

**FREQUENTLY ASKED QUESTION
SPECIAL PROGRAM FOR VOLUNTARY DISCLOSURE**

NO	QUESTION	ANSWER														
A. INTRODUCTION / PURPOSE OF SPECIAL PROGRAM ON VOLUNTARY DISCLOSURE																
1.	What is Special Program for Voluntary Disclosure?	<p>The Special Program for Voluntary Disclosure is part of the government's effort in reforming the tax system to encourage taxpayers to come forward on a voluntary basis and report the actual income in order to increase tax collection for development of the nation.</p> <p>Voluntary Disclosure covers the following:</p> <ul style="list-style-type: none"> a) income not previously declared / expenses over claimed / expenses not allowed and reliefs / deductions / rebates over claimed b) reporting of gains on disposal of assets (real property and shares in a real property company; and c) stamping of unstamped instruments. 														
2.	Why should I take advantage of this Special Program for Voluntary Disclosure?	<p>Under this Special Program for Voluntary Disclosure, lower penalty rates are imposed as compared to the current practice. The penalty rates are as follows:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Voluntary Disclosure Period</th> <th style="text-align: center;">Penalty Rate</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">03/11/2018 – 30/06/2019</td> <td style="text-align: center;">10%</td> </tr> <tr> <td style="text-align: center;">01/07/2019 – 30/09/2019</td> <td style="text-align: center;">15%</td> </tr> </tbody> </table> <p>Higher penalties rates will be imposed after the expiry of the Special Program for Voluntary Disclosure period as follows:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Relevant Provision</th> <th style="text-align: center;">Penalty Rate</th> </tr> </thead> <tbody> <tr> <td>Subsection 112(3) of the Income Tax Act 1967 (ITA) / Subsection 51(3) of the Petroleum (Income Tax) Act 1967 (PITA) / Subsection 29(3) of the Real Property Gains Tax Act 1976 (RPGTA)</td> <td style="text-align: center;">Minimum 45%</td> </tr> <tr> <td>Subsection 113(2) ITA / Subsection 52(2) PITA / Subsection 30(2) RPGTA</td> <td style="text-align: center;">Minimum 45%</td> </tr> <tr> <td>Paragraph 44A(9)(b) ITA</td> <td style="text-align: center;">100% equivalent to the amount of</td> </tr> </tbody> </table>	Voluntary Disclosure Period	Penalty Rate	03/11/2018 – 30/06/2019	10%	01/07/2019 – 30/09/2019	15%	Relevant Provision	Penalty Rate	Subsection 112(3) of the Income Tax Act 1967 (ITA) / Subsection 51(3) of the Petroleum (Income Tax) Act 1967 (PITA) / Subsection 29(3) of the Real Property Gains Tax Act 1976 (RPGTA)	Minimum 45%	Subsection 113(2) ITA / Subsection 52(2) PITA / Subsection 30(2) RPGTA	Minimum 45%	Paragraph 44A(9)(b) ITA	100% equivalent to the amount of
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NO	QUESTION	ANSWER							
			tax undercharged						
		Subsection 47A(1) of the Stamp Act 1949 (SA)	On deficient duty paid						
3.	Is the Special Program on Voluntary Disclosure offered annually? If yes, are the same penalty rates offered?	No. The Special Program on Voluntary Disclosure is only offered from 03 November 2018 until 30 September 2019.							
