



# EY

Building a better  
working world

## EY Tax Alert (Special Edition)

29 April 2020 - Issue No. 11

# Extended Movement Control Order: IRB's concessions

### Coverage of this Alert

- ▶ Frequently Asked Questions (FAQs) on tax matters during the Movement Control Order period - updated on 28 April 2020
- ▶ Updated Return Form (RF) Filing Programme for the Year 2020 (Amendment 3/2020)

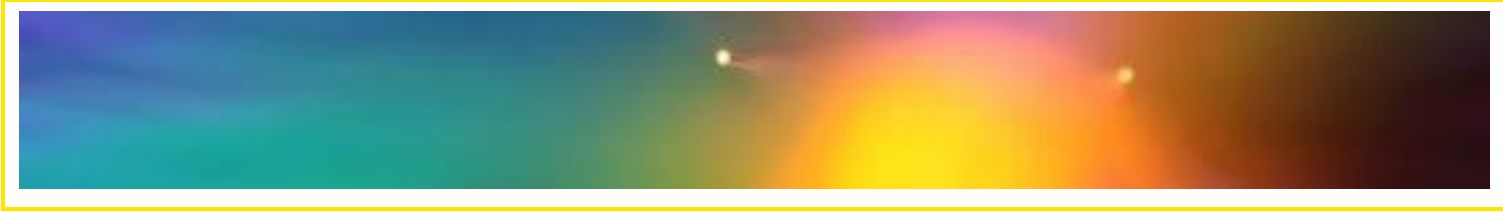
On 23 April 2020, the Government of Malaysia announced that the Movement Control Order (MCO) that was put in place to address the COVID-19 pandemic would be extended until 12 May 2020.

In view of this, the Inland Revenue Board (IRB) has issued an updated version of their "Frequently Asked Questions" document with respect to tax deadlines during the extended MCO period, titled "Tax Matters during the Movement Control Order Period (18 March to 12 May 2020)" (FAQs), and Return Form (RF) Filing Programme for the Year 2020 (Amendment 3/2020). Both documents are dated 28 April 2020.

The FAQs have been updated mainly to reflect the following:

- ▶ IRB services that are available to taxpayers during the MCO period; and
- ▶ Clarifications pertaining to tax deductions for contributions and donations to the COVID-19 Fund (refer to Section G of the Appendix)

The updated IRB FAQs also stipulate that the applicable provisions under the Income Tax Act 1967 (ITA) for tax deductions pertaining to contributions or donations related to COVID-19 are Paragraph 34(6)(h), Sections 44(6), 44(10) and 44(11C) of the ITA. In addition, the IRB FAQs provide examples and explain the application of each provision, including the type of contribution, eligibility and limit of deduction.



The latest Question and Answer (Q&A) section of the IRB FAQs is set out in the Appendix to this Alert, with updates highlighted in grey.

The full version of the IRB FAQs, including the explanations on applicable provisions pertaining to tax deductions, is available via the following link: [http://lampiran1.hasil.gov.my/pdf/pdfam/faq\\_2.pdf](http://lampiran1.hasil.gov.my/pdf/pdfam/faq_2.pdf)

## Updated RF Filing Programme for the Year 2020 (Amendment 3/2020)

### Part C - RF for companies, co-operative societies, limited liability partnerships and trust bodies

Previously, it was stipulated that a two-month extension (from the statutory due date) would be given for the submission of the above-mentioned RFs, where an entity's accounting period ended between 31 July and 31 December 2019 (see *Special Tax Alert No. 9/2020*).

The RF Filing Programme for the Year 2020 now stipulates the following (updates highlighted in grey):

Year of Assessment	Accounting period ending	Extended grace period
2019	31 July 2019 until 31 August 2019	Within 2 months after the due date*
	1 September 2019 until 31 December 2019	Within 3 months after the due date*
2020	1 January 2020 until 31 March 2020	Within 2 months after the due date*

### Part D - RF for Petroleum

Similarly, it was stipulated previously that a two-month extension (from the statutory due date) would be given for the submission of the above-mentioned RF, where an entity's accounting period ended between 31 July and 31 December 2019.

The RF Filing Programme for the Year 2020 now stipulates the following (updates highlighted in grey):

Year of Assessment	Accounting period ending	Extended grace period
2019	31 July 2019 until 31 August 2019	Within 2 months after the due date*
	1 September 2019 until 31 December 2019	Within 3 months after the due date*

\* Note that all references to "due date" in the table above refer to the original due date.

Further information is available via the following link:

[http://lampiran1.hasil.gov.my/pdf/pdfam/ProgramMemfailBN\\_2020\\_Pin.3\\_2.pdf](http://lampiran1.hasil.gov.my/pdf/pdfam/ProgramMemfailBN_2020_Pin.3_2.pdf)

Frequently Asked Questions on Tax Matters during the Movement Control Order Period  
(18 March 2020 to 12 May 2020)

