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附件：如文（共237頁）（請至本局附件下載區下載<http://gdd.trade.gov.tw>）

主旨：有關汶萊、印尼、馬來西亞及泰國將於本(2009)年第1次資深官員會議(SOM I)期間接受APEC個別行動計畫同儕檢視(IAP Peer Review)案，請惠檢視專家所提馬來西亞IAP專家研究報告中 貴管相關部分並研提問題（中英文），俾供我方與會代表運用，請 查照惠復。

說明：

- 一、依據APEC秘書處執行長Mr. Michael Tay本年1月20日電子郵件辦理（詳附件1）；本局本年1月19日貿亞字第09826500230號函諒達。
- 二、按2009年APEC SOM I於2月13日至14日期間對汶萊、印尼、馬來西亞及泰國進行個別行動計畫(IAP)同儕檢視。有關馬來西亞IAP專家研究報告電子檔項電郵提供 貴單位在案，請惠檢視專家所提研究報告中 貴管相關部分並研提問題（中英文），並於2月3日前電郵本局承辦人彙辦（舒志宏；聯絡電話：02-2397-7406；電子郵件：alfredoshu@trade.gov.tw）。

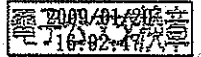
正本：教育部、國家通訊傳播委員會、中央銀行、行政院公共工程委員會、行政院農業委員會、行政院勞工委員會、行政院公平交易委員會、行政院體育委員會、行政院衛生署、行政院環境保護署、行政院新聞局、行政院文化建設委員會、行政院大陸委員會、行政院金融監督管理委員會、行政院經濟建設委員會財經法制協調服務中心、行政院經濟建設委員會綜合計劃處、行政院經濟建設委員會經濟研究處、行政院勞工委員會職業訓練局、行政院農業委員會動植物防疫檢疫局、行政院衛生署食品衛生處、行政院衛生署藥政處、行政院衛生署醫





險局、外交部領事事務局、財政部關政司、財政部關稅總局、財政部賦稅署、法務部檢察司、法務部法律事務司、內政部營建署、內政部地政司、內政部社會司、內政部兒童局、內政部入出國及移民署、內政部警政署航空警察局、交通部航政司、交通部路政司、交通部郵電司、交通部民用航空局、交通部觀光局、交通部運輸研究所、經濟部投資業務處、經濟部投資審議委員會、經濟部標準檢驗局、經濟部工業局、經濟部智慧財產局、經濟部能源局、經濟部國營事業委員會、經濟部商業司、經濟部水利署、台灣經濟研究院中華台北APEC研究中心、中華經濟研究院、中華郵政股份有限公司、本局多邊貿易組、雙邊貿易一組、貿易服務組、電子商務小組、APEC專案小組

副本：外交部國際組織司、本局局長辦公室、徐副局長辦公室（均不含附件）



局長 黃志鵬

依照分層負責規定授權單位主管決行

裝

訂

線

**Individual Action Plan (IAP) Peer Review of
Malaysia**

Study Report 2008

January 2009

Table of Contents

1. Introduction	3
2. General Issues	
Economic and trade performance	8
Economic policy	11
Policy developments during the review period	12
Malaysia and APEC	13
3. Assessment of Malaysia's IAP by Chapter	
3.1 Tariffs	15
3.2 Non-tariff measures	18
3.3 Services	20
3.4 Investment	35
3.5 Standards and Conformance	39
3.6 Customs Procedures	43
3.7 Intellectual Property	45
3.8 Competition Policy	49
3.9 Government Procurement	50
3.10 Deregulation/regulatory review	52
3.11 Implementation of WTO obligations/Rules of origin	54
3.12 Dispute mediation	55
3.13 Mobility of business people	58
3.14 RTAs and FTAs	61
3.15 Trade facilitation	64
3.16 The APEC Food System	65
3.17 Transparency	66
Acronyms and abbreviations	68
Bibliography	70
4. Annexes	
1. Malaysian agencies interviewed by experts for Review	
2. The Peer Review Team	
3. Questions from experts and comments from Malaysia	

3.9 Government procurement (Jaime Garcia)

Malaysia uses GP policy as a tool for nation building and to achieve its socio-economic goals. Malaysia intends to continue with its current policies and practices and will review the policy when the targets set under the National Development Plan are achieved.

Government procurement policy is in compliance with WTO obligations, which recognises the need to take into account an economy's development priorities and to give preferences to domestic supplies and suppliers. Malaysia maintains its position of not being a signatory to the WTO Government Procurement Agreement. The government has also consistently excluded GP from Malaysia's FTAs, either in the ASEAN fora or with the bilateral partners. ✓

Policies, rules and procedures pertaining to government procurement

Malaysia continuously reviews Treasury Instructions and Treasury Circular Letters (TCLs) to further improve the transparency and efficiency of government procurement rules and procedures. In the year 2006 and 2007, six and nine TCLs were updated and issued, respectively. To ensure that all agencies adhere to APEC Non-binding Principles on Government Procurement, these principles are further reiterated in Treasury Circular Letter No. 5 Year 2007, issued in February 2007.

In April 2006, the Red Book, which contains procurement guidelines and best practices for GLCs was launched. It requires GLCs to develop their own procurement rules and procedures which are to be endorsed by the boards of directors.

Bumiputera policy

Malaysia still maintains its current Bumiputera policy. Government Agencies are required to give preference to Bumiputera companies (as stipulated in the Treasury Circular Letter No. 4 Year 1995) including price preferential margins for the procurement of supplies and services, and price preferential margin for the manufacturing companies.

International tenders

International tenders are only invited if goods, services or works cannot be procured locally. Once an international tender is called, all foreign bidders will be accorded equal treatment regardless of their economy of origin. In general, the transfer of technology is not a mandatory requirement but is encouraged to assist local companies gain knowledge and expertise on new technologies. ✓

eProcurement

To date, the Supplier Registration⁹³ and Central Contract⁹⁴ Modules under eProcurement (ePerolehan) have been fully implemented. ePerolehan is an electronic procurement

⁹³ ePerolehan is the single point of registration for Suppliers to obtain certificate of Registration with the Ministry of Finance. All approvals of the application remain with the Government Procurement Division, Ministry of Finance.

⁹⁴ The requisition process starts when the Government User selects products or services to procure and ends when a purchase order (PO) has been sent to the Supplier, then the order fulfilment process involves

8

system provided by the Government to enable suppliers to sell their products or services on the Internet. Through ePerolehan, suppliers can receive, manage and process orders or payments from Government agencies through transactions done electronically on the Internet. As of 30 June 2008, there were 92,704 suppliers registered on-line.

The Quotation and Tender Modules⁹⁵, as part of the comprehensive system under ePerolehan⁹⁶, have been rolled out to five agencies as pilot projects. Malaysia may consider extending these modules effectively to other agencies in the short term to expand transparency, reduce operational costs, provide efficiency to expedite procurement process and enable real time monitoring.

It is important that Malaysia fully implements its ePerolehan and extends its uses to all the state agencies and intensifies its awareness programmes and campaigns to educate and train agencies and suppliers to fully utilise ePerolehan, as this will further enhance transparency.

acceptance of the PO by the Supplier, fulfilment of order by the Supplier and confirmation of receipt of goods or services by the Government User.

⁹⁵ The Quotation and Tender module will be automating the entire system, starting from a formal application from user's workplace, proposal preparation, advertising, evaluation, invitation to the suppliers, up to payment completion.

⁹⁶ ePerolehan has four modules: Supplier Registration, Central Contract, Direct Purchase, and Quotation and Tender.