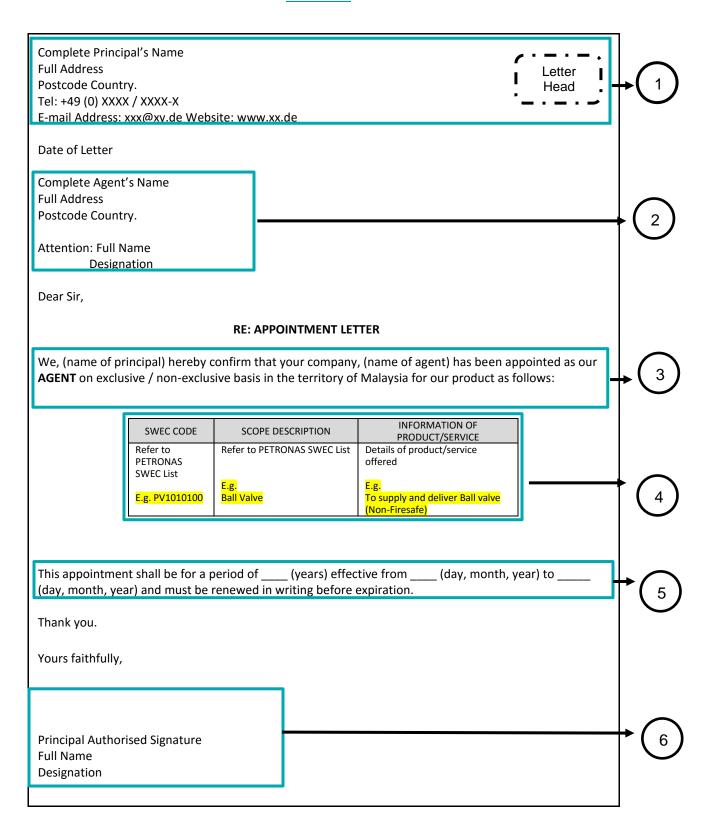
^{*}Applicable for vessel > 500 MT only

Other requirements including list of vessels/rigs, vessel specifications, and other required documents to comply with the Minimum Technical Requirements (MTR) must be provided by Company as attachments in the applications.

AGENCY APPOINTMENT: **GUIDELINE** FOR AGENCY APPOINTMENT LETTER

No.	Key Items	Explanation			
1.	Principal's Information	 a. Principal can either be a local or foreign company. b. Must consist the following Principal's details: Principal's official letterhead Company name Address Telephone number Email address 			
2.	Agent's Information	Agent must be a local company which complies with the Licensing / Registration general requirements			
3.	Coverage of Appointment	 The appointment can either be exclusive or non-exclusive; to be stated clearly in the letter. The coverage for the appointment should also be stated clearly, i.e. Southeast Asia, West Malaysia, East Malaysia, Sabah, Sarawak, etc. 			
4.	Scope of Product/Service	Product/Service supplied must be specified clearly in the appointment letter. Company may follow the following format. SWEC CODE SCOPE DESCRIPTION INFORMATION OF			
		Refer to PETRONAS SWEC List E.g. PA1080000 Refer to PETRONAS SWEC List E.g. Passenger car, motorcycle, pickup truck, etc.			
5.	Duration of Appointment	a. The Appointment Start and End Date must have a complete date consist of day, month & year.			
6.	Letter Signatory	Must consist the following signatory's details: Signed by principal management's team Signatory's full name Signatory's designation			

AGENCY APPOINTMENT: TEMPLATE FOR AGENCY APPOINTMENT LETTER



DOCUMENT CHECKLIST FOR CHANGE OF PRINCIPAL APPLICATION

No.	Requirement / Documentation	Explanation and Reminder	
1.	Appointment letter from the NEW Principal	a. Acceptance of appointment as Agent, if required under the agreed terms & conditions between Agent and Principal.	
2	Termination letter from the PREVIOUS Principal (if applicable)	a. Acceptance/acknowledgement of termination by Agent, if required under the agree terms & conditions between Agent and Principal.	