Question	IRB's response																					
<b>A. General</b>																						
<p>1. Will the IRB premises and counters be operational during the Movement Control Order (MCO) period?</p>	<p>Please refer to IRB's press releases dated <a href="#">17 March 2020</a>, <a href="#">24 March 2020</a>, <a href="#">27 March 2020</a>, <a href="#">29 March 2020</a>, <a href="#">2 April 2020</a>, <a href="#">13 April 2020</a>, <a href="#">22 April 2020</a>, <a href="#">27 April 2020</a> and <a href="#">28 April 2020</a> on services available to customers during the MCO period.</p> <p>If there are any tax queries, taxpayers may use the <a href="#">Feedback Form</a> available on the IRB's official portal.</p> <p><b>Comment:</b> This has been updated to take into account the IRB's media releases dated 22 April 2020, 27 April 2020 and 28 April 2020, informing taxpayers of the services available during the MCO period.</p>																					
<p>2. What type of services are provided by the IRB during the MCO period?</p>	<p>To facilitate tax matters during the MCO period, IRB will provide the following services:</p> <table border="1" data-bbox="565 1060 1539 1963"> <thead> <tr> <th data-bbox="565 1060 657 1102">No.</th> <th data-bbox="657 1060 1006 1102">Services</th> <th data-bbox="1006 1060 1539 1102">Operating hours / Methods</th> </tr> </thead> <tbody> <tr> <td data-bbox="565 1102 657 1186">i.</td> <td data-bbox="657 1102 1006 1186">Customer service counters</td> <td data-bbox="1006 1102 1539 1186">8.00 a.m. - 4.00 p.m. (based on working days in each State)</td> </tr> <tr> <td data-bbox="565 1186 657 1270">ii.</td> <td data-bbox="657 1186 1006 1270">Stamp duty counter</td> <td data-bbox="1006 1186 1539 1270">8.00 a.m. - 12.00 p.m. (based on working days in each State)</td> </tr> <tr> <td data-bbox="565 1270 657 1428">iii.</td> <td data-bbox="657 1270 1006 1428">IRB's payment centre counter (Kuala Lumpur, Kota Kinabalu and Kuching)</td> <td data-bbox="1006 1270 1539 1428">8.00 a.m. - 12.00 p.m. (Monday to Friday)</td> </tr> <tr> <td data-bbox="565 1428 657 1585">iv.</td> <td data-bbox="657 1428 1006 1585">Tax matters (tax clearance letter, audit, investigation and others)</td> <td data-bbox="1006 1428 1539 1585">Telephone, e-mail or appointment (based on working days in each State)</td> </tr> <tr> <td data-bbox="565 1585 657 1627">v.</td> <td data-bbox="657 1585 1006 1627">ezHASiL</td> <td data-bbox="1006 1585 1539 1627">24 hours</td> </tr> <tr> <td data-bbox="565 1627 657 1963">vi.</td> <td data-bbox="657 1627 1006 1963">Phone calls</td> <td data-bbox="1006 1627 1539 1963">           a) HCL: 9.00 a.m. - 4.30 p.m. (Sunday to Friday)             b) IRB's office: 9.00 a.m. - 4.30 p.m. (based on working days in each State)         </td> </tr> </tbody> </table>	No.	Services	Operating hours / Methods	i.	Customer service counters	8.00 a.m. - 4.00 p.m. (based on working days in each State)	ii.	Stamp duty counter	8.00 a.m. - 12.00 p.m. (based on working days in each State)	iii.	IRB's payment centre counter (Kuala Lumpur, Kota Kinabalu and Kuching)	8.00 a.m. - 12.00 p.m. (Monday to Friday)	iv.	Tax matters (tax clearance letter, audit, investigation and others)	Telephone, e-mail or appointment (based on working days in each State)	v.	ezHASiL	24 hours	vi.	Phone calls	a) HCL: 9.00 a.m. - 4.30 p.m. (Sunday to Friday)  b) IRB's office: 9.00 a.m. - 4.30 p.m. (based on working days in each State)
No.	Services	Operating hours / Methods																				
i.	Customer service counters	8.00 a.m. - 4.00 p.m. (based on working days in each State)																				
ii.	Stamp duty counter	8.00 a.m. - 12.00 p.m. (based on working days in each State)																				
iii.	IRB's payment centre counter (Kuala Lumpur, Kota Kinabalu and Kuching)	8.00 a.m. - 12.00 p.m. (Monday to Friday)																				
iv.	Tax matters (tax clearance letter, audit, investigation and others)	Telephone, e-mail or appointment (based on working days in each State)																				
v.	ezHASiL	24 hours																				
vi.	Phone calls	a) HCL: 9.00 a.m. - 4.30 p.m. (Sunday to Friday)  b) IRB's office: 9.00 a.m. - 4.30 p.m. (based on working days in each State)																				

