

FREQUENTLY ASKED QUESTIONS GUIDELINES ON ISLAMIC CAPITAL MARKET PRODUCTS AND SERVICES

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General

1. Why did the SC introduce the *Guidelines on Islamic Capital Market Products and Services (ICMPS Guidelines)*?

The ICMPS Guidelines consolidates all the existing Shariah requirements which were previously set out in various SC guidelines, aimed at providing a single point of reference for those offering or intending to offer Islamic capital market (ICM) products and services.

2. Do I need to comply with other regulatory requirements for the purpose of issuing and offering of ICM products and services?

Yes, you are still required to comply with the relevant regulatory requirements relating to the type of ICM products and services which you are offering. However, in addition to those requirements, you would need to refer to the ICMPS Guidelines for the specific Shariah requirements applicable to the ICM product or service. For example, if you are offering an Islamic unit trust fund, you would have to refer to both the *Guidelines on Unit Trust Fund* for the general requirements and the ICMPS Guidelines for the additional requirements specific to the Islamic unit trust fund.

Shariah Advisers

Requirements for Registration

3. What are the fees applicable to a Shariah adviser?

All Shariah advisers are required to pay the prescribed fees as stipulated by the SC under the *Capital Markets and Services (Fees) Regulations 2025* (Regulations) which came into effect on 1st January 2026. Please refer to the Regulations that is available on the SC's website for further details.

4. I worked at an Islamic bank for six years. However, in the past one year, I worked in a sector other than Islamic finance. Am I eligible to register as a Shariah adviser?

No, you are not eligible to register as a Shariah adviser. The ICMPS Guidelines requires you to have at least three consecutive years of relevant working experience in Islamic finance preceding the application.

- 5. I have a company registered as Limited Liability Partnership (LLP) in Malaysia under the Limited Liability Partnerships Act 2012. Can I register such company as a Shariah adviser under the corporation category?**

Yes, your company is eligible to be registered as a Shariah adviser under the corporation category subject to your company fulfilling all the relevant requirements.

Shariah Officer for Corporation Shariah Adviser

- 6. Corporation A has employed Ahmad as its full-time Shariah officer for the purpose of providing Shariah advice. Can Corporation B who intends to register as a Shariah adviser, also appoint Ahmad as its full-time Shariah officer?**

No. Corporation B is not allowed to employ Ahmad as its full-time Shariah officer for so long as Ahmad is still an employee of Corporation A. The ICMPS Guidelines requires an individual to be a full-time Shariah officer in one corporation only at any point in time.

- 7. I am currently employed as:**

- (i) a Shariah executive at an Islamic bank in Malaysia; or**
- (ii) a lecturer at a university;**

am I eligible to be employed as a full-time Shariah officer for Ahmad Advisory Sdn Bhd (corporation Shariah adviser registered with the SC)?

No. You are not eligible to be employed as a full-time Shariah officer for Ahmad Advisory Sdn Bhd. The ICMPS Guidelines requires you to be employed as a full-time Shariah officer in one corporation only.

- 8. I am currently employed by ABG Holdings Berhad (parent company). Am I eligible to concurrently be employed as a full-time Shariah officer by HIJ Sdn Bhd (corporation Shariah adviser registered with the SC and also a subsidiary to ABG Holdings Berhad)?**

No. You are not eligible to be employed as a full-time Shariah officer for HIJ Sdn Bhd. The ICMPS Guidelines requires you to be employed as a full-time Shariah officer by the corporation only at any point in time.

Roles and Responsibilities of Shariah Adviser

- 9. How many principles under the *Maqasid Al-Shariah Guidance Islamic Capital Market Malaysia (Maqasid Guidance)* must be considered when advising on the alignment of ICM products or services with the Maqasid Guidance principles?**

There is no prescribed number of principles under the Maqasid Guidance that must be considered by a Shariah adviser when assessing the alignment of ICM product or service. The Shariah adviser is expected to assess such product or service and determine the appropriate Maqasid Guidance principles that are relevant to the proposal, taking into account the suitability, rationale and supporting justifications for such alignment.

- 10. I am a Shariah adviser registered with the SC. Am I allowed to provide any Shariah advisory services on products other than those regulated by the SC?**

Yes, paragraph 6.04 of the ICMPS Guidelines allows you to provide Shariah advisory services on products other than those prescribed to be ICM business and transaction. However, when doing so, you need to ensure, among others, that your credentials as a Shariah adviser registered with the SC is not improperly used when advising non-ICM business and transaction and your actions do not create any reputational risks to the SC.

