



GUIDANCE NOTE ON SUBMISSION OF BENEFICIAL OWNERSHIP INFORMATION FOR LABUAN ENTITIES

1.0 Introduction and Legal Provision

- 1.1 This Guidance Note is issued under section 4A of the Labuan Financial Services Authority Act 1996 (LFSA) and as an addendum to the *Guidelines on Beneficial Ownership for Labuan Entities* (the Guidelines) dated 10 October 2025 along with the accompanying Frequently-Asked Questions (FAQ).
- 1.2 The objective of this Guidance Note is to outline the procedural and operational requirements for Labuan entities, through their appointed authorised agent, in complying with the submission of beneficial ownership information to Labuan FSA as specified in paragraph 8.7 of the Guidelines.
- 1.3 This Guidance Note also explains how users can utilise the embedded forms within the ROC registry system, provided by Labuan FSA, to ensure accurate and timely submissions. It also explains the required submission frequency according to regulatory standards.

2.0 Applicability

- 2.1 This Guidance Note applies to Labuan entities that are incorporated, registered or created pursuant to the following legislation:
 - (a) Labuan Companies Act 1990 (LCA);
 - (b) Labuan Limited Partnerships and Limited Liability Partnerships Act 2010 (LLPLPA);
 - (c) Labuan Foundations Act 2010 (LFA); and
 - (d) Labuan Trusts Act 1996 (LTA).
- 2.2 This Guidance Note is intended to be read together with the relevant provisions of the legislation specified under paragraph 2.1.

3.0 Effective Date

- 3.1 This Guidance Note shall come into effect on **1 July 2026** and shall remain in force and effect until such time as it is amended, superseded or revoked.
- 3.2 This Guidance Note would supersede the *Guidance Note on Submission of Beneficial Ownership Information for Labuan Company and Foreign Labuan Company* issued in March 2023.

4.0 Submission of Beneficial Ownership Information

- 4.1 Labuan entities, through their appointed authorised agents, are required to take reasonable steps to obtain sufficient, accurate and updated beneficial ownership information and submit the necessary information and particulars via the ROC registry system. The submission schedule is outlined as follows:

Item	Type of Submission	Applicability	Frequency
(a)	First Entry Point	Newly incorporated/registered /created Labuan entities only	Within thirty (30) days upon incorporation or registration or creation of Labuan entities
(b)	Continuing Obligation	All existing Labuan entities	Annually, on or before 31 January of every year
			Within thirty (30) days upon any change in information, ownership or control being recorded in the Register of Beneficial Owners (ROBO ¹) of the Labuan entities

- 4.2 Beneficial ownership information shall be updated and submitted to Labuan FSA through the ROC registry system.

¹ Refer to the definition in the Guidelines.

4.3 The submission shall include the following particulars:

- (a) Number of multi-tiered ownership arrangements².
- (b) Beneficial owner (BO) information, which includes but are not limited to the following details:
 - (i) nominator information;
 - (ii) full name;
 - (iii) aliases;
 - (iv) identification;
 - (v) date of birth;
 - (vi) gender;
 - (vii) race;
 - (viii) nationality;
 - (ix) citizenship;
 - (x) Politically Exposed Person (PEP) status;
 - (xi) designation/position in the entity;
 - (xii) email address;
 - (xiii) residential address; and
 - (xiv) business/other address.
- (c) Details of the beneficial ownership, which include but are not limited to:
 - (i) the nature of ownership;
 - (ii) percentage of share ownership/membership rights/capital contributions;
 - (iii) voting rights (where applicable); and
 - (iv) criteria(s) of beneficial ownership as defined in **Appendix I**.
- (d) The dates of relevant notices related to the disclosure of beneficial ownership information must be submitted, along with supporting documents or evidence³, as follows:
 - (i) date of notice(s) issued to the BO⁴;
 - (ii) date the BO received the notice(s)⁵;
 - (iii) date on which the person becomes a BO⁶;

² Total number of shareholding structure layer(s) starting from the immediate holding company until the ultimate BO.

³ All necessary documents including but not limited to the notice, all correspondences and others (e.g. letter, email trail, minutes of meeting, etc.).

