



IBU PEJABAT LEMBAGA HASIL DALAM NEGERI MALAYSIA
PEJABAT KETUA PEGAWAI EKSEKUTIF
MENARA HASIL, ARAS 18
PERSIARAN RIMBA PERMAI
CYBER 8
63000 CYBERJAYA
SELANGOR

Telefon : 03-83138888
Faks : 03-83137853
: 03-83137854
: 03-83137855

Laman Web: <http://www.hasil.gov.my>

Ruj. Tuan :

Ruj. Kami : LHDN.AL.C.600-2/2/7

Tarikh : 28/5/2020

Presiden
Chartered Tax Institute of Malaysia (CTIM)
Unit B-13-1, Block B (Unit 1-5), 13th Floor, Megan Avenue II
No. 12 Jalan Yap Kwan Seng
50450 Kuala Lumpur

Presiden
Institut Akauntan Malaysia (MIA)
Dewan Akauntan
Unit 33-01, Level 33, Tower A, The Vertical, Avenue 3
Bangsar South City, No. 8 Jalan Kerinchi
59200 Kuala Lumpur

Presiden
Institut Akauntan Awam Bertauliah Malaysia (MICPA)
15 Jalan Medan Tuanku
50300 Kuala Lumpur

Presiden
Persatuan Akauntan Percukaian Malaysia (MATA)
Pejabat Sekretariat MATA
27-1, Blok 1D, Jalan Wangsa Delima 12
Wangsa Link, Pusat Bandar Wangsa Maju
53300 Kuala Lumpur

Presiden
Persatuan Institut Setiausaha dan Pentadbir Berkanun Syarikat (MAICSA)
No. 57, The Boulevard, Mid Valley City
Lingkaran Syed Putra
59200 Kuala Lumpur

Presiden
Persatuan Setiausaha Syarikat Malaysia (MACS)
Unit A608, Block A, Tkt. 6,
Kelana Square,
No. 17, Jalan SS7/26, Kelana Jaya
47301 Petaling Jaya, Selangor

Presiden
Institute of Cooperative and Management Accountants (ICMA)
No. 14 Mez. Floor, Jalan Zirkon E7/E
Seksyen 7
40000 Shah Alam
Selangor

Presiden
Bekas Pegawai Hasil (ExRevenue)
Unit 19A-23-5, Business Suite, UOA Centre
19 Jalan Pinang
50450 Kuala Lumpur

Country Head
CPA Australia
Suite 10.01, Level 10, The Gardens South Tower
Mid Valley City, Lingkaran Syed Putra
59200 Kuala Lumpur

YBhg. Datuk/Dato'/Prof Dr./Dr./Tuan/Puan,

**MAKLUM BALAS ISU DARIPADA PERSATUAN AKAUNTAN DAN PENGAMAL
PERCUKAIAN – DIALOG DESIRE BIL. 1/2020**

Dengan segala hormatnya perkara diatas adalah dirujuk.

2. Sebagaimana maklum, Mesyuarat Working Group Lembaga Hasil Dalam Negeri Malaysia (LHDNM) Dengan Persatuan Akauntan Dan Pengamal Percukaian – Dialog DESIRE Bil. 1/2020 yang sepatutnya diadakan pada 7 April 2020 tidak dapat dilaksanakan berikutan mematuhi Perintah Kawalan Pergerakan.

3. Sehubungan itu, maklum balas kepada isu yang telah dibangkitkan dikemukakan seperti di lampiran untuk perhatian dan tindakan lanjut pihak tuan.

Sekian, terima kasih.

“BERKHIDMAT UNTUK NEGARA”
“BERSAMA MEMBANGUN NEGARA”



[DATUK MOHD NIZOM BIN SAIRI]
Timbalan Ketua Pegawai Eksekutif (Operasi Percukaian)
b.p. Ketua Pegawai Eksekutif/Ketua Pengarah Hasil Dalam Negeri
Lembaga Hasil Dalam Negeri Malaysia

DIALOG DESIRE BIL. 1/2020

**CHARTERED TAX INSTITUTE
OF MALAYSIA**



MEMORANDUM ON COMPLIANCE AND OPERATIONAL ISSUES

21 February 2020

Prepared by:
Compliance & Operations Working Group (COWG)
Chartered Tax Institute of Malaysia

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1. Disclosure in Form e-C 2019

i. Absence of an appropriate business code for a company which is a special purpose vehicle (SPV)

Certain SPVs are set up not to carry on a business activity. For example, a REIT raises funding (conventional bond) through a SPV. The interest income received from REIT is to pay off the investors by the SPV.

Currently, the business code that is being used is – “64999 - Other financial service activities, except insurance/takaful and pension funding n.e.c” and the business code does not reflect the actual activity of the SPV accurately.

CTIM comments:

We would like to suggest to create a specific Business Code for such SPV.

For example:

XXXXX (number) – Special Purpose Vehicle

MAKLUMBALAS LHDNM

Kod Perniagaan yang digunakan adalah standard yang dikeluarkan Jabatan Perangkaan Malaysia. Penggunaan Kod Perniagaan sedia ada adalah dikekalkan.

ii. Disclosure in HK-F 2019 (Summary of absorbed / surrendered / disregarded losses and losses carried forward (including pioneer losses after tax relief period))

There are different types of rules in utilizing the business losses. For example, unabsorbed losses from the RAPID project [[Income Tax \(Exemption\) No.7 Order 2013 - P.U.\(A\) 41/2013](#)] and losses from a shipping business ([Section 54A ITA 1967](#)) can only be utilized against that particular business source.

How do we complete the HK-F 2019 in view of the above? Or, for such special type of circumstances, do we need to complete the HK-F 2019?

HK-F: SUMMARY OF ABSORBED / SURRENDERED / DISREGARDED LOSSES AND LOSSES CARRIED FORWARD (including pioneer losses after tax relief period)													
CURRENT YEAR OF ASSESSMENT LOSSES					PRIOR YEARS' LOSSES								
(a) CURRENT YEAR OF ASSESSMENT BUSINESS AND PARTNERSHIP LOSSES	(b) AMOUNT ABSORBED IN THE CURRENT YEAR	(c) BALANCE NOT ABSORBED	(d) AMOUNT SURRENDERED UNDER GROUP RELIEF PROVISION	(e) BALANCE CARRIED FORWARD	(f) YEAR OF ASSESSMENT IN WHICH LOSS IS INCURRED	(g) AMOUNT DISREGARDED UNDER SUBSECTION 44(A)	(h) AMOUNT DISREGARDED UNDER SUBSECTION 44(F)	(i) AMOUNT ABSORBED / SURRENDERED	(j) BALANCE AFTER DISREGARDED/ ABSORBED / SURRENDERED	(k) AMOUNT DISREGARDED UNDER SUBSECTION 44(A)	(l) AMOUNT DISREGARDED UNDER SUBSECTION 44(F)	(m) AMOUNT ABSORBED	(n) BALANCE CARRIED FORWARD
		(c = a - b)		(e = c - d)					(j = i - g - h - i)				(n = k + m - n - p)
					2018 and before								

Part E of Form C 2019:

Item E1	Amount (m + n)
Item E2	Amount (d)
Item E3	Amount (b + p)
Item E4	Amount (e + q)

CTIM comments:

- We hope the IRB could provide a detailed explanation to completing the HK-F 2019; or
- To revise the disclosure of the HK-F 2019 to reflect losses from different types of business source (e.g. pioneer, shipping business, etc.) by adding additional columns.

MAKLUMBALAS LHDNM

HK-F 2019 hanya merupakan helaian kerja yang perlu disimpan oleh pembayar cukai berhubung rumusan kerugian perniagaan. Helaian kerja ini merupakan panduan kepada pembayar cukai melaporkan kerugian perniagaan dan sekiranya kerugian perniagaan perlu dilaporkan secara berasingan mengikut perniagaan, maka pembayar cukai hendaklah melaporkan kerugian tersebut dalam helaian kerja (HK-F 2019) yang berasingan. Oleh itu, dalam situasi yang dinyatakan, HK-F 2019 masih perlu dilengkapkan.

Walau bagaimanapun, LHDNM mengambil maklum perkara yang dibangkitkan dan akan membuat semakan lanjut bagi menambahbaik helaian kerja sedia ada. LHDNM juga mengalu-alukan cadangan penambahbaikan helaian kerja ini daripada pihak tuan.

iii. Disclosure in Item D4 – Claim for incentives under ITA / PIA, other than the incentives in items D1, D2 and D3

Based on the 2019 Form e-C Guidebook, the IRB has provided the following explanation on item D4 (i.e. to disclose the details of single-tier dividend income as well).

Item	Subject	Explanation										
D4	Claim for incentive(s) under ITA 1967 / Promotion of Investment Act 1986 (PIA 1986) other than the incentives in items D1, D2 and D3	<p>From the list of incentives provided, select a code for the type of exemption / allowance claimed, and enter the amount.</p> <p>Computation of incentive and supporting documents should be kept for the future reference / examination by LHDNM, if required.</p> <p>Appendices and worksheets provided by LHDNM can be used as a guide for calculations and adjustments.</p> <p>Example: JJ Sdn. Bhd. received dividends amounting to RM60,000 from other companies. This dividend income is tax exempt under paragraph 12B Schedule 6 of ITA 1967 – Type of incentive : Kod 407</p> <table border="1"> <thead> <tr> <th>Type of Incentive</th> <th>Balance Brought Forward</th> <th>Amount Claimed</th> <th>Amount Absorbed</th> <th>Balance Carried Forward</th> </tr> </thead> <tbody> <tr> <td>407</td> <td>0</td> <td>60,000</td> <td>60,000</td> <td>0</td> </tr> </tbody> </table>	Type of Incentive	Balance Brought Forward	Amount Claimed	Amount Absorbed	Balance Carried Forward	407	0	60,000	60,000	0
Type of Incentive	Balance Brought Forward	Amount Claimed	Amount Absorbed	Balance Carried Forward								
407	0	60,000	60,000	0								

CTIM comments:

We would like to suggest to the IRB to remove the requirement to disclose the details of the single-tier dividend from the above item D4 together with the example because single-tier dividend is not an incentive.