DOCUMENT CHECKLIST FOR MANUFACTURER, ASSEMBLER, CHEMICAL BLENDER, FABRICATOR, PACKAGER AND SYSTEM INTEGRATOR

Factory/Workshop and List of Equipment

	Factory / fabrication yard / workshop / store						
Addres	SS						
Area				Ownership (p	olease tick 'V')	Self-owned	Rented
Name	of Owner (if rented)			•			
Addres	ss of Owner (if rented)						
		Manufacturing license fro	om Malaysian Ind	dustrial Development A	uthority (MIDA)	/ Local Council	
License	e number			License duration			
Please	include copy of certificat	e for the above manufacturing license.					
			Li	ist of Equipment			
No. Equipment / machine / hardware / software / vehicle		Quantity / Size / Area	Ownership (self-owned / rented)	Owner (if rented)		ed)	

DOCUMENT CHECKLIST FOR EXTENSION OF SCOPE APPLICATION

No.	Requirement / Documentation	Explanation and Important Attachments		
1.	Certificates from other Government Agencies	a. Company to submit the relevant certificate as required for the applied SWEC.		
		b. The certificates must be valid and not expired.		
		Examples:		
		 Construction Industry Development Board (CIDB) 		
		 Board of Engineers Malaysia (BEM) / The Institute of Engineers, Malaysia (IEM) 		
		■ Board of Architects Malaysia		
		 The Energy Commission 		
		 Department of Occupational Safety and Health Malaysia (for Certificate of 		
		Registration for Scaffolder or others) / National Institute of Occupational Safety &		
		Health		
		 Manufacturing license from Malaysian Industrial Development Authority (MIDA) 		
		 Business License from Local Council 		
		 License for Tourism Vehicles Licensing Act from Ministry of Culture, Arts and 		
		Tourism Malaysia ('KKKP')		
		 Forwarding Agent License from Royal Malaysian Customs Department 		
		 Board of Quantity Surveyors 		
		■ The Board of Land Surveyors		
		Institute of Materials Malaysia (IMM)		
		 Atomic Energy Licensing Board (AELB) 		
		Department of Environment (DOE)		
		 Fire and Rescue Department (BOMBA) 		
		 Certificate of Registry of Vessel (CRV) 		
		 Safety Management Certificate (SMC) 		
		 Document of Compliance (DoC) 		
		 Certificate from Port Authority 		

PETRONAS LICENSE GENERAL CONDITIONS

- Company is required to register, obtain a license, permit or authorization from the relevant authority to carry out the services or supply of product or material used in company's operation and activities;
- 2. This License is not transferable to any company/other party;
- This License will be revoked if the company is found to be in the process of liquidation, winding-up or dissolution;
- 4. Company shall inform PETRONAS on any changes related to company's position such as equity ownership, board of directors, management, employees and changes to compliance with Minimum Technical Requirements (MTR) within fourteen (14) days. Failure to do so can result in revoke of License;
- Company should take immediate action to adhere to the special conditions imposed as stated in the PETRONAS License certificate and to inform PETRONAS on the progress of this action;
- Company is not allowed to take another company as principal, agent, sub-contractor or otherwise to provide any service or supply of any facility, fittings or equipment on its behalf without prior written consent from PETRONAS during tendering or work execution;
- 7. Company shall allow PETRONAS representatives for inspection visit / site / company audit and review / copy of documents and interviewing employees and related parties;
- 8. This License must be shown to PETRONAS' officers when it is required for inspection;
- This License is only valid for services and supply of products as stated in the PETRONAS License certificate:
- 10. This company can be penalised if in PETRONAS' opinion, it has conducted one or more of the following;
 - a. Failed to execute the award job until completion
 - Failed to perform a contractual obligation or any other obligation under the law to partners, principals, agents, sub-contractors and others
 - c. Received garnishee order
 - d. Facing bankruptcy action
 - e. Cannot be traced through the last address