	<p>The following counter services are not provided at IRB's branches during the MCO period:</p> <ul style="list-style-type: none"> <li>i. e-Filing counter</li> <li>ii. Bantuan Sara Hidup (BSH) counter</li> <li>iii. Bantuan Prihatin Nasional (BPN) counter</li> <li>iv. Geran Khas Prihatin (GKP) counter</li> </ul> <p><b>Comment:</b> This is a new item in the FAQ document, in line with IRB's media release dated <a href="#">28 April 2020</a>.</p>
3. Will an extension of time be given if taxpayers are required to submit documents for audit or investigation within the period of 18 March 2020 until 15 May 2020?	An extension of time will be given until 31 May 2020.
4. Will an extension of time be given if taxpayers are required to respond to IRB's letters within the period of 18 March 2020 until 15 May 2020?	An extension of time will be given until 31 May 2020.
<b>B. ezHASIL</b>	
1. How may one apply for an e-Filing PIN number?	<p>Taxpayers may apply for an e-Filing PIN number through:</p> <ul style="list-style-type: none"> <li>(a) The <a href="#">Customer Feedback Form</a> available on the IRB's official portal; or</li> <li>(b) Refer to the <a href="#">User Guide</a> on the ezHASiL website</li> </ul>
2. How may one apply for an income tax number?	The application for an income tax number may be submitted online through the <a href="#">e-Daftar</a> application.
3. What should one do if one forgets one's e-Filing password?	<ul style="list-style-type: none"> <li>(a) Taxpayers who have a registered e-mail address or handphone number with IRB can reset his/her password by clicking on the "Forgot Password" link on the ezHASiL website.</li> <li>(b) Taxpayers who do not have a registered e-mail address or handphone number, or who have changed their registered e-mail addresses or handphone numbers, will be able to update the details through the <a href="#">Customer Feedback Form</a> on the IRB's official portal.</li> </ul>

C. Forms	
1. Will the IRB provide an extension of time for the submission of return forms either manually or by way of e-Filing?	<p>An extension of time will be provided as stated in the <a href="#">Return Form (RF) Filing Programme for the Year 2020 (Amendment 3/2020)</a>.</p> <p><b>Comment:</b> This has been updated to take into account the updated RF Filing Programme dated 28 April 2020. Details are as highlighted in the main body of this Tax Alert.</p>
2. Will an extension of time be given for the submission of Form CP58 (i.e. Statement of Monetary and Non-Monetary Incentive Payment to an Agent, Dealer or Distributor) where the due date falls within the MCO period?	An extension of time will be given until 31 May 2020.
3. Will an extension of time be given for the submission of Form Q (i.e. notice of appeal) where the due date falls within the MCO period?	An extension of time will be given until 31 May 2020. However, pursuant to Section 100 of the ITA, the taxpayer will be required to file a Form N and stipulate therein that the delay was caused by the implementation of the MCO.
4. Will an extension of time be given for the submission of Country-by-Country Reporting (CbCR)?	<p>(a) For entities in Malaysia responsible for the filing of the CbCR report:</p> <ul style="list-style-type: none"> <li>(i) An extension of time is given until 15 May 2020 for submissions due on 31 March 2020</li> <li>(ii) An extension of time is given until 31 May 2020 for submissions due on 30 April 2020</li> </ul> <p>(b) For the purpose of CbCR notifications by constituent entities, the deadline for submissions due by 31 March 2020 or 30 April 2020 will be extended until 31 May 2020.</p>
5. What is the alternative where an application for a Certificate of Residence (CoR) via the e-Resident platform is not feasible as supporting documents need to be submitted?	<p>Applications can be submitted via the following:</p> <ul style="list-style-type: none"> <li>(a) Customer service counter; or</li> <li>(b) E-mail to <a href="mailto:lhdn_int@hasil.gov.my">lhdn_int@hasil.gov.my</a></li> </ul> <p>Please visit the following <a href="#">link</a> for further information.</p> <p><b>Comment:</b> The previous FAQ document indicated that applications can be submitted online (via e-mail to <a href="mailto:lhdn_int@hasil.gov.my">lhdn_int@hasil.gov.my</a>) only in cases where the CoR is required urgently. Otherwise, applications may only be made after the MCO period.</p>

<p>6. How does one submit Forms CP21, CP22, CP22A or CP22B during the MCO period?</p>	<p>The Forms can be submitted via the following:</p> <p>(a) Customer service counter; or</p> <p>(b) E-mail to the Customer Care Office of the relevant IRB Branch per the following <a href="#">list</a>.</p> <p><b>Comment:</b> The previous FAQ document indicated that the Forms could only be submitted from 29 April 2020.</p>
<p>7. How can an application for tax clearance letters (TCLs) be made during the MCO period?</p>	<p>Applications can be submitted via the following:</p> <p>(a) e-SPC;</p> <p>(b) Customer service counter; or</p> <p>(c) E-mail to the Customer Care Office of the relevant IRB Branch per the following <a href="#">list</a>.</p> <p>The processing of TCL applications will be made upon receipt of the complete document and information.</p> <p><b>Comment:</b> The previous FAQ document indicated that applications for TCLs could only be made through e-SPC at any time, or by coming to IRB's premises beginning 29 April 2020. In addition, the processing of TCL applications will only be made beginning 29 April 2020.</p>
<p>8. Will an extension of time be given to Labuan entities for the submission of the irrevocable election form to be taxed under the ITA (Form LE3) where the due date is during this period?</p>	<p>Example 1: The accounting period or basis period for a Labuan entity is 01/01/2020 - 31/12/2020. The due date for submission of Form LE3 for the Year of Assessment (YA) 2021 (YA 2020 under the ITA) is on 31/03/2020.</p> <p>Example 2: The accounting period or basis period for a Labuan entity is 01/02/2020 - 31/01/2021. The due date for submission of Form LE3 for the YA 2022 (YA 2021 under the ITA) is on 30/04/2020.</p> <p>An extension of time will be given until 31 May 2020 for the submission of Forms LE3 for YA 2021 and YA 2022, where the due date for submission falls within the MCO period.</p> <p><b>Comment:</b> This has been updated to clarify the references to the specific "year of assessment" under the Labuan Business Activity Tax Act 1990 and ITA.</p>
<p>9. Will an extension of time be given to taxpayers who are required to submit Form</p>	<p>An extension of time for the submission of Form CP204B will be given until 31 May 2020.</p>