MAKLUMBALAS LHDNM

Apa-apa pendapatan yang dikecualikan merupakan insentif cukai. Walau bagaimanapun, bagi tujuan pengisian ruang D4, hanya pendapatan yang dikecualikan/elaun/perbelanjaan seperti yang tersenarai di Lampiran D4 perlu dilaporkan.

2. Disclosure in Form CP55 - Authority to file Return electronically - Declaration by taxpayer

Certain parts of the Form are only applicable for filing under the Petroleum (Income Tax) Act 1967 (PITA). There is no column for filing under the Income Tax Act 1967 (ITA).

For example, please refer to the wordings (**highlighted in yellow**) below:

** Borang ini dibuat bagi pihak syarikat / pertubuhan / kumpulan orang / majikan / perkongsian / koperasi / badan amanah / unit amanah / amanah pelaburan harta tanah / perkongsian liabiliti terhad / pentadbir harta pusaka / orang yang boleh dikenakan cukai di bawah **Akta Petroleum (Cukai Pendapatan) 1967.** *

*This form is made on behalf of company / association / body of persons / employer / partnership / co-operative society / trust body / property trust / real estate investment trust / limited liability partnership / administrator of the estate / chargeable person under **Petroleum (Income Tax) Act 1967.** **

Nama Syarikat / Pertubuhan / Kumpulan Orang / Majikan / Perkongsian / Koperasi / Badan Amanah / Unit Amanah / Amanah Pelaburan Harta Tanah / Perkongsian Liabiliti Terhad / Pentadbir Harta Pusaka / orang yang boleh dikenakan cukai di bawah **Akta Petroleum (Cukai Pendapatan) 1967. ***

*Name of Company / Association / Body of Persons / Employer / Partnership / Co-Operative Society / Trust Body / Property Trust / Real Estate Investment Trust / Limited Liability Partnership / Administrator of The Estate / Chargeable Person under **Petroleum (Income Tax) Act 1967.** **

No. / Sijil Pendaftaran dengan SSM atau lain-lain / Registration No. / Certificate with CCM or others

yang menjalankan kuasa di bawah subseksyen 152A(3) Akta Cukai Pendapatan 1967 / subseksyen 82A(3) Akta Petroleum (Cukai Pendapatan) 1967, dengan ini mengakui bahawa:-

in the exercise of authority conferred under subsection 152A(3) of the Income Tax Act 1967 / subsection 82(A)(3) Petroleum (Income Tax) Act 1967, declare that:-

- kuasa diberikan kepada ejen cukai berikut untuk memfailkan penyata bagi pihak saya / syarikat / pertubuhan / kumpulan orang / majikan / perkongsian / koperasi / badan amanah / unit amanah / amanah pelaburan harta tanah / perkongsian liabiliti terhad / pentadbir harta pusaka / orang yang boleh dikenakan cukai di bawah **Akta Petroleum (Cukai Pendapatan) 1967** * secara elektronik; dan
- authority is hereby given to the following tax agent to furnish the return on my behalf / company / association / body of persons / employer / partnership / co-operative society / trust body / property trust / real estate investment trust / limited liability partnership / administrator of the estate / chargeable person under Petroleum (Income Tax) Act 1967 * through electronic filing; and*

CTIM comments:

Kindly update the Form to include for a taxpayer who is filing under the ITA.

MAKLUMBALAS LHDNM

Ruang (column) berkenaan juga adalah terpakai kepada pembayar cukai di bawah ACP1967.

LHDNM mengambil maklum berkenaan perkara ini dan pindaan akan dibuat ke atas CP55.

3. Form J issued by the IRB under Section 90(3) for YA 2019 with imposition of a 45% penalty - (Form J issued due to error in the IRB's e-Filing system)

The IRB issued a Form J (estimate assessment) dated 13 January 2020 which the tax agent received on 29 January 2020. Apparently, the tax agent was informed that the estimate assessment was based on the tax estimate submitted by the taxpayer for YA 2019 as there was no e-filing done based on the records in the IRB's portal.

As requested by the IRB, the tax agent provided copies of e-filing of Form C for YA 2019 and the acknowledgement of e-filing for their further action. Since the Form J was issued late, the tax agent requested the IRB to take immediate action without further delay.

[Please refer to Appendix 1]

CTIM comments:

We hope that the IRB would contact the tax agent to find out the status of the e-filing prior to issuing a notice of assessment under Section 90(3).

MAKLUMBALAS LHDNM

LHDNM mengambil maklum berkaitan perkara ini dan tindakan penyelesaian telah diambil. Jika terdapat kes yang belum diambil tindakan, sila kemukakan senarai kes kepada urus setia.

4. Difficulties in contacting the IRB Bangi branch's officer

BANGI BRANCH
MENARA HASIL, ARAS 3
NO. 3, JALAN 9/10 SEKSYEN 9
43650 BANDAR BARU BANGI
SELANGOR

GENERAL LINE : 03-8913 3800
FAX : 03-8922 1801

Tax agents constantly face difficulties in contacting the officers from the IRB Bangi Branch in the past 2 months. Tax agents have made numerous attempts in contacting the officers from the IRB Bangi Branch by using both the general line and the specific extension numbers for the officers, but the calls were not being answered. Numerous calls were made on the following dates during the official working hours (8.00 am to 5.00pm):

26 November 2019	9 December 2019	27 December 2019
27 November 2019	10 December 2019	30 December 2019
28 November 2019	11 December 2019	31 December 2019
29 November 2019	23 December 2019	

Additionally, the tax agents went to the IRB Bangi Branch on both 26 November 2019 and 10 December 2019 with the intention of meet officers in relation to the appeal on revision of estimate of tax payable to explain the scenario and reasons for the said appeal, but such requests were rejected by the officers.

CTIM comments:

Pusat Pemprosesan Maklumat in the IRB Bangi Branch has been designated to handle the appeal for revision of estimate of tax payable outside the 6th and 9th month revisions, appeal for lower estimate of tax payable, etc. These appeals require prompt responses from the IRB as the appeals are because of the acute cash flow issue faced by the taxpayers on the monthly instalment payments. Failure to obtain the IRB's approval on such appeals may cause the taxpayers to be penalized for late / non-payment of instalments or under-estimation of tax payable or delay the processing of the tax over-paid by the IRB.

In view of the important roles of Pusat Pemprosesan Maklumat, we hope that the IRB could improve on the customer care in the IRB's Bangi Branch or designate specific officers to look into all the special appeals.

MAKLUMBALAS LHDNM

Kesukaran menghubungi Cawangan Bangi pada bulan November dan Disember adalah kerana tempoh tersebut merupakan waktu puncak di mana Unit Anggaran Cukai, BPRM menerima peningkatan pertanyaan berkaitan isu CP204. Selain itu, peningkatan kadar penerimaan surat rayuan juga lebih tinggi dalam tempoh tersebut untuk permohonan

pindaan selepas bulan ke-9 yang mana pindaan tidak dibenarkan secara e-Filing dan perlu diproses secara manual.

Berkenaan rayuan yang ditolak, dimaklumkan bahawa pengendalian rayuan di luar bulan pindaan (ke-6 atau ke-9) akan disemak dahulu oleh pegawai merujuk kepada asas rayuan pembayar cukai dan dokumen sokongan yang dikemukakan. Sekiranya dokumen sokongan yang dikemukakan tidak relevan dengan alasan rayuan yang diberikan, rayuan pindaan ini tidak akan dibenarkan kerana dianggap tidak berasas.

Secara amnya, semua kes rayuan pembayar cukai akan dilayan oleh pegawai secara sama rata. Tiada pengelasan kes dibuat mengikut amaun anggaran cukai.

5. The penalty under S112(3) of the ITA 1967

We refer to issue No.9 raised by MIA and MICPA of the Minutes of DESIRE Meeting No.1-2019 between the IRB and the Professional Bodies. Based on the IRB's reply, the penalty charged under S112(3) will be calculated based on the net tax payable after taking into account any tax installment paid in advance with effective from 1 January 2019.

Issue #9 - Minutes of DESIRE Meeting No.1-2019 on 22 April 2019

Section 112 of the ITA in relation to penalty imposed on late filing of return

Based on the Guideline on Imposition of Penalties under Section 112(3) of the ITA issued by the IRBM on 5 March 2015 (GPHDN 1/2015), the penalty rates for late filing ranging from 20% to 35% will be imposed on tax payable depending on the delay in filing.

The penalty rates would appear to be inequitable and unfair in cases where taxes have already been paid (i.e. monthly tax instalments), given that in such instances, there is no economic loss to the Government. Due regard should be given to the tax instalments which have already been paid, and as such, the penalties should be imposed only on the amount of tax that is outstanding. The penalties should also reflect the taxpayer's record of default and not just the delay in submission – e.g. penalties could be increased in line with the number of occasions that a taxpayer has defaulted in lodging its returns.

Note: We understand that the IRBM is currently looking into this.

Maklumbalas LHDNM

Kaedah pengiraan penalti di bawah subseksyen 112(3) ACP 1967 mengambil kira bayaran pendahuluan bagi tahun berkenaan mulai 1 Januari 2019.

Kadar penalti yang dikenakan ke atas kategori pembayar cukai di bawah seksyen 77 dan 77A ACP 1967 adalah berdasarkan tempoh masa yang diambil untuk mengemukakan BNCP selepas tarikh akhir pengemukaan. Tempoh kelewatan akan diambil kira dari tarikh akhir pengemukaan jika BNCP gagal dikemukakan dalam tempoh tambahan/lanjutan masa yang dibenarkan.