- f. Sub-contract work to another contractor without written permission from PETRONAS
- Reject any contract or tender awarded
- h. Entering or accepting contract or tender during the license suspension period
- i. Provide false, inaccurate or misleading information
- Does not follow tender's regulations and ethics including but not only limited to sending poison-pen letters, bribing or lobbying
- k. Engaged in any inappropiate activities with this License
- 11. According to Regulation 9, Petroleum Regulations 1974, a person who initiates or continues any business or service as mentioned in Regulation 3 without a license or do not comply with any condition of the license shall be guilty of an offence and shall on conviction be liable to a fine not exceeding RM50,000.00 (Fifty Thousand Ringgit) or imprisonment for a period not more than two (2) years or both and in respect of each continuous offence, it is subject to further fine of RM1,000.00 (One Thousand Ringgit) for every one (1) day or any part of one (1) day which the offense continues after the first conviction is recorded;
- 12. This approval is not an agreement/guarantee that your company will be called to participate in a tender or quotation of PETRONAS or its subsidiaries;
- 13. The company either by itself, through its employees, directors, agents or its employees;
 - a. Not allowed to use the logo of the PETRONAS' oil drop or the word "PETRONAS" or use any mark, logo or words or wearing typeface, font, which resembles the appearance or colour trademarks owned or used by PETRONAS or its subsidiaries ("the PETRONAS trademarks") in any form whether in printing materials, websites or hand board; and
 - b. Not allowed to perform any act or in any way either directly or indirectly admits that it is a partner or have any connection/relationship with PETRONAS and/or its subsidiaries, UNLESS AND EXCEPT company is allowed to use reference [Company] is licensed by PETRONAS [No. license].
- 14. This License may be revoked, suspended or blacklisted at any time if any of the above conditions, general conditions of PETRONAS license and any other conditions set in PETRONAS License and Registration General Guidelines are not fulfilled.

PETRONAS REGISTRATION GENERAL CONDITIONS

- Company is required to register, obtain a license, permit or authorization from the relevant authority to carry out the services or supply of product or material used in company's operation and activities;
- 2. This Registration is not transferable to any company/other party;
- 3. This Registration will be revoked if the company is found to be in the process of liquidation, winding-up or dissolution;
- Company shall inform PETRONAS on any changes related to company's position such as
 equity ownership, board of directors, management, employees and changes to
 compliance with Minimum Technical Requirements (MTR) within fourteen (14) days.
 Failure to do so can result in revoke of Registration;
- Company should take immediate action to adhere to the special conditions imposed as stated in the PETRONAS Registration certificate and to inform PETRONAS on the progress of this action;
- Company is not allowed to take another company as principal, agent, sub-contractor or otherwise to provide any service or supply of any facility, fittings or equipment on its behalf without prior written consent from PETRONAS;
- 7. Company shall allow PETRONAS representatives for inspection visit / site / company audit and review / copy of documents and interviewing employees and related parties;
- 8. This Registration must be shown to PETRONAS' officers when it is required for inspection;
- This Registration is only valid for services and supply of products as stated in the PETRONAS Registration certificate;
- 10. This company can be penalised if in PETRONAS' opinion, it has conducted one or more of the following;
 - a. Failed to execute the award job until completion
 - b. Failed to perform a contractual obligation or any other obligation under the law to partners, principals, agents, sub-contractors and others
 - c. Received garnishee order
 - d. Facing bankruptcy action
 - e. Cannot be traced through the last address

- f. Sub-contract work to another contractor without written permission from PFTRONAS
- g. Reject any contract or tender awarded
- h. Entering or accepting contract or tender during the license suspension period
- i. Provide false, inaccurate or misleading information
- Does not follow tender's regulations and ethics including but not only limited to sending poison-pen letters, bribing or lobbying
- k. Engaged in any inappropiate activities with this Registration
- 11. This approval is not an agreement/guarantee that your company will be called to participate in a tender or quotation of PETRONAS or its subsidiaries;
- 12. The company either by itself, through its employees, directors, agents or its employees;
 - a. Not allowed to use the logo of the PETRONAS' oil drop or the word "PETRONAS" or use any mark, logo or words or wearing typeface, font, which resembles the appearance or colour trademarks owned or used by PETRONAS or its subsidiaries ("the PETRONAS trademarks") in any form whether in printing materials, websites or hand board; and
 - b. Not allowed to perform any act or in any way either directly or indirectly admits that it is a partner or have any connection/relationship with PETRONAS and/or its subsidiaries, UNLESS AND EXCEPT company is allowed to use reference [Company] is registered by PETRONAS [No. Registration].
- 13. This Registration may be revoked, suspended or blacklisted at any time if any of the above conditions, general conditions of PETRONAS license and any other conditions set in PETRONAS License and Registration General Guidelines are not fulfilled.

- END OF APPENDICES TO GENERAL GUIDELINES -