CP204B (notification of change in accounting period) within the MCO period?	
10. Will an extension of time be given for the submission of the application form for an Approved Research & Development (R&D) Project under Section 34A of the ITA (Borang 1)?	An extension of time will be given until 30 June 2020 for the submission of the completed Borang 1 (New Project / Extension Project) which is due on 31 March 2020 or 30 April 2020.
<b>D. Payments</b>	
<b>Income Tax estimates (CP204)</b>	
1. Will an extension of time be given for the submission of all types of tax estimates due within the MCO period?	An extension of time will be given until 31 May 2020.
2. Will an extension of time be given for the payments of tax estimates which are due on 15 April 2020 and 15 May 2020?	An extension of time will be given until 31 May 2020.
3. When is the due date for the submission of the revision of estimate of tax payable in the third month of instalments in 2020 (as proposed in the 2020 ESP)?	The due date is based on the company's basis period. An extension of time is granted until 31 May 2020 for the revision in the third month of instalment that falls in April 2020.  Editor's note: We understand that this concession for a third-month revision does not extend to the Petroleum (Income Tax) Act 1967.
4. Who is eligible for the deferment of CP204 payments for three (3) months, beginning April 2020 until June 2020?	All businesses which qualify as a Small and Medium Enterprise (SME)
5. Who is eligible for the deferment of CP204 payments for six (6) months, beginning April 2020 until September 2020?	Companies related to the tourism industry (including SMEs)

<p>6. What are the criteria for a business to qualify as an SME?</p>	<p>The criteria are as follows:</p> <ul style="list-style-type: none"> <li>i. Paid-up capital with respect to ordinary shares of RM2.5 million or less at the beginning of the basis period for a YA; and</li> <li>ii. Gross business income of RM50 million and below</li> </ul>
<p>7. What are the sources of data that will be used by the IRB in order to determine whether the SMEs qualify for the deferment of estimated tax payment?</p>	<p>The data will be based on the YA 2018 Return Form received by the IRB.</p> <p>Editor's note: The IRB has clarified that a company's SME status as indicated in Item XII of the Form e-C for YA 2018 is irrelevant in determining whether or not the company is an SME for this purpose. Reference will instead be made to the information obtained from the company's YA 2018 tax computation / return.</p>
<p>8. Would additional criteria such as Paragraphs 2B and 2C, Schedule 1 of the ITA be applicable for a business to qualify as an SME for the purpose of the deferment of instalment payments?</p> <p><b>Comment:</b> Previously, the FAQs referred to Paragraphs 2A and 2B, Schedule 1 of the ITA instead.</p>	<p>No. For this purpose, businesses will only need to fulfil the criteria as mentioned in Item D.6.</p>
<p>9. Will SMEs be required to apply for the deferment of CP204 payments?</p>	<p>No. The deferment of the CP204 payments will be given automatically to all SMEs based on the IRB's records.</p>
<p>10. It was previously informed that taxpayers in tourism-related industries would be required to submit a manual application for the deferment of CP204 payments.</p> <p>Is this process still applicable?</p>	<p>No. The deferment of the CP204 payments will be given automatically based on the IRB's records.</p>
<p><b>Income Tax estimates for non-companies (CP500)</b></p>	
<p>11. Can the payments for CP500 tax estimates be deferred?</p>	<p>Yes. The months eligible for deferment are March 2020 and May 2020.</p> <p>*It is unclear what the IRB's intention is, as the IRB's FAQs state that payments can be deferred commencing April 2020 to June 2020, for the eligible months (i.e. March 2020 and May 2020).</p>



12. Will taxpayers be allowed to revise the CP500 tax estimates?	Yes. Taxpayers will be allowed to revise the CP500 tax estimates on or before 30 June 2020.
13. Will all SMEs be entitled to the deferment of CP500 payments?	Yes
14. Will taxpayers in the SME category need to apply for the deferment of CP500 payments?	No. The deferment of the CP500 payments will be given automatically to eligible taxpayers based on the IRB's records.
<b>Payment of Income Tax - General</b>	
15. Will a tax increase be imposed for late payments of taxes (all types of income taxes) which are due within the MCO period?	A tax increase will not be imposed if the payments are made on or before 31 May 2020.
16. When should the deferred payments for CP204 or CP500 be settled?	Taxpayers will not need to remit the deferred payments. The balance of tax (if any) is to be settled upon submission of the income tax return.
17. Will the deferment of CP204 or CP500 payments lead to a tax increase under Section 107C(9) or 107B(3) of the ITA?	No. The deferment of CP204 or CP500 payment for companies or businesses that qualify under the Economic Stimulus Package will not be subject to a tax increase under Section 107C(9) or 107B(3) of the ITA.
18. Can taxpayers choose to reject the automatic deferment of tax estimate payments and continue to pay based on the original payment schedule? If so, does the taxpayer need to notify the IRB?	Yes. The taxpayer can reject and continue to remit the tax estimate payments based on the original payment schedule without having to inform the IRB.
19. Will the IRB issue a notification to taxpayers who are entitled to the deferment of tax estimate payments?	Yes. The IRB will notify taxpayers who are entitled to the deferment of tax estimates via the e-mail addresses registered with the IRB, in the near future. If the taxpayer is entitled to the deferment based on the criteria outlined in Part D.6 above but has yet to receive the e-mail, the taxpayer will not have to make payment for the instalment due on 15 April 2020.