However, the IRB's practice seems to have changed since the new Operational Guideline No.5/2019 was issued by the IRB on 1 October 2019 pertaining to the new penalty rate under S112(3). The tax agent had sought the IRB officers' advice on this but different officers from different branches (Ipoh branch and Jalan Duta branch) gave different feedback on this issue.

CTIM comments:

We would like to seek the IRB's clarification on this issue as we feel that it is not fair that the IRB is not following its response in the Minutes of DESIRE Meeting No.1-2019 on 22 April 2019 as set-out above. A change in the penalty rate should not alter the IRB's consideration given in relation to the tax instalment paid in advance by the tax payer.

MAKLUMBALAS LHDNM

Pindaan Garis Panduan terbaru telah dilaksanakan.

Sila berikan fakta kes dan penjelasan lanjut berkenaan perbezaan pandangan cawangan-cawangan terbabit untuk semakan lanjut LHDNM.

6. Cases on estimate of tax payable (“ETP”) of less than 85% of the previous year’s ETP not allowed

- i. With effect from YA 2019, the IRB has denied companies from submitting an appeal for a ETP of less than 85% of the previous year’s ETP even though justification with supporting documents have been provided to them. They insist that companies make a revision in the 6th and/or 9th month of the basis period according to the Act.

The tax agent have cases where the reasons for the ETP of less than 85% of the previous year’s ETP were due to companies being wound up and also projects been completed but yet the IRB have been unreasonable and insisted that companies continue to pay the same instalments as the previous year and only refund them the excess tax paid after the tax return has been submitted and the company has been audited / or clearance letter has been obtained. This will take a few years and in the meantime the companies are out of pocket and will face bankruptcy faster.

[Please refer to Appendix 2]

- ii. Case involving a Unit Trust Fund:

On 8 October 2019, the tax agent wrote to the IRB Processing Unit on behalf of the Fund to request for approval to submit a nil ETP for YA 2020 as compared to a higher amount of ETP for YA 2019 on the basis that the Fund does not have any unit holders in YA 2020 and also does not have any marketing plan or future plan to get more unit holders. A copy of the Valuation Report as at 30 September 2019 showing a minimal cash amount was attached as the supporting document.

On 11 November 2019, the IRB gave the tax agent a rejection letter and the tax agent checked with them on the reason for the rejection.

On 2 January 2020, the tax agent made an appeal to the IRB against the rejection and attached the Funds Notification of Winding Up Form to the Securities Commission (SC). Since then, the tax agent has met with the IRB officer a few times and also called and emailed them to obtain a response from them and were informed that it is still pending.

The 1st instalment is due on 15 February 2020 and up till now the tax agent has yet to hear from the IRB. The tax agent has informed the client to make the necessary payment of the 1st instalment on or before the due date of 15 February 2020 if no response is received from the IRB, to avoid the late payment penalty being imposed. The Fund informed the tax agent that they do not have the money to pay. Is the Notification of Winding Up Form not a good supporting document? [Please refer to Appendix 3]

- iii. In another case involving a project, the IRB rejected an appeal for a ETP of less than 85% of the previous year’s ETP even though the tax agent had furnished them the certificate of completion of the project.

CTIM comments:

We hope that the IRB could reconsider the above by allowing any appeals for ETP less than the minimum 85% of the previous year's ETP amount on a case to case basis, especially if the case is substantiated with documented evidence as stated in the IRB's reply in the Minutes of DESIRE Meeting No.1-2019 on 22 April 2019 [Please refer to Appendix 4].

MAKLUMBALAS LHDNM

LHDNM bersetuju bahawa pertimbangan saksama wajar diberi berdasarkan merit sesuatu kes apabila sesuatu syarikat memohon untuk mengemukakan anggaran cukai yang lebih rendah dari 85% jumlah anggaran cukai asal tahun sebelumnya atau anggaran disemak yang dikemukakan. Kelulusan boleh diberi bagi kes yang mengemukakan alasan yang munasabah.

7. Application of Section 77A(4) of the ITA 1967 to a Labuan entity [incorporated under the Labuan Companies Act 1990 (LCA 1990)] that has elected to be taxed under the ITA 1967

Pursuant to Section 111(1A) of the LCA 1990, a Labuan company (i.e. a company incorporated or registered under the LCA 1990) shall lodge with the Labuan Financial Services Authority established under Section 3 of the Labuan Financial Services Authority Act 1996 an annual certificate from a director within thirty days of the accounts being laid before the company at a meeting of members stating that he has considered the audited or unaudited accounts mentioned in subsection (1).

Below is an extract of Sections 111(1) and 111(1A) of the LCA 1990:

“111(1) The directors of a Labuan company shall cause to be laid before the company at a meeting of members the audited accounts or unaudited accounts, as the case may be, of the company not more than nine months after the date to which the audited accounts or unaudited accounts are made up.

111(1A) A Labuan company shall lodge with the Authority an annual certificate from a director within thirty days of the accounts being laid before the company at a meeting of members stating that he has considered the audited or unaudited accounts mentioned in subsection (1) and certifying, with or without qualifications—

- (a)...*
- (b)...; and*
- (c)...; “*

According to the above, a Labuan company incorporated or registered under the LCA 1990 that has elected to be taxed under the ITA 1967 has its accounts prepared in accordance with the requirements of the LCA 1990. The provision under the existing Section 77A(4) of the ITA 1967 provides that *“The return furnished by a company under this section shall be based on financial statements made in accordance with the requirements of the Companies Act 2016.”*

We understand that tax returns of a Labuan company prepared based on accounts made in accordance with the requirements of the LCA 1990 are deemed in compliance with Section 77A(4) of the ITA 1967 and hence accepted by the IRB.

CTIM comments:

Please confirm that our understanding is correct.

MAKLUMBALAS LHDNM

Ya, pemahaman pihak tuan adalah teratur.

8. Status of the Malaysian Income Tax Reporting System (MITRS)

It is noted that the proposed launch date of the MITRS Submission System by IRB is in April 2020.

CTIM comments:


Please provide an update on the status of the MITRS.



MAKLUMBALAS LHDNM

Berdasarkan keadaan semasa, LHDNM mempertimbangkan semula ke suatu tarikh yang baharu.


Appendix 1

Form J issued by the IRB under Section 90(3) for YA 2019 with imposition of a 45% penalty - (Form J issued due to error in the IRB's e-Filing system) (Please refer to item 3 on page 6 of this Paper)

14/75		CP.9C-Pln.2019
	<p>CUKAI PENDAPATAN NOTIS TAKSIRAN TAHUN TAKSIRAN 2019 SUBSEKSYEN 90(3)</p> <p>052467</p>	<h1 style="font-size: 48px; margin: 0;">J</h1>
		<p>LEMBAGA HASIL DALAM NEGERI CAWANGAN PEMBAYAR CUKAI BESAR TINGKAT 1,3-13, BLOK 11 KOMPLEKS BANGUNAN KERAJAAN, JALAN TUANKU ABDUL HALIM, 50990 KUALA LUMPUR MALAYSIA</p>
		<p>Telefon : _____</p> <p>No. Rujukan [No. Pendaftaran] _____</p> <p>No. Cukai Pendapatan _____</p> <p>Tarikh : 13/01/2020</p>
<p>1. Menurut Akta Cukai Pendapatan 1967, dan/atau Akta Cukai Pendapatan Tambahan 1967, notis ini adalah mengenai taksiran yang dibuat terhadap tuan bagi tahun taksiran yang tersebut di atas.</p> <p>2. Tuan telah gagal mematuhi peruntukan subseksyen 77 A (1) Akta Cukai Pendapatan 1967. Oleh yang demikian taksiran mengikut perimbangan saya ke atas tuan adalah dikeluarkan di bawah peruntukan subseksyen 90(3) Akta tersebut. Di atas kegagalan tersebut penalti telah dikenakan mengikut peruntukan subseksyen 112(3) Akta yang sama.</p> <p>3. Jika tuan tidak berpuashati dengan taksiran ini, tuan boleh merayu terhadapnya dalam had tempoh yang dinyatakan di muka sebelah. Kemukakan borang rayuan bersama dengan borang cukai pendapatan jika borang tersebut belum lagi dikemukakan. Walau bagaimanapun, cukai kena dibayar itu mestilah juga dibayar.</p> <p>4. Kenaikan cukai kerana tidak membayar adalah dihuraikan di muka sebelah.</p>		
<p>DATO' SRI DR. SABIN BIN SAMITAH Ketua Pengarah Hasil Dalam Negeri</p>		
BORANG INI DITETAPKAN DI BAWAH SEKSYEN 152 AKTA CUKAI PENDAPATAN 1967		
		(RM)
PENDAPATAN BERCUKAI		17,916,666
Cukai di atas RM	17,916,666 @ 24% =	4,299,999.84
CUKAI PENDAPATAN DIKENAKAN		4,299,999.84
Tolak REBAT SEKSYEN 6B/PENGURANGAN CUKAI ATAS PENDAPATAN AKTIVITI JELAJAH DAN EKSPLOITASI PETROLEUM KAWASAN PEMBANGUNAN BERSAMA		-
Tambah CUKAI-CUKAI LAIN:		-
Tambah CUKAI DAHULUNYA DIBAYAR BALIK		-
PENALTI: DIKENAKAN DI BAWAH SUBSEKSYEN 112(3)		1,934,999.92
JUMLAH Tolak TOLAKAN/PELEPASAN:		6,234,999.76
CUKAI KENA DIBAYAR		6,234,999.76