4.	What is the key difference between voluntary disclosure under this Special Program for Voluntary Disclosure and the previous voluntary disclosure offer?	<table border="1"> <thead> <tr> <th data-bbox="791 510 1018 584">Voluntary Disclosure</th> <th data-bbox="1018 510 1391 584">Action by IRBM</th> </tr> </thead> <tbody> <tr> <td data-bbox="791 584 1018 725">Previous</td> <td data-bbox="1018 584 1391 725">Upon voluntary disclosure, taxpayers may be audited on the reported issues.</td> </tr> <tr> <td data-bbox="791 725 1018 1122">Special Program (03/11/22018 – 30/09/2019)</td> <td data-bbox="1018 725 1391 1122">IRBM will accept the voluntary disclosed information in good faith. Further review will not be made on the reported information. Audit / investigation will not be carried out in the future for the year of assessment in which voluntary disclosure is made.</td> </tr> </tbody> </table>		Voluntary Disclosure	Action by IRBM	Previous	Upon voluntary disclosure, taxpayers may be audited on the reported issues.	Special Program (03/11/22018 – 30/09/2019)	IRBM will accept the voluntary disclosed information in good faith. Further review will not be made on the reported information. Audit / investigation will not be carried out in the future for the year of assessment in which voluntary disclosure is made.
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5.	Under this Special Program for Voluntary Disclosure, am I allowed to claim expenses that I have not previously claimed?	No. This Special Program for Voluntary Disclosure does not involve claims of expenses which would result in a non-taxable assessment, a reduced assessment or repayment. However, appeal on the expenses that was not previously claimed can be made in accordance with the existing appeal procedures currently in force.							
6.	I have received a Notice of Estimated Assessment for the year of assessment 2017 where IRBM has estimated my income higher than my actual income. Do I qualify under this Special Program for Voluntary Disclosure?	Not qualified. This Special Program is open for voluntary disclosure on income under reported or not previously reported. However, the tax return form for the year of assessment 2017 has to be submitted. IRBM will review the form and amend the assessment accordingly.							
7.	I have income earned from Malaysia and deposited in a bank account abroad. Is this income subject to tax in Malaysia? If yes, can I make voluntary disclosure under the Special Voluntary Disclosure Programme, and what should I do?	Income earned from Malaysia and deposited in a bank account abroad is subject to tax under the provisions of the Income Tax Act 1967. Taxpayers are responsible to report this income. In line with the implementation of the Automatic Exchange of Financial Accounts Information							

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		<p>(Common Reporting Standard), beginning from 2018, the Inland Revenue Board of Malaysia (IRBM) will be receiving financial account information of Malaysian taxpayers held overseas annually.</p> <p>Such financial accounts include money deposited in bank accounts, interest, dividend, unit trust, cash value insurance contract or annuity contract and proceeds from the sales or redemption of financial assets or shares.</p> <p>Taxpayers may voluntarily report their income and take one of the following actions:</p> <ol style="list-style-type: none"> (1) Taxpayers who are not registered with IRBM will need to register for an income tax number and submit the Income Tax Return Form (ITRF) / Petroleum Return Form (PRF) / Real Property Gains Tax Return Form (RPGTRF) by making full disclosure of the income / gains on disposal of assets for the relevant year of assessment. (2) Taxpayers who are registered with IRBM but have not submitted the ITRF / PRF / RPGTRF must submit the form by making full disclosure of the income / gains on disposal of assets for the relevant year of assessment. (3) Taxpayers who have submitted the ITRF / PRF / RPGTRF but have not reported the correct information of the income / gains on disposal of assets may can submit a written declaration through letter or e-mail by making full disclosure of the income / gains on disposal of assets.
B. CATEGORIES OF TAXPAYERS		
8.	Who is eligible to make voluntary disclosure under this Special Program for Voluntary Disclosure?	<p>The following taxpayers are eligible to make voluntary disclosure under this Special Program:</p> <ol style="list-style-type: none"> (1) Taxpayers who are not registered with the IRBM; (2) Taxpayers who are registered with the IRBM but have not submitted the Income Tax Return Form (ITRF) / Petroleum Return Form (PRF) / Real Property Gains Tax Form (RPGTRF) for any year of assessment; (3) Taxpayers who have submitted the ITRF / PRF / RPGTRF but have not reported the correct information on the income / disposal of asset(s) for any year of assessment; and (4) Persons who fail to stamp executed instruments after six (6) months from the

NO	QUESTION	ANSWER
		stamping period (30 days from the date of execution of the instrument).