<p>20. Can a taxpayer lodge an appeal if the company finds that it is eligible for the deferment of tax estimate based on the current situation of the company?</p>	<p>Yes. Taxpayers can appeal by way of letter or e-mail to the Records Management and Taxation Information Division. A notification e-mail will be issued if the appeal is approved.</p> <p>Editor's note: It is not clear how or when this "appeal" is to be applied, given that in item 19 above, the IRB has indicated that qualifying taxpayers who have yet to receive a confirmation email from IRB simply do not need to remit the 15 April 2020 instalment. We believe that an appeal would only need to be lodged if the IRB challenges the taxpayer's position of not remitting the instalment. Alternatively, it is possible that the appeal opportunity is for companies which meet the "SME" definition for YA 2019 and/or YA 2020 but not YA 2018. Clarification is being sought from the IRB on this point.</p>
<p>21. Will an extension of time be given to Labuan entities for the submission of forms and payments during this period?</p>	<p>An extension of time will be given until 31 May 2020.</p> <p>Editor's note: It was previously clarified that Labuan entities would get an automatic extension until 29 July 2020 to submit their tax returns for the YA 2020. A further extension until 28 October 2020 is also possible upon application and subject to conditions. These extensions are only applicable to Labuan entities which are up-to-date with their tax filings and payments. The extension until 31 May 2020, as indicated above, would apply to companies which do not meet the conditions for the extension announced earlier, e.g. entities with outstanding filings or tax arrears.</p>
<p>22. How should one make payments which exceed the limit set by internet banking?</p>	<p>Tax payments exceeding the threshold can be remitted via:</p> <ul style="list-style-type: none"> <li>(a) ByrHasil at IRB's official portal or online banking (payment in stages);</li> <li>(b) Telegraphic Transfer (TT) at banks, followed by the submission of payment details to the IRB via e-mail (<a href="mailto:HelpTTpayment@hasil.gov.my">HelpTTpayment@hasil.gov.my</a>) or fax (03-6201 9637);</li> <li>(c) Payment by cheque at bank counters or cheque deposit machines provided by banks;</li> <li>(d) Payment by cheque at IRB's payment centres or sent by postal or courier services</li> </ul> <p><b>Comment:</b> Previously, only Option (b) was stipulated as a method of remittance for tax payments exceeding the internet banking threshold.</p>

<p>23. How can withholding tax (WHT) be remitted during the MCO period?</p>	<p>Payments of WHT which fall within the MCO period can be made beginning 13 May 2020 until 31 May 2020.</p> <p>Payments can also be made via TT by furnishing complete payment details to the IRB through fax (03-6201 9637) or e-mail (<a href="mailto:HelpTTpayment@hasil.gov.my">HelpTTpayment@hasil.gov.my</a>).</p> <p><b>Comment:</b> The previous FAQ document indicated that payments of WHT could be made beginning 29 April 2020.</p>
<p>24. Will penalties be imposed on WHT payments which should be made within the MCO period?</p>	<p>Payments of WHT which are due within the MCO period can be made beginning 13 May 2020 up to 31 May 2020. No penalty will be imposed on late payments.</p> <p><b>Comment:</b> The previous FAQ document indicated that payments of WHT could be made beginning 29 April 2020.</p>
<p>25. Will an extension of time be given for the submission of data and payment of Monthly Tax Deductions (MTD) / Form CP38 (Tax Deduction Order) on remuneration from employment for the month of March and April 2020?</p>	<p>An extension of time will be given until 31 May 2020.</p>
<p>26. Will compound payments for MTD which should be paid during the MCO period be deferred?</p>	<p>Payments can be made before 31 May 2020.</p>
<p>27. Will the IRB defer the tax refund process?</p>	<p>Tax refunds will be processed as usual. However, in an ongoing audit case, taxpayers are required to submit the supporting documents as requested within the MCO period for the purpose of tax refunds.</p>
<p><b>E. Real Property Gains Tax (RPGT)</b></p>	
<p>1. Will an extension of time be provided for the submission of RPGT return forms and payment?</p>	<p>For the submission of RPGT return forms and payment of RPGT (e.g. retention sum by acquirers or payment of notice of assessment) where the due date falls between 18 March 2020 and 31 May 2020, the deadline for the filing of the forms and payment is 31 May 2020.</p>