		e-Filing LHDNM Mudah, Tepat & Selamat	
PENGESAHAN PENERIMAAN e-C BAGI TAHUN TAKSIRAN 2019 CONFIRMATION OF SUBMISSION e-C FOR YEAR OF ASSESSMENT 2019			
Nombor Siri <i>Serial Number</i>			
Nama Syarikat <i>Company's Name</i>			
No. Cukai Pendapatan <i>Income Tax No.</i>			
No. Rujukan (No. Pendaftaran) <i>Reference No. (Registration No.)</i>			
Tempoh Perakaunan <i>Accounting Period</i>		01/04/2018	hingga (to) 31/03/2019
Tempoh Asas <i>Basis Period</i>		01/04/2018	hingga (to) 31/03/2019
Pendapatan Bercukai <i>Chargeable Income</i>		RM 16,291,546.00	
Jumlah Cukai Pendapatan Dikenakan <i>Total Income Tax Charged</i>		RM 3,909,971.04	
Jumlah Kurangan Cukai/Tolakan/Pelepasan <i>Total Tax Deduction / Reduction / Relief</i>		RM 0.00	
CUKAI KENA DIBAYAR <i>TAX PAYABLE</i>		RM 3,909,971.04	
Bayaran ansuran yang telah dijelaskan - Seksyen 107C <i>Instalment Payments made- Section 107C</i>		RM 4,300,000.00	
Bayaran yang telah dijelaskan - Perenggan 107A(1)(a) <i>Instalment Payments made - Paragraph 107A(1)(a)</i>		RM 0.00	
CUKAI TERLEBIH BAYAR <i>TAX PAID IN EXCESS</i>		RM 390,028.96	
Pengakuan Dan Ditandatangani Oleh <i>Declaration And Signed By</i>			
No. Kelulusan Ejen Cukai <i>Tax agent's approval no.</i>		02/3296/07/2022	
Jawatan <i>Designation</i>		EJEN CUKAI	
Nama Penghantar <i>Sender's Name</i>			
Tarikh dan Masa <i>Date and Time</i>		22/11/2019 05:14:08 PM	
Alamat IP <i>IP Address</i>		103.92.18.8	
Terima kasih kerana menggunakan e-Filing LHDNM. <i>Thank you for using LHDNM's e-Filing.</i>			
			

**Cases on estimate of tax payable ("ETP") of less than 85% of the previous year's ETP not allowed
(Please refer to item 6 on page 9 of this Paper)**

 <p>LEMBAGA HASIL DALAM NEGERI MALAYSIA PUSAT PEMROSESAN MAKLUMAT MENARA HASIL, NO 3, JALAN 9/10, SEKSYEN 9 43650 BANDAR BARU BANGI SELANGOR MALAYSIA</p>	<p>Tel. : 603-89133800 Faks : 603-89221801 InfoLINE : 1-800-88-LHDN(5436) LamanWebLHDN: http://www.hasil.gov.my</p>
<p>No. Rujukan (No. Pengenalan) : - No. Cukai Pendapatan : Tarikh : 11 NOV 2019</p>	
<p>Tuan,</p> <p>RAYUAN PINDAAN ANGGARAN CUKAI BAGI TAHUN TAKSIRAN 2020 NAMA SYARIKAT:</p> <p>Surat tuan bertarikh 08/10/2019 yang diterima pada 09/10/2019 adalah dirujuk.</p> <p>2. Mulai Tahun Taksiran 2019, sebarang rayuan untuk mengemukakan anggaran cukai kurang daripada amaun minimum 85% adalah tidak dibenarkan. Tuan hanya boleh membuat pindaan tersebut pada bulan ke-6 atau/dan bulan ke-9 tempoh asas bagi suatu Tahun Taksiran melalui e-CP204A.</p> <p>Sekian, terima kasih.</p> <p>"BERKHIDMAT UNTUK NEGARA" "BERSAMA MEMBANGUN NEGARA"</p> <p>Ketua Pegawai Eksekutif/Ketua Pengarah Hasil Dalam Negeri Lembaga Hasil Dalam Negeri Malaysia</p> <p>[Cetakan komputer ini tidak memerlukan tandatangan]</p>	

Cases on estimate of tax payable ("ETP") of less than 85% of the previous year's ETP not allowed (Please refer to item 6 on page 9 of this Paper)

Private and Confidential
Director
Inland Revenue Board
Information Processing Centre
Menara Hasil
No.3, Jalan 9/10, Seksyen 9
43650 Bandar Baru Bangi
Selangor

Your ref
Our ref
Contact Ext.

2 January 2020

Dear Sir

Re:

Initial Estimated Tax Payable ("ETP") for Year of Assessment ("YA") 2020

We refer to your letter dated 11 November 2019.

On behalf of our above client, we would like to request to the IRB to reconsider our client's appeal to submit a nil ETP, as compared to 85% of its revised ETP for YA 2019 of RM1,130,060, on the basis the Fund does not have the ability to pay its YA 2020 tax instalments.

Furthermore, the Fund has no more unit holders since mid of July 2019 due to full redemption to its last unit holder, .
Our client has commenced the process of winding up the Fund on 30 December 2019 and a copy of the Notification Form to the Securities Commission (SC) is attached herewith for your further action. We hope that this document is suffice for your reconsideration to our client's appeal.

We look forward to your favourable reply on the matter above.

YA 2020

Please do not hesitate to contact the undersigned or our
should you require any further information or clarification in this
matter.

Yours faithfully

Executive Director

Enclosures: IRB's letter dated 11 November 2019
's letter dated 8 October 2019
Notification Form of commencement of winding up of the Fund to the
Securities Commission (SC)

cc.

30 December 2019

The Chairman
Securities Commission Malaysia
No. 3, Persiaran Bukit Kiara
Bukit Kiara
50490 Kuala Lumpur

(Attention: Managing Director, Corporate Finance & Investments)

Dear Datuk,

WINDING UP OF

The above matter refers.

We wish to inform the Securities Commission on our decision to wind up our wholesale fund,

The winding up of the above Fund was based on the fact that the Fund has no unit holders since middle of July 2019 and due to full redemption by the Fund's unit holder,

Please find attached herewith the Notification Form dated on 30 December 2019 on Winding Up of a Wholesale Fund for your reference.

Please do not hesitate to contact [redacted] at [redacted] ext. [redacted] or [redacted] at [redacted] ext. [redacted] should you require further clarification or information.

Thank you.

Yours faithfully

Chief Executive Officer / Director



Suruhanjaya Sekuriti
Securities Commission
Malaysia

**NOTIFICATION OF COMMENCEMENT OR COMPLETION:
WINDING UP OF A WHOLESALE FUND**

The *Capital Markets and Services Act 2007* and the *Guidelines on Wholesale Funds* require person(s) submitting or cause to be submitted, any statement or information to the Securities Commission to ensure that the information submitted is not false or misleading and there is no material omission in any respects. Non-compliance with the requirement shall subject the person to the sanctions and penalties prescribed under the Act and/or the Guidelines.

DECLARATION

To the best of our knowledge and belief, all information given in this notification form is true and accurate. We declare that we are satisfied after having made all reasonable enquiries that the notification is in full compliance with the Guidelines.

.....
Name of Authorised Signatory of Adviser*:
Designation:
Company:
Date:

.....
Name of Director of Fund Management Company: .
Designation: Executive Director / Chief Executive Officer
Company:
Date: 30 December 2019

* Please delete if inapplicable

Instructions

1. Please tick (✓) in the relevant boxes.
2. If a question is not applicable, please state "N/A" in the space provided (including in the space where "date of completion" is required for notification of commencement of winding up).
3. "Date of completion" in Section A.(i), (ii) and (iii) refers to the date when the net cash proceeds are paid to all unit holders.
4. If the space provided is insufficient, please continue on a separate sheet of paper. Please indicate which question your additional information relates to.

Cases on estimate of tax payable (“ETP”) of less than 85% of the previous year’s ETP not allowed (Please refer to item 6 on page 10 of this Paper) - Extracted from the Minutes of DESIRE Meeting No.1-2019 on 22 April 2019



Memorandum on Compliance and Operational Issues (Additional Issues)

1. Appeal for lower tax estimate of less than the minimum 85% amount not allowed with effect from YA 2019

Issues raised by member which is reproduced below:

We have received an email reply from one of the officers from Pusat Pemprosesan (Unit Anggaran Cukai) with regards to one of our appeal for lower tax estimate cases for the year of assessment (“YA”) 2019 whereby we were informed that Pusat Pemprosesan will not allow any appeals for lower tax estimate of less than the minimum 85% amount with effect from YA 2019.

When we sought clarification from the Inland Revenue Board (“IRB”) officer, we were verbally informed that there was an internal instruction given to them on 15 February 2019 on this matter. Furthermore, she informed that effective from 15 February 2019, Pusat Pemprosesan (Unit Anggaran Cukai) will only consider special revision applications after the 9th month of the basis period of a year of assessment together with valid reasons and supporting documents.

Furthermore, the IRB has not notified taxpayers on any change to their operational guidelines (Garis Panduan Operasi Bil.1 Tahun 2017) dated 23 February 2017 which mentioned that Pusat Pemprosesan would consider appeals for lower tax estimate less than the minimum 85% amount specified in Section 107C(3) of the Income Tax Act (“ITA”) 1967.

Additional verbal clarification obtained from the IRB:

The IRB officer in charge of CP204 in the IRB Tax Operation Department has confirmed that the Guidelines on the submission of the estimated tax payable under Section 107C, ITA 1967 (Garis Panduan Operasi Bil.1 Tahun 2017) have been withdrawn from the IRB website in order to revise the Guidelines accordingly.

The officer also confirmed that appeals for lower tax estimate of less than the minimum 85% amount will not be allowed with effect from YA 2019.

According to the officer, no announcement will be made publicly on this matter for the time being but the IRB will inform the professional bodies on this matter during a dialogue.

