

His Excellency Jun WANG
Commissioner
State Administration of Taxation
People's Republic of China.

November 1st, 2016
Beijing

Your Excellency,

I have the honour to refer to the Agreement between the Government of Malaysia and the Government of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income (hereinafter referred to as "the DTAA") signed on November 23rd, 1985 and to make the following proposals:

With respect to subparagraphs (a)(iv) and (b)(iii), paragraph 5 of Article 11 of the DTAA, the following is the list of institutions wholly owned by the respective Governments and hence, eligible for tax exemption under paragraph 4 of Article 11 (Interest) of the DTAA.

In Malaysia,

- (i) Export-Import Bank of Malaysia (Export-Import Bank Malaysia Berhad);
- (ii) National Trust Fund (Kumpulan Wang Amanah Negara);
- (iii) Retirement Fund (Kumpulan Wang Persaraan);
- (iv) Agricultural Bank of Malaysia (Agro Bank Malaysia Berhad);
- (v) Small Medium Enterprise Bank of Malaysia (SME Bank Malaysia Berhad);
- (vi) Malaysia Development Bank (Bank Pembangunan Malaysia Berhad); and
- (vii) Khazanah Nasional Berhad.

In the People's Republic of China,

- (i) the China Development Bank Corporation;
- (ii) the Agricultural Development Bank of China;
- (iii) the Export-Import Bank of China;
- (iv) the National Council for Social Security Fund;

(v) the China Export & Credit Insurance Corporation;

(vi) the China Investment Corporation; and

(vii) the Silk Road Fund Co., Ltd.

I have the honour to propose that this letter and Your Excellency's letter in reply confirming the acceptance of the above proposals by the Government of the People's Republic of China shall together constitute an agreement between the two Governments in this matter, which shall enter into force on the date of the signing.

I have further the honour to propose that these letters be done in duplicate in the Bahasa Malaysia, Chinese and English languages, the three texts being equally authentic. In the event there being a dispute in the interpretation and the application of the letters, the English text shall prevail.

I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.

His Excellency Tan Sri Dr. Mohd Irwan Serigar Abdullah
Secretary General of Treasury
Government of Malaysia

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Secretary General of Treasury
Government of Malaysia

November 1st,2016
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Your Excellency,

I have the honour to acknowledge the receipt of Your Excellency's letter of November 1st, 2016 which reads as follows:

"I have the honour to refer to the Agreement between the Government of Malaysia and the Government of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income (hereinafter referred to as 'the DTAA') signed on November 23rd,1985 and to make the following proposals:

With respect to subparagraphs (a)(iv) and (b)(iii), paragraph 5 of Article 11 of the DTAA, the following is the list of institutions wholly owned by the respective Governments and hence, eligible for tax exemption under paragraph 4 of Article 11 (Interest) of the DTAA.

In Malaysia,

- (viii) Export-Import Bank of Malaysia (Export-Import Bank Malaysia Berhad);
- (ix) National Trust Fund (Kumpulan Wang Amanah Negara);
- (x) Retirement Fund (Kumpulan Wang Persaraan);
- (xi) Agricultural Bank of Malaysia (Agro Bank Malaysia Berhad);
- (xii) Small Medium Enterprise Bank of Malaysia (SME Bank Malaysia Berhad);
- (xiii) Malaysia Development Bank (Bank Pembangunan Malaysia Berhad); and
- (xiv) Khazanah Nasional Berhad.

In the People's Republic of China,

- (viii) the China Development Bank Corporation;
- (ix) the Agricultural Development Bank of China;
- (x) the Export-Import Bank of China;
- (xi) the National Council for Social Security Fund;

(xii) the China Export & Credit Insurance Corporation;

(xiii) the China Investment Corporation; and

(xiv) the Silk Road Fund Co., Ltd.

I have the honour to propose that this letter and Your Excellency's letter in reply confirming the acceptance of the above proposals by the Government of the People's Republic of China shall together constitute an agreement between the two Governments in this matter, which shall enter into force on the date of the signing.

I have further the honour to propose that these letters be done in duplicate in the Bahasa Malaysia, Chinese and English languages, the three texts being equally authentic. In the event there being a dispute in the interpretation and the application of the letters, the English text shall prevail."

I have the honour to confirm that the proposals are acceptable for the People's Republic of China and that Your Excellency's letter and this letter in reply shall together constitute an agreement between the two Governments in this matter, which shall enter into force and take effect on the date of the signing.

I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.

His Excellency Jun WANG
Commissioner
State Administration of Taxation
People's Republic of China