F. Stamp Duty	
1. Are all stamp duty counters open? What are the operating hours?	<p>Stamp duty counters at the Branch Stamping Offices nationwide recommenced operations on 3 April 2020. The stamp duty counters at Revenue Service Centres and UTC Johor Bahru will remain closed until the end of the MCO period.</p> <p>Please refer to IRB's press releases dated <a href="#">2 April 2020</a>, <a href="#">13 April 2020</a> and <a href="#">28 April 2020</a> for the operating hours of the stamp duty counters.</p> <p><b>Comment:</b> This has been updated to take into account the IRB's media releases dated 13 April 2020 and 28 April 2020, informing taxpayers of the services available during the MCO period.</p>
2. Can sales and purchase agreements (SPAs) for houses be stamped during this period?	<p>Stamp duty on SPAs for houses is RM10.</p> <p>(i) Duty payer may purchase the Revenue Stamp from post offices.</p> <p>(ii) Affix the stamp on the agreement</p> <p>(iii) The stamp can be executed by drawing a line across the stamp and writing or marking the current date on the stamp.</p> <p>The cancellation of Revenue Stamps as stated above is only possible for documents that attract a fixed duty under Item 4, Schedule 1 of the Stamp Act 1949 (e.g. SPAs for houses).</p>
3. What is the Stamp Assessment and Payment System?	The STAMPS is a system which enables applications and payments of stamp duty to be carried out online.
4. Who can use STAMPS?	All legal firms, companies, partnerships, businesses, financial institutions or agents registered with any company registrar in Malaysia
5. Can individuals use STAMPS?	Individuals may use STAMPS if they have a business registered with the Companies Commission of Malaysia (SSM).
6. How can an individual, whose business is not registered with SSM, do stamping during this period?	<p>Stamp office branches nationwide are fully operational from 29 April 2020. However, an extension of time will be given until 31 May 2020 for the stamping of all documents which should have been duly stamped between 18 March 2020 and 30 May 2020.</p> <p>Operation hours based on the working days of the relevant State is from 8.00 a.m. to 12.00 p.m.</p>

	<p><b>Comment:</b> Previously, stamp duty counters nationwide were operational from 3 April 2020 to cater to individual duty payers, with limited services available. This has been updated to take into account the IRB's latest media release dated <a href="#">28 April 2020</a> on services available during the MCO period.</p>
7. How do duty payers, other than individuals, make stamping applications?	<p>Stamping can be done via: (a) Stamp duty counters at Branch Stamping Offices; or (b) Online via the STAMPS platform (<a href="https://stamps.hasil.gov.my">https://stamps.hasil.gov.my</a>)</p> <p>Agents or representatives with STAMPS user ID are required to submit the stamping application and make payments online.</p> <p><b>Comment:</b> Previously, stamping could only be done online via the STAMPS platform.</p>
8. How does one verify the validity of a Stamp Certificate?	<p>Verification can be made via: (a) <a href="https://stamps.hasil.gov.my">https://stamps.hasil.gov.my</a> or (b) Semakan Ketulenan Sijil mobile application (ANDROID / iOS)</p>
9. How to make online payments?	<p>(i) Online payments can be made by STAMPS users through the FPX medium, CIMB Bizz Channel online or Public Bank for cases with the "sedia untuk bayaran duti" status. (ii) Print the stamp certificate after payment has been successfully made (iii) Attach the stamp certificate to the physical document as proof of payment</p>
10. Will penalties for late payments be imposed?	<p>Where payments for notices of assessment on stamp duty fall within the MCO period, the payments can be made up to 31 May 2020. No penalty will be imposed if payments are made by this date.</p>
<p><b>G. Contribution / Donation</b> <b>(Comment: All the items in this Section are new, except Q1 and Q18)</b></p>	
<p><b>General</b></p>	
1. Will donations to the COVID-19 Fund be allowed as a tax deduction?	<p>Yes. Please refer to IRB's press release dated <a href="#">26 March 2020</a>.</p>

Contribution / donation under Paragraph 34(6)(h) of the ITA	
2. What form of donation is allowed under Paragraph 34(6)(h) of the ITA?	Cash and in-kind
3. Where can contributions under Paragraph 34(6)(h) of the ITA be channeled?	Contributions can be channeled to the COVID-19 Fund managed by the Ministry of Health Malaysia (MoH)
4. Who can contribute or donate under Paragraph 34(6)(h) of the ITA?	Contributors with business income are entitled to a deduction from gross business income, on the contributions made.
5. What is the supporting document needed to claim a tax relief or tax deduction for cash donations under Paragraph 34(6)(h) of the ITA?	<ul style="list-style-type: none"> <li>i. Government official receipt (Kew. 38);</li> <li>ii. Money transfer slip (for remittance via ATM);</li> <li>iii. Cheque deposit machine slip;</li> <li>iv. Deposit slip (for remittance via bank counter);</li> <li>v. Online payment slip;</li> <li>vi. Transfer slip via Interbank Giro (IBG Transfer);</li> <li>vii. Receipt from the Real Time Electronic Transfer of Funds and Securities (RENTAS) System; or</li> <li>viii. Telegraphic transfer (TT) receipt with credit advice</li> </ul>
6. What is the supporting document needed to claim a tax relief or tax deduction for contributions of equipment or goods under Paragraph 34(6)(h) of the ITA?	<ul style="list-style-type: none"> <li>i. The original approval letter from the Ministry of Finance Malaysia (MoF)</li> <li>ii. Official receipt or letter of receipt of donation from the receiving body; or</li> <li>iii. Verification letter of the service value or project cost value from the relevant Government agencies</li> </ul>
7. What are the types of goods that can be contributed?	<p>Eligible contributions:</p> <ul style="list-style-type: none"> <li>i. Equipment such as ventilators, patient beds and air conditioners;</li> <li>ii. Face masks, hand sanitizers, gloves, test kits and personal protection equipment (PPE);</li> <li>iii. Services such as cost of disinfection and sanitization (roads, buildings, markets, places of worship etc.), moving toilets and delivery of supplies; or</li> <li>iv. Cost to provide permanent or temporary infrastructure (for example, tents, marquee tents to accommodate extra beds)</li> </ul>