CTIM comments:

- i. We hope that the IRB could reconsider the above by allowing any appeals for lower tax estimate less than the minimum 85% amount on a case to case basis, especially if the case is genuine and can be substantiated with documented evidence such as the following: -
 - Taxpayers who have incurred / projected current year business losses (e.g. due to loss of a particular project resulting in huge drop in revenue);
 - Taxpayers with carry forward business losses, sufficient to set-off against the current year business profits; and
 - Taxpayers who are in the process of closing down business and under liquidation or strike-off.
- ii. We would also like to request the IRB to make an announcement if there is any withdrawal of guidelines etc. from the IRB website.

Page 3 of 5

Unit B-13-1 (Unit 1-5), Block B, 13th Floor, Megan Avenue II, No.12, Jalan Yap Kwan Seng, 50450 Kuala Lumpur
Tel: +603-2162 8989 Fax: +603-2162 8990, 2161 3207 Email: secretariat@ctim.org.my

Maklumbalas LHDNM

Berkuatkuasa daripada tahun taksiran 2006, anggaran cukai yang kena dibayar bagi sesuatu tahun taksiran hendaklah tidak kurang daripada 85% anggaran cukai dipinda bagi tahun taksiran sebelumnya. Jika tiada pindaan anggaran cukai dikemukakan, anggaran cukai tahun semasa hendaklah tidak kurang daripada 85% anggaran cukai pada tahun taksiran sebelum.

Bagi syarikat yang baru memulakan operasi, syarikat boleh menentukan anggaran cukai bagi tahun taksiran pertama mengikut anggaran keuntungan syarikat. Anggaran cukai pada tahun taksiran pertama tersebut akan menjadi asas untuk menentukan anggaran cukai tahun taksiran berikutnya.

Secara dasarnya, pembayar cukai dibenarkan untuk membuat pindaan anggaran cukai tetapi oleh kerana jumlah pindaan anggaran cukai yang terlalu tinggi dari tahun ke setahun, LHDNM tidak dapat membenarkan amalan ini berterusan. Pusat Pemprosesan Maklumat dimohon untuk menyemak dan mempertimbangkan kes-kes tertentu dengan syarat dan proses yang lebih ketat. Makluman ini akan disampaikan kepada pegawai yang terlibat yang mana ianya hanya melibatkan pegawai di Pusat Pemprosesan Maklumat.

DIALOG DESIRE BIL. 1/2020

**MALAYSIAN INSTITUTE OF
ACCOUNTANTS (MIA)**

&

**THE MALAYSIAN INSTITUTE
OF CERTIFIED
PUBLIC ACCOUNTANTS (MICPA)**



MALAYSIAN INSTITUTE
OF ACCOUNTANTS



JOINT OPERATIONAL ISSUES FOR DESIRE DIALOGUE NO 1/2020

Jointly submitted by:

Malaysian Institute of Accountants (MIA)
Dewan Akauntan
Unit 33-01, Level 33, Tower A
The Vertical, Avenue 3
Bangsar South City
No. 8, Jalan Kerinchi
59200 Kuala Lumpur

Website: <http://www.mia.org.my>
Telephone no: 603 2722 9200
Fax no: 603 2722 9100

The Malaysian Institute of Certified
Public Accountants (MICPA)
No.15, Jalan Medan Tuanku
50300 Kuala Lumpur

Website: <http://www.micpa.com.my>
Telephone no: 603 2698 9622
Fax no: 60 3 2698 9403

JOINT OPERATIONAL ISSUES FOR DESIRE DIALOGUE NO 1/2020

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1. **Completion of Form e-C and other matter related to Form e-C:**

(a) **Absence of an appropriate business code for company which is a special purpose vehicle (SPV) carrying on a non-business activity**

Certain SPVs are set up not to carry on a business activity. For example, a REIT raises funding (conventional bond) through a SPV. The interest income received from REIT is to pay off the investors by the SPV.

Currently, the business code that is being used is “64999 - Other financial service activities, except insurance/takaful and pension funding n.e.c” and the business code does not reflect the actual activity of the SPV accurately.

Comment:

It is proposed for a specific Business Code for such SPV to be created. For example: XXXXX (number) – Special Purpose Vehicle (carrying non-business activity).

MAKLUMBALAS LHDNM

Kod Perniagaan yang digunakan adalah standard yang dikeluarkan Jabatan Perangkaan Malaysia. Penggunaan Kod Perniagaan sedia ada adalah dikekalkan.

(b) **Disclosure in item D4 – Claim for incentive(s) under ITA 1967 / PIA 1986, other than the incentives in items D1, D2 and D3**

Based on the 2019 Form e-C Guidebook, the IRBM has provided the following explanation in Item D4 (i.e. to disclose the details of single-tier dividend as well):

Item	Subject	Explanation										
D4	Claim for incentive(s) under ITA 1967 / Promotion of Investment Act 1986 (PIA 1986) other than the incentives in items D1, D2 and D3	<p>From the list of incentives provided, select a code for the type of exemption / allowance claimed, and enter the amount.</p> <p>Computation of incentive and supporting documents should be kept for the future reference / examination by LHDNM, if required.</p> <p>Appendices and worksheets provided by LHDNM can be used as a guide for calculations and adjustments.</p> <p>Example: JJ Sdn. Bhd. received dividends amounting to RM60,000 from other companies. This dividend income is tax exempt under paragraph 12B Schedule 6 of ITA 1967 – Type of incentive : Kod 407</p> <table border="1"> <thead> <tr> <th>Type of Incentive</th> <th>Balance Brought Forward</th> <th>Amount Claimed</th> <th>Amount Absorbed</th> <th>Balance Carried Forward</th> </tr> </thead> <tbody> <tr> <td>407</td> <td>0</td> <td>60,000</td> <td>60,000</td> <td>0</td> </tr> </tbody> </table>	Type of Incentive	Balance Brought Forward	Amount Claimed	Amount Absorbed	Balance Carried Forward	407	0	60,000	60,000	0
Type of Incentive	Balance Brought Forward	Amount Claimed	Amount Absorbed	Balance Carried Forward								
407	0	60,000	60,000	0								

Comment:

It would be much appreciated if the IRBM can provide the rationale of disclosing the details of the single-tier dividend (pursuant to paragraph 12B of Schedule 6 of ITA 1967) under Item D4 since it is not an incentive per-se. Where the response is that the declaration of single-tier dividend is required, does this mean that other income that are exempted under Schedule 6 of the ITA would need to be reported as well, aside from the incentives listed in Appendix D4.



MAKLUMBALAS LHDNM

Apa-apa pendapatan yang dikecualikan merupakan insentif cukai. Walau bagaimanapun, bagi tujuan pengisian ruang D4, hanya pendapatan yang dikecualikan / elaun / perbelanjaan seperti yang tersenarai di Lampiran D4 perlu dilaporkan

(c) Appendix HK-F 2019

Summary of absorbed/surrendered/disregarded losses and losses carried forward (including pioneer losses after tax relief period)

There are different types of rules in utilising the business losses. For example, unabsorbed losses from RAPID project [P.U. (A) 41/2013] and losses from shipping business (Section 54A) can only be utilised against that particular business source.

Comment:

The presentation in HK-F (2019) seems to combine the losses from different type of business source (e.g. pioneer, shipping business, etc.) in one column under the "(a) Current Year of Assessment Losses" heading. This presentation does not segregate between losses that can be utilised against other business losses or only on a particular business loss.

For clarity purposes, please confirm the types of business losses to be completed under column "(a) Current Year of Assessment Losses".

MAKLUMBALAS LHDNM

HK-F 2019 hanya merupakan helaian kerja yang perlu disimpan oleh pembayar cukai berhubung rumusan kerugian perniagaan. Helaian kerja ini merupakan panduan kepada pembayar cukai melaporkan kerugian perniagaan dan sekiranya kerugian perniagaan perlu dilaporkan secara berasingan mengikut perniagaan, maka pembayar cukai hendaklah melaporkan kerugian tersebut dalam helaian kerja (HK-F 2019) yang berasingan.

LHDNM mengambil maklum perkara yang dibangkitkan dan akan membuat semakan lanjut bagi menambahbaik helaian kerja sedia ada. LHDNM juga mengalu-alukan cadangan penambahbaikan helaian kerja ini daripada pihak tuan.

(d) Sample Form e-C for the YA 2019 in English version

The sample Form e-C for the YA 2019 in English version that is available to be downloaded by the taxpayer at the Hasil website did not cover the relevant appendices which would need to be printed together upon submission of the Form e-C through e-filing.

Comment:

For completeness, it is suggested that the IRBM issue the English version of the appendices which forms part of the Form e-C.

MAKLUMBALAS LHDNM

LHDNM ambil maklum dan akan ambil tindakan.



2. “No. Rujukan” on Form e-TC

There should be no “No. Rujukan” for a unit trust. However, certain Forms e-TC are pre-populated with incorrect / invalid “No. Rujukan” and this pre-populated number cannot be deleted. Please refer to the print screen on Appendix 1.

Comment:

The Institutes hope that the IRBM could look into its’ pre-filling of data in its e-filing system.

MAKLUMBALAS LHDNM

LHDNM akan ambil tindakan supaya perkara ini tidak akan terjadi lagi di masa hadapan.

3. e-Filing User Identification (ID)

For taxpayers who are not using tax agents to file the tax returns, the e-filing access is only restricted to the registered authorised person i.e. only 1 person and usually, this person is the director of the company or in a large organisation, it is the head of tax or Group CFO. However, based on good governance and in practice, another person should have access to perform data entry, checking as well as to back-up the other persons in case of any emergency. The IT policy of large organisations, particularly banks, do not allow strictly the sharing of passwords. Hence, this results in IT security issues when the password and user ID to the e-filing site is inevitably shared for backup purposes as well as data entry/checking purposes.

Comment:

It is suggested that the IRBM consider allowing taxpayers to have at least 2 more user IDs (i.e. in total 3 IDs) with separate passwords tagged to each company in order to promote good IT governance and for practical purposes.

MAKLUMBALAS LHDNM

LHDNM akan membuat kajian lanjut berkenaan keperluan ini.