⁴ Subsections 109C(1),(2),(3) and paragraph 109C(4)(a) of the LCA; subsections 69C(1),(2),(3) and paragraph 69C(4)(a) of the LLPLPA; subsections 24C(1),(2),(3) and paragraph 24C(4)(a) of the LFA; and subsections 21B(1),(2),(3) and paragraph 21B(4)(a) of the LTA.

⁵ Paragraph 109B(1)(d) of the LCA; paragraph 69B(1)(d) of the LLPLPA; paragraph 24B(1)(d) of the LFA; and paragraph 21A(1)(d) of the LTA.

⁶ Paragraph 109B(1)(b) of the LCA; paragraph 69B(1)(b) of the LLPLPA; paragraph 24B(1)(b) of the LFA; and paragraph 21A(1)(b) of the LTA.

- (iv) date the BO notifies the entity that the person is a BO⁷; and
- (v) date of the beneficial ownership information recorded in the ROBO of the entity⁸.

(e) Date the person ceases to be a BO.

Senior Management

4.4 Where a Labuan entity, having taken all reasonable steps in accordance with the criteria prescribed under the Guidelines, is unable to identify any natural person as its BO, the submission shall include the following particulars as an interim⁹ measure:

- (a) A natural person in a Senior Management (SM) position who is primarily in charge of the Labuan entity, which include but are not limited to:
 - (i) nominator information;
 - (ii) full name;
 - (iii) aliases;
 - (iv) identification;
 - (v) date of birth;
 - (vi) gender;
 - (vii) race;
 - (viii) nationality;
 - (ix) citizenship;
 - (x) PEP status;
 - (xi) designation/position in the entity;
 - (xii) date of appointment to the designation/position
 - (xiii) email address;
 - (xiv) residential address; and
 - (xv) business/other address.
- (b) Reason for naming the SM in place of the BO as an interim measure.
- (c) The dates of relevant notices related to the disclosure of beneficial ownership information must be submitted, along with supporting documents or evidence, as follows:
 - (i) date of notice(s) issued to the BO;
 - (ii) date the BO received the notice(s);

⁷ Subsection 109D(1) of the LCA; subsection 69D(1) of the LLPLPA; subsection 24D(1) of the LFA; and subsection 21C(1) of the LTA.

⁸ Subsections 109B(1) and 109C(4) of the LCA; subsections 69B(1) and 69C(4) of the LLPLPA; subsections 24B(1) and 24C(4) of the LFA; and subsections 21A(1) and 21B(4) of the LTA.

⁹ Not to be listed in the ROBO permanently. The entity is required to continue to undertake reasonable measures to identify a natural person who meets the definition of a BO and is required to revise ROBO accordingly upon identification.

- (iii) date on which the person becomes a BO/SM;
 - (iv) date of the BO/SM notifying the entity that the person is a BO/SM;
and
 - (v) date of the beneficial ownership/SM information recorded in the ROBO of the entity.
- (d) Date the person ceases to be SM in place of the BO as an interim measure.

Public Office

4.5 In the absence of a BO identified via ownership or entity-level control, the Labuan entity is required to evaluate whether control is exercised by a Public Office¹⁰. If it is confirmed that a public officer holds such control, the submission must comprise the following particulars:

- (a) Relevant Public Office information, which include but are not limited to:
 - (i) the name of the office of the government/state official;
 - (ii) the function or mandate of the office;
 - (iii) the office address;
 - (iv) email address; and
 - (v) phone number.
- (b) Details of the beneficial ownership, which include but are not limited to:
 - (i) the nature of ownership;
 - (ii) percentage of share ownership;
 - (iii) voting rights (where applicable); and
 - (iv) criteria(s) of beneficial ownership as defined in ***Appendix I***.
- (c) The dates of relevant notices related to the disclosure of beneficial ownership information must be submitted, along with supporting documents or evidence, as follows:
 - (i) date of notice(s) issued to the BO;
 - (ii) date the BO received the notice(s);

¹⁰ Government-linked company/government-owned company/state-owned company.