9.	Is this Special Program for Voluntary Disclosure offered to non-resident taxpayers?	This Special Program for Voluntary Disclosure is open to all categories of taxpayers whether resident or non-resident.
10.	Can I make voluntary disclosure for a partnership business?	Any partner can make voluntary disclosure on behalf of the partnership provided that all other partners agree.
11.	I have failed to pay withholding tax within the stipulated period. If I make payment now, am I eligible for the Special Program for Voluntary Disclosure?	<p>If a payer makes payment to a non-resident who is subject to withholding tax and the withholding tax is not remitted to IRBM within the stipulated period, the DGIR has power to impose penalty under subsection 113 (2) of the ITA or subsection 52(2) of the PITA if the payer has claimed expenses on such payment.</p> <p>Therefore, payer who make payment of the overdue withholding tax shall make a voluntary disclosure at the branch which handles the taxpayer's file, to benefit the penalty rate of the Special Program for Voluntary Disclosure.</p> <p>Failure to pay withholding tax payment within the stipulated period is not covered under the Special Program for Voluntary Disclosure.</p>
12.	Can I make voluntary disclosure on behalf of a deceased person?	Yes, on condition that you are the executor of the estate of the deceased person.
13.	As an employer, I have not remitted the Monthly Tax Deduction (MTD) on behalf of my employees. Can I make voluntary disclosure under this Special Program for Voluntary Disclosure?	<p>This offence does not form part of the Special Program for Voluntary Disclosure.</p> <p>However, employers are allowed to remit the MTD payable based on the procedures currently in force.</p>
C. YEARS OF ASSESSMENT		
14.	Which year of assessment can voluntary disclosure be made?	<p>Voluntary disclosure can be made for:</p> <p>(1) Year of assessment 2017 and preceding years of assessment for all categories of taxpayers.</p> <p>(2) Year of assessment 2018 for companies with accounting period ending 31 January 2018, 28 February 2018 and 31 March 2018.</p>
15.	I have reported my income in the ITRF for year of assessment 2018. Can I make voluntary disclosure on income not reported for the year of assessment 2018?	Voluntary disclosure for the year of assessment 2018 is only open to companies with accounting period ending 31 January 2018, 28 February 2018 and 31 March 2018.

NO	QUESTION	ANSWER
16.	Is time bar applicable for voluntary disclosure cases?	Yes, any income reported under voluntary disclosure will be assessed based on the year of assessment the income is received / receivable.
17.	Will unreported income from prior years be taxed in the year of assessment the income is received?	<p>All voluntary disclosures of income for year of assessment 2017 and preceding years of assessment will be assessed based on the year in which the income is received / receivable.</p> <p>However, where the year to which the income relates cannot be verified, the reporting of the income in the year of assessment 2017 may be allowed.</p>
18.	If I choose to report all income from preceding years of assessment in the year of assessment 2017, am I required to submit the return form for the preceding years of assessment too?	<p>If you elect to report all income from preceding years in the year of assessment 2017, you must:</p> <ol style="list-style-type: none"> (1) Submit the return form for year of assessment 2017 by reporting all income for preceding years of assessment concerned; and (2) Submit the return forms for all the preceding years of assessment by entering the amount zero (0) in the income column. <p>However, the above is not applicable to cases where estimated assessments have been raised under subsection 90 (3) ITA 1967. In such cases, voluntary disclosure has to be made for each year of assessment by submitting the relevant ITRF.</p> <p>If a person is aggrieved by the estimated assessment made on him, the appeal procedure as outlined in Public Ruling No. 12/2017 (Appeals Against an Assessment and Relief Application).</p>
D. AUDIT / INVESTIGATION CASES		
19.	Am I subject to audit after making voluntary disclosure under this Special Program for Voluntary Disclosure?	IRBM will accept in good faith all voluntary disclosures made during the Special Program for Voluntary Disclosure period. Further review will not be made on the reported information and the audit action will not be taken on the year of assessment where voluntary disclosure has been made.