4. Tax refund cheque lost in transit

At present, in the event a tax refund cheque is lost in transit, it takes more than 6 months for the IRBM to obtain approval from HQ to re-issue replacement cheques to taxpayers.

Comment:

It is proposed for the re-issuance of replacement cheques in the above scenario be expedited.

MAKLUMBALAS LHDNM

Setiap cek bayaran balik yang dikeluarkan mempunyai tempoh sah laku selama 3 bulan. Oleh itu LHDNM perlu menunggu berakhirnya tempoh berkenaan sebelum boleh membatalkan sesuatu bayaran iaitu apabila cek gagal ditunaikan (hilang dalam perjalanan). Sebaik dibatalkan, dana berkenaan akan terus digunakan untuk membayar kes bayaran bayaran balik berikutnya yang terdapat dalam senarai. Proses pengeluaran semula cek bayaran balik bagi kes yang dibatalkan akan mengambil masa kerana Pegawai Pungutan perlu menyemak



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mengapa cek asal gagal ditunaikan serta mencari alamat alternatif sekiranya surat asal dikembalikan tanpa serah. Setelah kes selesai diproses, pembayaran akan bergantung kepada wujudnya baki yang mencukupi dalam Tabung Bayaran Balik Cukai.

Bagi menyegerakan proses bayaran balik, pembayar cukai diminta mengemukakan nombor akaun bank yang aktif dan betul agar bayaran balik boleh dilakukan menerusi kaedah elektronik (Electronic Fund Transfer).

5. Issuance of IRBM official receipt for payments made through GIRO/RENTAS

Currently, taxpayers are required to send an email to the IRBM (to specific email addresses of the IRBM officials) after tax instalments and withholding tax (WHT) payments are made to the IRBM through GIRO/RENTAS. This requirement is to notify the IRBM that such payments have been made by taxpayers and also to enable the IRBM to trace the amounts remitted to the IRBM through the aforesaid method. The IRBM official receipts will be issued upon verification of receipt of the remittance.

Comment:

We would propose that the IRBM upgrade its e-payment system to enable automatic tracking of the various type of payments made by taxpayers through GIRO / RENTAS and also for the receipts to be made available electronically.

MAKLUMBALAS LHDNM

LHDNM akan membangunkan beberapa lagi kaedah e-bayaran untuk pembayaran semua jenis cukai langsung bagi memudahkan pembayaran dan mekanisme pemprosesan bayaran cukai contohnya bayaran ansuran cukai bulanan dengan amaun yang besar dan bayaran cukai pegangan yang pada masa kini dibayar menerusi RENTAS/GIRO/ Pindahan Telegrafik.

6. Mode of payment for WHT and submission of WHT Forms

Presently, for local taxpayers who made payments to a non-resident that are subject to WHT, the IRBM prefers to accept cheques for the remittance of WHT relating to the said payments. Correspondingly, the WHT forms and relevant supporting documents are to be submitted in hard copies upon remittance of the WHT payments to the IRBM as stated below:



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All withholding tax payments (other than for non-resident public entertainers) must be made with the relevant payment forms, duly completed, together with copy of invoices issued by the NR payee and copy of payment documents as proof of date of payment /crediting to the NR payee.

Type Of Income Subject To Withholding Tax And Withholding Tax Rate On Non-Resident Persons:

Withholding Tax On Non-Resident Persons :

Please ensure that the forms are completed accurately furnishing the Malaysian tax reference number for the payer, payee as well as the payee's country of origin.

If the payer does not have the reference number of the payee, the payer may request for such number from :

Director
Non Resident Branch
Customer Services Unit
3rd Floor Left, Block 8
Government Office Complex
Jalan Duta, 50600 Kuala Lumpur,

stating the full name, address of the payee and the nature of payment.

For urgent payment (where the income tax reference number of the payee is not known), the payer may send the Forms CP 37A/ CP 37/ CP 37D together with the payment, copy of invoice and remittance slip (telegraphic transfer) directly to:

Director
Non Resident Branch
Withholding Tax Unit
7th Floor, Block 8
Government Office Complex
Enforcement for Compliance

(Other than for withholding tax on non-resident public entertainers and resident individuals)

Comment:

In line with the digitalisation era, it is proposed that WHT payments be considered for electronic payments (with proper codes embedded to differentiate the various categories of WHT payments) as well as the issuance of e-receipts.

MAKLUMBALAS LHDNM

LHDNM akan membangunkan kaedah e-bayaran untuk pembayaran semua kategori cukai pegangan yang pada masa kini dibayar menggunakan cek dan menerusi RENTAS/GIRO/ Pindahan Telegrafi.

7. Transaction limit on online tax payments

Currently, online tax payments to the IRBM is restricted to RM 1 million per transaction. Multiple transactions would have to be performed for transactions exceeding RM 1 million.

Comment:

In line with Bank Negara Malaysia's initiative to reduce transactions made via cheques in order to encourage digitalisation, the Institutes propose for the transaction limit in respect of online tax payments be increased to improve efficiency.



MAKLUMBALAS LHDNM

Had maksimum bayaran sebanyak tidak melebihi RM 1 juta bagi setiap transaksi menerusi kaedah pindahan elektronik (EFT) adalah ditetapkan oleh Bank Negara Malaysia (BNM). LHDNM akan bekerjasama dengan BNM bagi menyediakan kaedah bayaran yang mudah khususnya bayaran yang melibatkan amaun yang besar. Aplikasi DuitNow adalah antara kaedah yang sedang dipertimbangkan.

8. Publish service standards that are observed and monitored

The IRBM may have specific service standards for responding to call centre queries, applications for rulings etc. These should be fixed internally and monitored, published and made available to the general public for transparency purposes.

For example, for a ruling application, a ruling should be issued within 28 days of receiving all the information, an acknowledgment should happen within 2 days, an information request should be issued within 7 days to the taxpayer for any applications submitted. These are monitored and where the service standard is not met, this is reflected in the KPIs for the officer and the relevant team.

We also wish to have a detailed IRBM directory that is similar to MIDA, providing full details such as officer in charge / department / unit with their respective email addresses and direct lines, for the convenience for both applicants and the IRBM. If these details are made available, taxpayers / tax agents may then send requisite documents to the IRBM through email / upload online promptly, eliminate incident of documents being missing in-transit.

Other KPIs or initiatives should also be set such as:

- Increase the head count for Hasil Care Line to reduce the number of unattended calls
- Reply to incoming emails within 3 working days
- Identify and distribute documents to officer-in-charge within 3 working days upon receipt of documents at the counter.

MAKLUMBALAS LHDNM

- Pada masa ini nama *Customer Care Officer* (CCO) dan Timbalan CCO Cawangan boleh diperolehi di Portal Rasmi LHDNM. Dalam kebanyakan kes audit, nama pegawai audit dan maklumat perhubungan akan dinyatakan dalam surat menyurat memandangkan kes dikendalikan oleh pegawai berkenaan. Bagi kes bukan audit termasuk pertanyaan, pembayar cukai boleh menggunakan saluran perhubungan lain seperti Borang Maklumbalas Pelanggan, HASiL Chat, Hasil *Knowledge Center* dan *Hasil Care Line*.
- LHDNM sentiasa menerima panggilan dari pembayar cukai dan juga ejen cukai dan panggilan tidak dapat dijawab 100% apabila tiba musim penghantaran borang. LHDNM memohon jasa baik ejen cukai bekerjasama dalam mewarwarkan maklumat cukai terutama berhubung dengan pelepasan cukai dan penggunaan e-Filing kepada pegawai-pegawainya dan juga pelanggannya.



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Pembayar cukai juga boleh menggunakan saluran perhubungan lain seperti Borang Maklumbalas Pelanggan. Selain itu alternatif perkhidmatan baru yang telah diperkenal mulai Julai 2019 adalah HASiL Chat dan HASiL *Knowledge Centre* bagi membantu dalam menjawab pertanyaan.

Talian khas juga disediakan untuk ejen cukai hubungi HCL iaitu 03-89111189.

- Dokumen yang diterima di kaunter akan diserahkan ke unit pada keesokan harinya. Agihan akan dibuat kepada pegawai di Unit pada hari yang sama bagi kes-kes segera

9. Client Charter

(a) Tax Refund

There are instances where tax refund for overpayment of taxes take six months or more.

Comment:

The Institute propose for the timing lag in refund be aligned to the IRBM's Client Charter.

MAKLUMBALAS LHDNM

Proses bayaran balik mungkin tertunda sehingga melebihi tempoh 6 bulan disebabkan dana Tabung Bayaran Balik Cukai (TBBC) yang tidak mencukupi pada sesuatu tempoh atau disebabkan tindakan audit atau siasatan yang dilakukan masih belum selesai. LHDNM akan berusaha memastikan bayaran balik diproses dalam tempoh ditetapkan seperti dalam Piagam Pelanggan.

(b) Tax Clearance Letter

There are instances where issuance of tax clearance letters for individual taxpayers is delayed by months. Notwithstanding that the monies withheld can be released to the employees 90 days after the IRBM's receipt of the notification of cessation, this time lag increases the administrative costs to the employer as tracking of the issuance of tax clearance letter is still necessary to ensure that the taxes of the employee concerned is fully settled.

Comment:

The Institutes propose for the timing lag in issuance of tax clearance letters be aligned to the IRBM's Client Charter.

MAKLUMBALAS LHDNM

Kes akan diselesaikan dalam tempoh sekiranya dokumen lengkap telah dikemukakan.

(c) Tax Payment

There is currently a time-lag (of between 2 to 10 days) between the transaction date and the update of payments receipt date noted in the e-Ledger.



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Comment:

It is proposed for the updating of the e-Ledger be reduced to 1 to 2 days from the transaction date to enable taxpayers to track their payment status. This process allows taxpayers to detect failed transactions and quickly make up any shortfall to avoid late penalty charges and subsequent appeal for reduction of penalty.