Fund management companies

- 11. In relation to paragraph 13.05(d) of the ICMPS Guidelines, how frequent should the Shariah adviser prepare the report to be given to the investors?**

The fund management company is to discuss and agree with the investor on the frequency of the report to be given to the investor. It could be on monthly, quarterly, semi-annually or annually basis, subject to the terms of the agreement between the fund management company and the investor.

- 12. In relation to paragraph 14.01(d) of the ICMPS Guidelines, what are the categories of training that are acceptable?**

The training may include any webinar, workshop, conference, seminar or internal training related to Islamic finance or Islamic capital market.

13. When would the requirement for the compliance officer to attend the two training courses, as set out in paragraph 14.01(d), take effect?

Taking cognisance of the necessary process required to comply with the above requirement, the requirement for the compliance officer to attend the training takes effect from 1 January 2023.

Waqf-featured fund framework (WQ-FF)

14. Who are the eligible *waqf* recipients under the WQ-FF?

The eligible recipients under the WQ-FF may include any state Islamic religious council (SIRC) or any institutions or organisations authorised by the SIRC to act as a *mutawalli* (*waqf* administrator) or collection agent for *waqf* purposes.

15. How can investors obtain information on the *waqf* projects?

The investors can obtain more information on the *waqf* projects including information on the *waqf* recipients and progress of *waqf* projects on the fund management company's website.

Venture capital and private equity

16. Are there specific methodologies for the Shariah adviser to adopt in determining the Shariah-compliant status of a venture corporation?

The Shariah adviser may adopt the Shariah screening methodology as prescribed by the Shariah Advisory Council of the SC, or other methodologies as deemed appropriate.

Endorsement of ringgit-denominated sukuk

17. In relation to Appendix 8, item (4)(b), what should a principal adviser disclose as primary and secondary Shariah principles for sukuk structured based on *wakalah bi al-istithmar*, in the submission to the SC?

Primary Shariah principle refers to the main Shariah principle applied in the sukuk structure. Meanwhile, secondary Shariah principle refers to any additional principle/concept applied in the sukuk structure.

For a sukuk structure based on *wakalah bi al-istithmar* (combination of debt and asset), you must disclose *wakalah bi al-istithmar* as the primary principle.

The other Shariah principles applicable in the Sukuk *wakalah bi al-istithmar* are to be disclosed as secondary Shariah principles.

- 18. In relation to the above, if the sukuk is structured based on the Shariah principles of *wakalah bi al-istithmar*, *mudharabah* and *murabahah* (via *Tawarruq*) as the main principles, do I need to disclose all three principles as primary Shariah principles?**

No. *Wakalah bi al-istithmar* must be disclosed as primary Shariah principle. Meanwhile *mudharabah* and *murabahah* (via *Tawarruq*) are to be disclosed as secondary Shariah principles.

Transitional arrangements

- 19. As the change in the date of annual declaration submission in paragraph 7.03 of the ICMPS Guidelines will only come into effect on 1st January 2027, when are Shariah advisers required to submit their annual declaration forms during the transitional period before the new submission timeline takes effect on 1st January 2027?**

Prior to 1st January 2027, the submission of annual declaration forms by Shariah advisers will be subject to the following transitional arrangements:

No.	Categories of Shariah advisers	Submission of annual declaration forms
(1)	Shariah advisers with anniversary registration dates falling between 1 st April 2026 to 30 th September 2026	To submit their annual declaration forms based on their respective anniversary dates
(2)	Shariah advisers with anniversary registration dates falling between 1 st October 2026 to 31 st December 2026	To submit their annual declaration forms no later than 15 th January 2027
(3)	For new Shariah advisers registered in 2026 (between 1 st January 2026 to 31 st December 2026)	To submit their first annual declaration forms no later than 15 th January 2027

- 20. I was registered as a Shariah adviser on 1st September 2026. When should I submit the annual declaration forms including the form relating to my attendance of the three SIDC CPE-approved courses (CPE Declaration Form) as required under the ICMPS Guidelines to the SC?**

You are required to submit the annual declarations forms including the CPE Declaration Form to the SC not later than 15th January of a calendar year annually. For clarity, premised on the fact that you were registered as a Shariah adviser on 1st September 2026, you must attend three SIDC CPE-approved courses by 31st December 2026 and the declaration form(s) for 2026 must be submitted to the SC by 15 January 2027.