20.	If I have made voluntary disclosure on certain issues, will I be audited on those issues?	<ol style="list-style-type: none"> (1) If audit has commenced, audit examination may be carried out on the taxpayer if the voluntary disclosed information is not in line with the issues under audit. (2) If audit has yet to commence, voluntary disclosure will be accepted in good faith.
21.	I have received an Audit Commencement Letter from the IRBM and wish to make voluntary disclosure.	An audit examination may be carried out on the taxpayer if the voluntary disclosed information is not in line with the audit issue.

NO	QUESTION	ANSWER
	Will the IRBM continue its audit examination on my business?	
22.	I have made voluntary disclosure to the IRBM. If the IRBM subsequently receives information from third parties or complaints, will there be an audit?	IRBM will accept in good faith all voluntary disclosures made during the Special Program for Voluntary Disclosure period. Further review will not be made on the reported information and audit action will not be taken on the year of assessment where voluntary disclosure has been made.
23.	I am a partner of ABC Partnership. Can I made voluntary disclosure on the partnership?	Voluntary disclosure on partnership income can be made on the partnership file with consent from all the partners. Audit will not be carried out on the partnership where voluntary disclosure has been made. The special penalty rate under the Special Program for Voluntary Disclosure is applicable to all the partners.
E. VOLUNTARY DISCLOSURE PROCEDURES		
24.	Can voluntary disclosure be made via telephone / WhatsApp / social media?	<p>(1) Taxpayers who are not registered with the IRBM have to register for an income tax reference number and thereafter submit the ITRF/ PRF/ RPGTRF for the relevant years of assessment.</p> <p>(2) Taxpayers who are registered but have not submitted the ITRF / PRF / RPGTRF are required to submit the the ITRF / PRF / RPGTRF for the relevant year of assessment.</p> <p>(3) Taxpayers who have submitted the ITRF / PRF / RPGTRF but have not reported the correct income / profit on disposal of asset(s) for any year of assessment can make voluntary disclosure in writing via letter or e-mail.</p>
25.	I am not a registered taxpayer with the IRBM. How can I register to obtain an income tax reference number? What are the documents required for the registration?	<p>Taxpayers may register for an income tax registration number:</p> <p>(1) At all service counters (Headquarter / Branch/Revenue Service Centre/ Urban Transformation Centre (UTC)/ Information Processing Centre) - Taxpayers must furnish identification documents and other relevant documents (please refer to IRBM's official website); or</p> <p>(2) Online via e-Daftar - For companies and individuals only.</p>

NO	QUESTION	ANSWER
26.	Is there a specific form to be filled up when making voluntary disclosure?	<p>There is no specific form to be filled up when making voluntary disclosure. Taxpayers must submit voluntary disclosure in the following manner:</p> <p>(1) Taxpayers who are not registered with the IRBM have to register for an income tax reference number and thereafter submit the ITRF/ PRF/ RPGTRF for the relevant years of assessment.</p> <p>(2) Taxpayers who are registered with but have not submitted the ITRF / PRF / RPGTRF are required to submit the the ITRF / PRF / RPGTRF for the relevant year of assessment.</p> <p>(3) Taxpayers who have submitted the ITRF / PRF / RPGTRF but have not reported the correct income / profit on disposal of asset(s) for any year of assessment can make voluntary disclosure in writing via letter or e-mail. The letter or e-mail shall state that the taxpayer makes full declaration on the income/ gains on disposal of assets that has not been previously reported.</p>
27.	Can I make voluntary disclosure through an Amended Return Form?	No. Taxpayers who wish to submit their appeal through the Amended Return Form are required to comply with the existing legal provisions currently in force for Amendend Return Form filing.