8. Where should the application be submitted?	The complete application may be submitted to:  Setiausaha Bahagian Cukai Tingkat 6, Blok Tengah Kompleks Kementerian Kewangan Presint 2, Pusat Pentadbiran Kerajaan Persekutuan 62592 Putrajaya
9. When can the tax deduction be claimed?	The tax deduction can be claimed in YA 2020.
10. Can the same amount be claimed under Section 44(6) of the ITA?	No. A double claim is not allowed for the same amount.
11. What is the qualifying period for the COVID-19 contribution?	Beginning February 2020 until the pandemic is declared over by the Government
<b>Contribution / donation under Section 44(6) of the ITA</b>	
12. What form of donation is allowed under Section 44(6) of the ITA?	Cash donations only
13. Where can donations under Section 44(6) of the ITA be channeled?	i. National Disaster Management Agency, Prime Minister's Department; or ii. Institutions, organizations or funds approved under Section 44(6) of the ITA
14. Should an approved institution, organization or fund re-apply for the purpose of contributions or donations for COVID-19?	No. An institution, organization or fund that has been approved under Section 44(6) of the ITA is eligible for such contributions or donations.
15. Where can one obtain information on an approved institution, organization or fund?	Information can be obtained from the IRB's official portal as follows: <a href="#">List of Institutions for Donations under Section 44(6) of the ITA</a>
16. What is the supporting document needed to claim a tax deduction?	i. National Disaster Management Agency, Prime Minister's Department ▶ Government official receipt (Kew. 38); ▶ Money transfer slip (for remittance via ATM); ▶ Cheque deposit machine slip; ▶ Deposit slip (for remittance via bank counter);

	<ul style="list-style-type: none"> <li>▶ Online payment slip;</li> <li>▶ Transfer slip via Interbank Giro (IBG Transfer);</li> <li>▶ Receipt from the Real Time Electronic Transfer of Funds and Securities (RENTAS) System; or</li> <li>▶ Telegraphic transfer (TT) receipt with credit advice</li> </ul> <p>ii. Institutions, organizations or funds approved under Section 44(6) of the ITA</p> <ul style="list-style-type: none"> <li>▶ Official receipt that has been approved by the IRB</li> </ul>
17. What is the amount allowed for tax deduction?	<p>i. National Disaster Management, Prime Minister's Department</p> <ul style="list-style-type: none"> <li>▶ Tax deduction amount is equal to the amount of the contribution</li> </ul> <p>ii. Institution, organization or fund approved under Section 44(6) of the ITA</p> <ul style="list-style-type: none"> <li>▶ The tax deduction amount is restricted to 10% of the aggregate income</li> </ul>
18. Will an extension of time be given for the submission of audited accounts by institutions, organizations or funds approved under Section 44(6) of the ITA, which is due during the MCO period?	Yes. An extension of time will be given until 30 June 2020.
19. Can a tax deduction be claimed without supporting documents?	No. A tax deduction will only be allowed with the necessary supporting documents.
20. When can the tax deduction be claimed?	The tax deduction can be claimed in YA 2020.
21. Can an employer collect contributions or donations from employees and donate them on behalf of the employees to the relevant agencies?	<p>Yes. Employers are allowed to collect contributions or donations and donate them on behalf of employees. The information required are as follows:</p> <ul style="list-style-type: none"> <li>i. Proof of payment;</li> <li>ii. Payment amount;</li> <li>iii. Company / Employer's registration number;</li> <li>iv. Company / Employer's income tax number;</li> <li>v. Employee's name;</li> <li>vi. Employee's identification number;</li> <li>vii. Employee's income tax number;</li> <li>viii. IRB branch which handles the employee's income tax number;</li> </ul>



	<p>ix. Amount of contribution made by the employee</p> <p>The table to be provided is as follows:</p> <table border="1" data-bbox="565 264 1430 474"> <thead> <tr> <th data-bbox="565 264 659 348">No.</th> <th data-bbox="659 264 846 348">Name of employee</th> <th data-bbox="846 264 1057 348">Identification number</th> <th data-bbox="1057 264 1243 348">Income tax number</th> <th data-bbox="1243 264 1430 348">Amount (RM)</th> </tr> </thead> <tbody> <tr> <td data-bbox="565 348 659 390">1.</td> <td data-bbox="659 348 846 390"></td> <td data-bbox="846 348 1057 390"></td> <td data-bbox="1057 348 1243 390"></td> <td data-bbox="1243 348 1430 390"></td> </tr> <tr> <td data-bbox="565 390 659 432"></td> <td data-bbox="659 390 846 432"></td> <td data-bbox="846 390 1057 432"></td> <td data-bbox="1057 390 1243 432"></td> <td data-bbox="1243 390 1430 432"></td> </tr> <tr> <td data-bbox="565 432 659 474"></td> <td data-bbox="659 432 846 474"></td> <td data-bbox="846 432 1057 474"></td> <td data-bbox="1057 432 1243 474">Total</td> <td data-bbox="1243 432 1430 474"></td> </tr> </tbody> </table> <p>An internal circular will be provided to the relevant IRB branches.</p> <p>Tax deductions are to be claimed by the employees and not the employers.</p>	No.	Name of employee	Identification number	Income tax number	Amount (RM)	1.													Total	
No.	Name of employee	Identification number	Income tax number	Amount (RM)																	
1.																					
			Total																		
22. What is the qualifying period for the COVID-19 contribution?	Beginning February 2020 until the pandemic is declared over by the Government																				

