

14 STAMP DUTY

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LEMBAGA HASIL DALAM NEGERI MALAYSIA
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INTRODUCTION

Stamp duty is a duty imposed on document / instrument listed under the First Schedule of Stamp Act 1949 which has legal, commercial or financial implication



THE IMPORTANCE OF STAMPING

Document / instrument must be duly stamped in order to be admitted as an evidence in court



TIME OF STAMPING

- Within 30 days from the date it was executed / signed in Malaysia
- Within 30 days after it was first received in Malaysia if it is executed outside Malaysia



LATE STAMPING

- Late submission of document / instrument to be assessed and / or
- Late payment of duties that have been assessed

A penalty for late stamping will be imposed due to failure to stamp within the stipulated period

TYPE OF DUTY

- Fixed Duty
 - » Stamp duty chargeable regardless of consideration or amount prescribed in the instrument
 - » Example of instrument: Education loan agreement, memorandum and article of association, promissory notes, insurance policy, collateral instrument, etc
- Ad Valorem Duty
 - » Stamp duty chargeable based on consideration prescribed in the instrument or market value
 - » Example of instrument: Instrument of transfer of property, share, business, lease or loan agreement, etc

CAUTION! BEWARE OF FAKE REVENUE STAMPS

Legal action will be taken to any individuals who are involved in forging or defrauding the stamp duty

Disclaimer

This leaflet is issued for general information only. It does not contain final advice or complete information pertaining to a particular topic and should not be used as a legal reference



STAMPING APPLICATION AND DETERMINING THE AMOUNT OF THE STAMP DUTY

Document / instrument must be furnished to the LHDNM Stamp Offices / Revenue Service Centres to determine the amount of stamp duty **should** be imposed



STAMPING METHOD

- Impressed Stamp (digital franking system)
- Adhesive Stamp – Revenue Stamp (only available at the Post Office)
- Official Receipt – Kew. 38
- Receipt / Stamp Certificate (generated by STAMPS)



PAYMENT OF STAMP DUTY

- LHDNM Stamp Offices Branches
- Revenue Service Centre
- District Office and Land (selective)
- Urban Transformation Centre (UTC) – UTC Johor only



PAYMENT METHOD

- Cash
- Revenue Stamp (if the duty does not exceed RM500)
- Money transfer, postal order, client's declaration cheque or bank draft under the name of Pemungut Duti Setem
- Internet banking (**ByrHASiL**) with FPX member banks or CIMB Clicks / CIMB Biz Channel

PENALTY

- RM25.00 or 5% of the deficient stamp duty whichever is greater if stamped within 3 months after the period of stamping
- Rm50.00 or 10% of the deficient stamp duty whichever is greater if stamped after 3 months but not later than 6 months after the period of stamping
- RM100.00 or 20% of the deficient stamp duty whichever is greater if stamped after 6 months from the period of stamping

FURTHER DETAILS:

<https://stamps.hasil.gov.my>

or

www.hasil.gov.my