MAKLUMBALAS LHDNM


Proses mengemaskini data bayaran cukai ke e-lejar pembayar cukai bergantung kepada kecekapan proses pemindahan data, semakan dan penyesuaian data antara LHDNM dan seluruh bank komersial yang telah dilantik sebagai ejen kutipan. Sebarang gangguan yang berlaku dalam proses pemindahan data atau jika sesuatu proses tergendala akan menyebabkan kelewatan dalam proses kemaskini di LHDNM. Pembayar cukai perlu memilih kaedah “Instant Transfer” dan bukannya “ Normal Transfer” bagi pembayaran secara dalam talian bagi memastikan pengesahan segera status bayaran. LHDNM akan bekerjasama dengan seluruh bank bagi menambahbaik proses pindahan data dan mekanisme pemprosesan bayaran agar bayaran dapat dikemaskini dengan pantas (real-time).

(d) Client Charter Achievement

The Institutes applaud the posting of the IRBM’s monthly report of its Client Charter Achievement on the website. For transparency, it would be good if a breakdown of each achievement can be provided to gauge the percentage of achievement against the KPI set.

MAKLUMBALAS LHDNM

Penambahbaikan Laporan Piagam Pelanggan telah dibuat di mana peratus sasaran dan pencapaian bulanan bagi setiap aktiviti telah dilaporkan mulai bulan Januari 2020.

 LEMBAGA HASIL DALAM NEGERI MALAYSIA BORANG NYATA UNIT AMANAH / AMANAH HARTA TANAH DI BAWAH SEKSYEN 77 AKTA CUKAI PENDAPATAN 1967 Borang ini ditetapkan di bawah seksyen 152 Akta Cukai Pendapatan 1967		e-TC TAHUN TAKSIRAN 2019
DRAF		
MAKLUMAT UNIT AMANAH / AMANAH HARTA TANAH		
Nama Unit Amanah / Amanah Harta Tanah	[REDACTED]	
No. rujukan (No. pendaftaran)	123123123	<---- Should be blank
No. cukai pendapatan	TC 278832202	
Mastautin di Malaysia	YA	Negara mastautin MALAYSIA
Jenis Amanah	UNIT AMANAH	Tarikh mula beroperasi 26/05/1997
No. majikan	E	Penyimpanan rekod YA
Tempoh perakaunan (Dari)	01/07/2018	(Hingga) 30/06/2019
Tempoh asas (Dari)	01/07/2018	(Hingga) 30/06/2019
Kelulusan pengecualian cukai	TIDAK	No. kelulusan pengecualian cukai
Layak menuntut cukai input daripada Jabatan Kastam Diraja Malaysia	TIDAK	No. pendaftaran Cukai Barang dan Perkhidmatan

DIALOG DESIRE BIL. 1/2020

**THE MALAYSIAN INSTITUTE
OF CHARTERED
SECRETARIES AND
ADMINISTRATORS**

THE MALAYSIAN INSTITUTE OF CHARTERED SECRETARIES AND ADMINISTRATORS

ISSUES FOR DISCUSSION AT DESIRE BILL 1/2020 DIALOGUE

No.	Summary of Issues (operational and technical including issues relating to stamping)	Recommendations
1.	<p><u>Scenario - Newly Incorporated Company</u> Date of incorporation (DOI) : 20 December 2017 First financial year-end : 31 March 2019 Date of Instrument of Transfer : <u>30 August 2019</u> (18 months ended on 20 June 2019)</p> <p><u>Under the Companies Act 2016 (CA2016)</u> (a) Pursuant to Section 248 of the CA2016, every company shall prepare financial statements within 18 months from the DOI</p> <p>(b) Section 258 (circulation of audited financial statements (AFS) to members shall not be later than 6 months from the year-end) i.e. not later than 30 September 2019</p> <p>(c) AFS must be audited and available for circulation to members not later than <u>30 September 2019</u></p> <p>Issue: Stamping authority had requested to furnish the AFS to perform adjudication on 30 August 2019 since the company had been incorporated more than 18 months.</p> <p>Extracted from "STAMPS ASSESSMENT AND PAYMENT SYSTEM", page 80: Rajah 4.2.3-2 adalah paparan pilihan medan '<i>Syarikat</i>' adalah '<i>Baru ditubuhkan</i> (<u>Tidak melebihi 18 bulan</u>) Tidak perlu akuan beraudit'</p>	<p>(i) <u>Transfer of Shares occurred within 18 months from DOI</u></p> <p>The condition imposed by LHDN requesting for the latest management accounts is achievable if the transfer of shares for a newly incorporated company occurred within the 18 months from the date of incorporation.</p> <p>(ii) <u>For transfer of shares occurred more than 18 months from DOI</u></p> <p>For a newly incorporated company in which its first year's accounts could be made up to a maximum of 18 months, and due for auditing and available for circulation to members within 6 months from the financial year-end (18 months + 6 months = 24 months), should be allowed to provide the latest management accounts made up to not more than 18 months for adjudication of stamp duty even though the date of transfer occurred more than 18 months from DOI.</p>

THE MALAYSIAN INSTITUTE OF CHARTERED SECRETARIES AND ADMINISTRATORS

No.	Summary of Issues (operational and technical including issues relating to stamping)	Recommendations
	<p>i. Pilih ‘Tarikh Syarikat Ditubuhkan’ ii. Terdapat 3 pilihan untuk medan syarikat a. Baru ditubuhkan b. Tidak aktif c. Aktif</p> <p>Rajah 4.2.3-3 adalah paparan pilihan medan ‘<i>Syarikat</i>’ adalah ‘<i>Aktif</i>. Akaun beraudit yang terkini diperlukan’</p> <p><u>Facts</u> So long as the Instrument of Transfer is dated on or after 20 June 2019 (>18 months from the DOI), the stamping authority would require that the company to furnish the AFS to perform adjudication in view of the company had been incorporated more than 18 months: (1) disregard when the financial year-end was determined (can be fixed at a maximum of 18 months); and (2) readiness of the AFS for circulation, which is within 6 months from the year-end pursuant to the CA2016 (18 months + 6 months = 24 months)</p>	<p>This condition only applicable to a newly incorporated company with its first set of AFS would only be available within 24 months from DOI).</p> <p>To seek the goodwill of the Stamping authority, LHDN to extend the period eligible to submit the latest management accounts for a newly incorporated company from 18 months to a maximum of 24 months computing from the DOI:</p> <p>Rajah 4.2.3-2 adalah paparan pilihan medan ‘<i>Syarikat</i>’ adalah ‘<i>Baru ditubuhkan</i>’ (Tidak melebihi 18 bulan) (Tidak melebihi 24 bulan dari tarikh ditubuhkan) Tidak perlu akaun beraudit’</p>
2.	<p><u>Scenario 1 - Increased Issued Capital Occurred In the Preceding Year-end</u> DOI : 20 December 2015 Financial year-end : 31 March 2019 Date of Instrument of Transfer : <u>3 July 2019</u> Increased issued capital from RM2 to RM100,000 : <u>27 February 2019</u> <u>>18 months and an active company</u></p> <p>Section 258 of the Companies Act 2016 (CA2016): Circulation of AFS to</p>	<p><u>Scenario 1 - Increased Issued Capital Occurred In the Preceding Year-end</u></p> <p>The enlarged issued capital occurred in the preceding year-end of 31 March 2019 and the Instrument of Transfer was dated 3 July 2019.</p> <p>Pursuant to Section 258 of the CA2016, the availability of the finalised AFS for circulation to members is due on 30</p>

THE MALAYSIAN INSTITUTE OF CHARTERED SECRETARIES AND ADMINISTRATORS

No.	Summary of Issues (operational and technical including issues relating to stamping)	Recommendations
	<p>members due on 30 September 2019.</p> <p>AFS must be audited and available for circulation to members not later than <u>30 September 2019</u>.</p> <p><i>Issue: Stamping authority requested that the financial statements for the year-ended <u>31 March 2019</u> must be audited to reflect the enlarged issued capital to adjudicate the stamping for the Instrument of Transfer dated 3 July 2019.</i></p> <p><u>Scenario 2 - Increased Issued Capital Occurred In the Succeeding Year-end</u></p> <p>DOI : 20 December 2015 Financial year-end : 31 March 2019 Date of Instrument of Transfer : <u>30 May 2019</u> Increased issued capital from RM2 to RM100,000: 15 May 2019 <u>>18 months and an active company</u></p> <p>Section 258 of the Companies Act 2016 (CA2016): Circulation of AFS to members due on 30 September 2019</p> <p>AFS must be audited and available for circulation to members not later than <u>30 September 2019</u></p> <p><i>Issue: Stamping authority requested that the financial statements for the year-ended <u>31 March 2020</u> must be audited to reflect the enlarged issued capital to adjudicate the stamping for the Instrument of Transfer dated 30 May 2019.</i></p> <p><u>So long as the increase issued capital occurred on or before the financial year-end, the enlarged issued capital must be reflected</u></p>	<p>September 2019, i.e. the <u>latest AFS</u> made up to 31 March 2019 to reflect the enlarged issued capital could only be available for circulation by 30 September 2019 and the same <u>would not be available on 3 July 2019</u> for the Stamping authority to perform adjudication on the Instrument of Transfer.</p> <p><u>Scenario 2 - Increased Issued Capital Occurred In the Succeeding Year-end</u></p> <p>The enlarged issued capital occurred in the succeeding year-end of 31 March 2020 and the Instrument of Transfer was dated 30 May 2019.</p> <p>Pursuant to Section 258 of the CA2016, the circulation of AFS to members is due on 30 September 2019.</p> <p>The <u>AFS made up to 31 March 2020 to reflect the enlarged issued capital would only be available by 30 September 2020</u> and the same <u>would not be available on 30 May 2019</u> for the Stamping authority to perform adjudication on the Instrument of Transfer.</p> <p>Seek the goodwill of the Stamping authority, LHDN to accept the latest management accounts reflecting the enlarged issued capital to perform the adjudication of stamp duty for a company which has increased its issued capital during the preceding or succeeding financial year-end without requesting for the latest AFS to reflect the enlarged issued capital.</p>