## Contact details

### Principal Tax

**Yeo Eng Ping (EY Asia-Pacific Tax Leader)**

eng-ping.yeo@my.ey.com  
+603 7495 8288

**Amarjeet Singh (EY Asean Tax Leader and Malaysia Tax Leader)**

amarjeet.singh@my.ey.com  
+603 7495 8383

### People Advisory Services

**Tan Lay Keng (EY Asean People Advisory Services Leader and Malaysia People Advisory Services Leader)**

lay-keng.tan@my.ey.com  
+603 7495 8283

**Christopher Lim**

christopher.lim@my.ey.com  
+603 7495 8378

**Irene Ang**

irene.ang@my.ey.com  
+603 7495 8306

### Business Tax Services

**Robert Yoon**

robert.yoon@my.ey.com  
+603 7495 8332

**Wong Chow Yang**

chow-yang.wong@my.ey.com  
+603 7495 8349

**Bernard Yap**

bernard.yap@my.ey.com  
+603 7495 8291

### Global Compliance and Reporting

**Farah Rosley**

farah.rosley@my.ey.com  
+603 7495 8254

**Janice Wong**

janice.wong@my.ey.com  
+603 7495 8223

**Julian Wong**

julian.wong@my.ey.com  
+603 7495 8347

**Julie Thong**

julie.thong@my.ey.com  
+603 7495 8415

**Liew Ai Leng**

ai-leng.liew@my.ey.com  
+603 7495 8308

**Simon Yeoh**

simon.yeoh@my.ey.com  
+603 7495 8247

**Datuk Goh Chee San**

*(based in Sabah)*  
chee-san.goh@my.ey.com  
+6088 532 000

**Lee Li Ming**

*(based in Johor)*  
li-ming.lee@my.ey.com  
+607 288 3299

**Linda Kuang**

*(based in Kuching)*  
linda.kuang@my.ey.com  
+6082 752 660

**Mark Liow**

*(based in Penang)*  
mark.liow@my.ey.com  
+604 688 1899

## Contact details

### International Tax and Transaction Services

**Yeo Eng Ping**

eng-ping.yeo@my.ey.com  
+603 7495 8288

**Amarjeet Singh**

amarjeet.singh@my.ey.com  
+603 7495 8383

**Sockalingam Murugesan (EY Asean Transfer Pricing Leader and Malaysia Transfer Pricing Leader)**

sockalingam.murugesan@my.ey.com  
+603 7495 8224

**Anil Kumar Puri**

anil-kumar.puri@my.ey.com  
+603 7495 8413

**Asaithamby Perumal**

asaithamby.perumal@my.ey.com  
+603 7495 8248

**Sharon Yong**

sharon.yong@my.ey.com  
+603 7495 8478

**Hisham Halim (Transfer Pricing)**

hisham.halim@my.ey.com  
+603 7495 8536

**Vinay Nichani (Transfer Pricing)**

vinay.nichani@my.ey.com  
+603 7495 8433

### Indirect Tax

**Yeoh Cheng Guan**

cheng-guan.yeoh@my.ey.com  
+603 7495 8408

**Aaron Bromley**

aaron.bromley@my.ey.com  
+603 7495 8314

**Jalbir Singh Riar**

jalbir.singh-riar@my.ey.com  
+603 7495 8329

**Shanmuganathan Govinda Konal**

*(based in Penang)*

shanmuganathan.govinda-konal@my.ey.com  
+604 6881801

### Financial Services

**Koh Leh Kien**

leh-kien.koh@my.ey.com  
+603 7495 8221

**Bernard Yap**

bernard.yap@my.ey.com  
+603 7495 8291

**Chen Keng Haw**

keng-haw.chen@my.ey.com  
+603 7495 8385

**About EY**

EY is a global leader in assurance, tax, transaction and advisory services. The insights and quality services we deliver help build trust and confidence in the capital markets and in economies the world over. We develop outstanding leaders who team to deliver on our promises to all of our stakeholders. In so doing, we play a critical role in building a better working world for our people, for our clients and for our communities.

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation is available via [ey.com/privacy](https://ey.com/privacy). For more information about our organization, please visit [ey.com](https://ey.com).

© 2020 Ernst & Young Tax Consultants Sdn. Bhd.  
All Rights Reserved.

APAC no. 07002138

ED None.

This material has been prepared for general informational purposes only and is not intended to be relied upon as accounting, tax or other professional advice. Please refer to your advisors for specific advice.

[ey.com](https://ey.com)