- (iii) date on which the person becomes a BO;
- (iv) date of the BO notifying the entity that the person is a BO; and
- (v) date of the beneficial ownership information recorded in the ROBO of the entity.

(d) Date the person ceases to be a BO.

4.6 For clarity, the requirement under paragraph 4.5 also applies to a Foreign Public Office.

5.0 Non-Compliance

5.1 Any person who fails to comply with the Guidance Note may be subject to an administrative penalty under Section 36G of the LFSAA and/or other enforcement measures prescribed under the LFSAA, LCA, LLPLPA, LFA, and LTA.

5.2 Any enquiries or requests for clarification regarding identification and submission may be directed to the contact details provided below:

Submission of BO Information (Guidance Note & ROC Registry System)

Registration of Company

Telephone no. : 03 8873 2062

Email : roc@labuanfsa.gov.my

Identification of BO (the Guidelines & FAQ)

AML Policy, Risk Monitoring & Market Surveillance

Telephone no. : 03 8873 2037

Email : amlpolicy@labuanfsa.gov.my

Labuan Financial Services Authority

9 December 2025

The Criteria of Beneficial Ownership for Labuan Entities

(i) Labuan Company/Protected Cell Company/Foreign Labuan Company

CRITERIA	DESCRIPTION
A	The person holds, directly or indirectly, 25% or more of the issued shares in the entity.
B	The person holds, directly or indirectly, 25% or more of the voting rights of the entity.
C	The person holds, directly or indirectly, the right to appoint or remove a majority of the board of directors of the entity.
D	The person has the right to exercise, or actually exercises, effective control and influence over the entity, its directors or management team.

(ii) Labuan Company Limited by Guarantee

CRITERIA	DESCRIPTION
C	The person holds, directly or indirectly, the right to appoint or remove a majority of the board of directors of the entity.
D	The person has the right to exercise, or actually exercises, effective control and influence over the entity, its directors or management team.
E	The person who holds, directly or indirectly, a right to share in 25% or more of the capital or profits of the entity.

(iii) Labuan Limited Partnership/Labuan Limited Liability Partnership/Labuan Recognized Limited Liability Partnership

CRITERIA	DESCRIPTION
A	The person holds, directly or indirectly, 25% or more of the capital contribution.
B	The person holds, directly or indirectly, 25% or more of the voting rights.
C	The person holds, the right directly or indirectly, to appoint or remove a majority of general partners or those involved in the management.
D	The person holds, the right directly or indirectly, to exercise effective control and influence over the partnership or the partners of the partnership.

(iv) Labuan Foundation

CRITERIA	DESCRIPTION
A	Any person or class of persons who benefits, directly or indirectly, of the funds or assets endowed by any of the objects of the foundation in accordance with its charter.
B	Any other beneficiary or person whom the council may exercise discretion under the foundation in accordance with its charter and who has been identified as presenting higher risk.
C	<p>The person who has the right to exercise, or actually exercises, effective control and influence over the activities, including the right to direct or influence the running of the activities of the foundation, such as the right to:</p> <ul style="list-style-type: none"> (a) appoint or remove any of the council member, officer, secretary, supervisory person or beneficiary; (b) direct the distribution of funds or assets; (c) direct investment decisions of the foundation; (d) direct how the objects of the foundation are to be carried out; (e) amend the charter of the foundation; or (f) dissolve the foundation.

(v) Labuan Trust

CRITERIA	DESCRIPTION
A	Any person or class of persons who benefits, directly or indirectly, of the assets by any of the purpose of the trust in accordance with its trust deed.
B	Any other beneficiary or person whom the trustee may exercise discretion under the trust in accordance with its trust deed and who has been identified as presenting higher risk.
C	<p>The person who has the right to exercise, or actually exercises, effective control and influence over the activities, including the right to direct or influence the running of the activities of the trust, such as the right to:</p> <ul style="list-style-type: none"> (a) appoint or remove any of the trustee, settlor, protector, enforcer or beneficiary; (b) direct the distribution of assets; (c) direct investment decisions of the trust; (d) direct how the purpose of trust is to be carried out; (e) amend the trust deed; or (f) terminate or redomicile the trust.