28.	I have not filed in the ITRF/PRF/RPGTRF for years of assessment 2017 and preceding years of assessment but have submitted voluntary disclosure in writing or e-mail. Is it compulsory to submit the ITRF/PRF/RPGTRF?	<p>Yes. The ITRF/PRF/RPGTRF must be submitted via the following manner:</p> <ul style="list-style-type: none"> • ITRF: e-Filing / manual • PRF: manual • RPGTRF: e-Lodgement / manual
29.	I would like to make a voluntary disclosure but I do not have a tax file. What should I do?	Taxpayers who are not registered with the IRBM have to register for an income tax number and must submit the ITRF/PRF/RPGTRF for the relevant year of assessment.
30.	I have not registered my business with the Companies Commission of Malaysia (CCM). Can I report my income under this Special Program for Voluntary Disclosure?	Yes. Taxpayers need to register with IRBM for an income tax number and subsequently submit the ITRF for the relevant year of assessment.
31.	If the audited report has yet to be prepared, can I make voluntary	Yes. The IRBM will accept in good faith all voluntary disclosures made during the Special

NO	QUESTION	ANSWER
	disclosure based on the Management Account?	<p>Program for Voluntary Disclosure period. Further review will not be made on the reported information.</p> <p>However, if after the Management Account is being audited and there is an additional tax, the taxpayers should report the difference to IRBM. The IRBM will raise additional assessment with penalties based on the penalty rate offered in accordance with the voluntary disclosure period that has been made.</p>
32.	Is it compulsory to furnish supporting documents together with the voluntary disclosure?	For taxpayers who have submitted the Income Tax Return Forms, relevant documents (if any) can be furnished to support the voluntary disclosure.
33.	I would like to make voluntary disclosure but documents relating to my business are in the possession of other enforcement agencies/ destroyed. How can I make voluntary disclosure?	<p>Taxpayers may seek for advice and assistance from IRBM officers at the nearest branch.</p> <p>IRBM will accept in good faith all voluntary disclosures made during the Special Program for Voluntary Disclosure period. Further review will not be made on the reported information .</p>
34.	If I / my company is not registered with the IRBM, what are the documents / information to be furnished when making voluntary disclosure?	<p>For individuals / companies who are not registered with the IRBM, voluntary disclosure must be submitted through the ITRF.</p> <p>As such, individuals / companies must register for an income tax number. Taxpayers must then submit the completed ITRF / PRF / RPGTRF and sign the declaration section.</p> <p>Please refer to IRBM's official website for further information regarding registration procedures.</p>
35.	Can I make voluntary disclosure even if I am not sure whether I am taxable or not?	<p>Taxpayers can seek advice from the IRBM at any of our branches to determine whether they are taxable or otherwise.</p> <p>If eligible to tax, the taxpayer must:</p> <ol style="list-style-type: none"> i. register for an income tax number; ii. declare income in ITRF/PRF/RPGT; and iii. furnish ITRF/PRF/RPGT to IRBM.
F. PENALTY RATES		
36.	Why isn't there a full waiver of penalty under this Special Program?	The penalty imposed is subject to the current Government's policy.