THE MALAYSIAN INSTITUTE OF CHARTERED SECRETARIES AND ADMINISTRATORS

No.	Summary of Issues (operational and technical including issues relating to stamping)	Recommendations
	<p>in the AFS in order for the Stamping authority to perform adjudication based on the enlarged issued capital.</p>	<p>In addition to the latest management accounts reflecting the enlarged issued capital, seek the goodwill of LHDN to accept the following as additional supporting documents to adjudicate the stamp duty:</p> <ol style="list-style-type: none"> 1. statutory documents lodged with the Companies Commission of Malaysia (CCM) with the latest CCM computer print-out to support the enlarged issued capital; or 2. a letter of confirmation from the Company Secretary accompanying the proforma on the enlarged share capital of the company; or 3. the latest management accounts reflecting the enlarged issued capital accompanied with a statutory declaration by a director or the person primarily responsible for the management account of the Company setting forth the correctness of the management account.
3.	<p>A Limited Liability Partnership (PLT) is in the proceeding of voluntary winding-up pursuant to Section 50 of the PLT Act and required to obtain tax clearance before finalisation of the <u>winding up</u>.</p> <p>The officer from Lembaga Hasil Dalam Negeri requesting for the supporting documents as stated in Lampiran B i.e to submit "Notice pembatalan nama PLT" under Section 51 of PLT Act.</p> <p>Section 51 of PLT Act is the "Power of registrar to strike-off limited liability partnerships from the register" which is not applicable to a voluntary winding up of a PLT.</p> <p>The condition imposed by LHDN to provide "notice of striking off from</p>	<p>Seek the goodwill of the LHDN to rectify GPHDN 2/2019 "Lampiran B - Dokumen Sokongan" from the "Garis Panduan Operasi Bil. 2 Tahun 2019 Lembaga Hasil Dalam Negeri Malaysia Permohonan Surat Penyelesaian Cukai Bagi Syarikat, Perkongsian Liabiliti Terhadap dan Entiti Labuan" by deleting (√) as "circled" below in view of the request made by LHDN for a "notice of striking off from the Registrar" to be furnished for the purpose of obtaining tax clearance for a PLT under a voluntary winding up is not feasible and achievable.</p>

THE MALAYSIAN INSTITUTE OF CHARTERED SECRETARIES AND ADMINISTRATORS

No.	Summary of Issues (operational and technical including issues relating to stamping)	Recommendations																																				
	<p>the Registrar" for the purpose of obtaining tax clearance for those PLT under "voluntary winding up" will not be feasible and achievable as both are different mode of closing a PLT.</p>	<p style="text-align: right;">LAMPIRAN B</p> <p style="text-align: center;">PERMOHONAN SURAT PENYELESAIAN CUKAI (SPC) BAGI PERKONGSIAN LIABILITI TERHAD (PLT)</p> <table border="1"> <thead> <tr> <th style="background-color: #0070C0; color: white;">KATEGORI PEMBUBARAN <small>(Tandakan '✓' bagi kategori pembubaran yang berkaitan)</small></th> <th style="background-color: #0070C0; color: white;">Penggulungan Sukarela</th> <th style="background-color: #0070C0; color: white;">Penggulungan Melalui Perintah Mahkamah</th> <th style="background-color: #0070C0; color: white;">Pembatalan Nama PLT</th> </tr> </thead> <tbody> <tr> <td colspan="4" style="background-color: #FFFF00;">BORANG PERMOHONAN:</td> </tr> <tr> <td>Borang CP7(PT)</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td colspan="4" style="background-color: #FFFF00;">BORANG NYATA SEHINGGA TAHUN TAKSIRAN / TAHUN SARAAAN TERKINI TELAH DIKEMUKAKAN:</td> </tr> <tr> <td>Borang PT</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Borang E</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td colspan="4" style="background-color: #FFFF00;">SALINAN DOKUMEN SOKONGAN:</td> </tr> <tr> <td>Perintah penerimaan atau perintah penggulungan</td> <td></td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Notis pembatalan nama PLT di bawah seksyen 51 Akta Perkongsian Liabiliti Terhad 2012</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> </tbody> </table>	KATEGORI PEMBUBARAN <small>(Tandakan '✓' bagi kategori pembubaran yang berkaitan)</small>	Penggulungan Sukarela	Penggulungan Melalui Perintah Mahkamah	Pembatalan Nama PLT	BORANG PERMOHONAN:				Borang CP7(PT)	✓	✓	✓	BORANG NYATA SEHINGGA TAHUN TAKSIRAN / TAHUN SARAAAN TERKINI TELAH DIKEMUKAKAN:				Borang PT	✓	✓	✓	Borang E	✓	✓	✓	SALINAN DOKUMEN SOKONGAN:				Perintah penerimaan atau perintah penggulungan		✓		Notis pembatalan nama PLT di bawah seksyen 51 Akta Perkongsian Liabiliti Terhad 2012	✓	✓	✓
KATEGORI PEMBUBARAN <small>(Tandakan '✓' bagi kategori pembubaran yang berkaitan)</small>	Penggulungan Sukarela	Penggulungan Melalui Perintah Mahkamah	Pembatalan Nama PLT																																			
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Notis pembatalan nama PLT di bawah seksyen 51 Akta Perkongsian Liabiliti Terhad 2012	✓	✓	✓																																			
4.	<p>For the transfer of preference shares, we understand that LHDN will adjudicate the stamp duty at the rate of 0.3% based on:</p> <p>(a) the sale consideration; <u>or</u> (b) market value of the preference shares, whichever is higher.</p> <p>In the context of market value of the preference shares, LHDN has applied "par value plus premium" for preference shares which had been issued with a premium, as a comparison with the sale consideration to adjudicate the stamp duty for preference shares.</p>	<p>Under the no par value regime, we are of the view the criteria to adjudicate the stamp duty for the transfer of preference shares based on "par value plus premium" is no longer relevant and applicable.</p> <p>We wish to seek the goodwill of LHDN to reconsider the relevancy and applicability of the other criteria adopted in adjudication of ordinary shares such as Net Tangible Assets, Price Earning Multiple/Price Earning Ratio ("PER") TA, for the purpose of adjudication of preference shares.</p>																																				

THE MALAYSIAN INSTITUTE OF CHARTERED SECRETARIES AND ADMINISTRATORS

ISSUES FOR DISCUSSION AT DESIRE BILL 1/2020 DIALOGUE

No.	Summary of Issues (operational and technical including issues relating to stamping)	LHDNM response
1	<p><u>Newly Incorporated Company</u></p> <p>Issue: Stamping authority had requested to furnish the AFS to perform adjudication on 30 August 2019 since the company had been incorporated more than 18 months.</p>	<p>Penyata kewangan beraudit adalah diwajibkan bagi :</p> <p>1) Syarikat yang berstatus aktif -</p> <p>i) Penyata Kewangan beraudit digunakan sekiranya tarikh pindahmilik saham dengan tarikh Penyata Kewangan beraudit tidak melebihi 18 bulan.</p> <p>ii) Penyata Kewangan beraudit TERKINI @ KHAS wajib dikemukakan sekiranya tarikh pindahmilik saham dengan tarikh Penyata Kewangan beraudit yang melebihi 18 bulan.</p>

No.	Summary of Issues (operational and technical including issues relating to stamping)	LHDNM response
2	<p><u>Scenario 1 - Increased Issued Capital Occurred In the Preceding Year-end</u></p> <p><u>Scenario 2 - Increased Issued Capital Occurred In the Succeeding Year-end</u></p> <p>AFS must be audited and available for circulation to members not later than 30 September 2019 Issue: Stamping authority requested that the financial statements for the year-ended 31 March 2020 must be audited to reflect the enlarged issued capital to adjudicate the stamping for the Instrument of Transfer dated 30 May 2019.</p>	<p>Syarikat yang baru ditubuhkan tetapi telah melebihi tempoh 18 bulan daripada tarikh saham dipindahkan.</p> <ul style="list-style-type: none"> • Seksyen 248 Akta Syarikat 2016 adalah dirujuk. • Sebarang perubahan ke atas jumlah saham sama ada penambahan atau pengurangan jumlah saham, perlu dilaporkan di dalam Penyata Kewangan beraudit. • Sekiranya jumlah saham yang dipindahmilik melebihi jumlah saham yang diterbitkan di dalam Penyata Kewangan beraudit, pengiraan nilai sesaham tetap merujuk kepada maklumat yang terkandung di dalam Penyata Kewangan beraudit syarikat. • <i>Management account</i> adalah tidak terpakai dalam mana-mana keadaan. Pengemukaan Penyata Kewangan beraudit adalah diwajibkan.

No.	Summary of Issues (operational and technical including issues relating to stamping)	LHDNM response
3	<p>A Limited Liability Partnership (PLT) is in the proceeding of voluntary winding-up pursuant to Section 50 of the PLT Act and required to obtain tax clearance before finalisation of the winding up.</p> <p>Issue: Supporting documents as stated in Lampiran B i.e Notis Pembatalan Nama PLT</p>	<p>Tindakan pembedulan di dalam jadual akan dibuat.</p> <p>Notis pembatalan nama PLT di bawah seksyen 50 Akta Perkongsian Liabiliti Terhad 2012 Untuk penggulungan sukarela tidak perlu dikemukakan.</p>
4	Issue preference shares - adjudication rate	Bagi pengiraan duti bagi pindahmilik saham keutamaan, penentuan nilai sesaham adalah berdasarkan perbandingan di antara NTA dan balasan sahaja, yang mana lebih tinggi.