NO	QUESTION	ANSWER						
37.	Can voluntary disclosure be made more than once? If yes, what are the penalty rates applicable?	<p>Yes. Taxpayers are allowed to make voluntary disclosure more than once but the penalty rates applicable within this Special Program is based on the voluntary disclosure period as per below:</p> <table border="1" data-bbox="799 315 1353 465"> <thead> <tr> <th data-bbox="799 315 1158 387">Voluntary Disclosure Period</th> <th data-bbox="1158 315 1353 387">Penalty Rates</th> </tr> </thead> <tbody> <tr> <td data-bbox="799 387 1158 421">03/11/2018 – 30/06/2019</td> <td data-bbox="1158 387 1353 421">10%</td> </tr> <tr> <td data-bbox="799 421 1158 465">01/07/2019 – 30/09/2019</td> <td data-bbox="1158 421 1353 465">15%</td> </tr> </tbody> </table>	Voluntary Disclosure Period	Penalty Rates	03/11/2018 – 30/06/2019	10%	01/07/2019 – 30/09/2019	15%
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38.	I have made voluntary disclosure via mail within the Special Program for Voluntary Disclosure period. If the voluntary disclosure is received by the IRBM after the end of the period, am I still eligible for the penalty rates under the Special Program for Voluntary Disclosure period?	<p>For taxpayers who have submitted their voluntary disclosure via mail, the date of voluntary disclosure is the date of receipt by IRBM's Mailing Unit.</p> <p>Taxpayers are advised to make voluntary disclosure earlier within the offer period in order to benefit from the penalty rates under the Special Program for Voluntary Disclosure.</p>						
G. OTHER ISSUES								
39.	I have over claimed relief/ rebate. Can I make voluntary disclosure to revise the relief/rebate claimed?	Yes. Taxpayers are allowed to make voluntary disclosure by revising the over claimed relief/ rebate.						
40.	Is this Special Program for Voluntary Disclosure applicable for additional assessment only?	Yes, this Special Program for Voluntary Disclosure is only applicable for original assessment / additional assessment only.						
41.	I would like to make voluntary disclosure on my under declared income. Can I claim for relief and expenses relating to that income?	Expenses / relief / rebate can be claimed in the year of assessment in which the income is reported if the voluntary disclosure made results in assessment / additional assessment being raised.						
42.	Can unclaimed zakat be deducted against the voluntary disclosure income?							
43.	If I report income from illegal activities to the IRBM under this Special Program for Voluntary Disclosure, will the IRBM report the information to relevant agencies?	The IRBM is bound by confidentiality pursuant to Section 138 of the ITA, (confidentiality of taxpayer's information).						
H. APPEALS								
44.	If I have filed an appeal through Form Q, can I still make voluntary disclosure?	Taxpayers can make voluntary disclosure provided that there is no reduced assessment.						
45.	If I have made voluntary disclosure within the Special Program for Voluntary Disclosure period, can I appeal for a reduction/ waiver of the penalty?	Yes. The appeal shall be filed in accordance with the appeal procedures currently in force.						

NO	QUESTION	ANSWER								
I. CONTACT US										
46.	Can voluntary disclosure be made at the Revenue Service Centre or UTC?	Taxpayers are allowed to make voluntary disclosure at any IRBM office including the Revenue Service Centre and UTC.								
47.	Can I seek advice from any IRBM officers before making any voluntary disclosure?	Yes, taxpayers may seek advice and guidance from IRBM officers in any branch before making voluntary disclosure.								
48.	Who can I contact should I have any queries regarding this Special Program for Voluntary Disclosure?	Taxpayers can contact: (i) the nearest IRBM office; (ii) IRBM Hasil Care Line: - 1-800-88-5436 - 603-77136666 (Overseas) (iii) e-Mail : pengakuansukarela@hasil.gov.my								
J. TAX PAYMENT										
49.	When is the due date for payment of tax under this Special Program?	The due dates for the payment of tax for the Special Program on Voluntary Disclosure are as per below: <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Voluntary Disclosure Period</th> <th>Payment on or Before</th> </tr> </thead> <tbody> <tr> <td>03/11/2018 – 30/06/2019</td> <td>01/07/2019</td> </tr> <tr> <td>01/07/2019 – 30/09/2019</td> <td>01/10/2019</td> </tr> </tbody> </table>	Voluntary Disclosure Period	Payment on or Before	03/11/2018 – 30/06/2019	01/07/2019	01/07/2019 – 30/09/2019	01/10/2019		
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50.	I have made voluntary disclosure Do I have to wait for the notice of assessment before paying the tax?	Taxpayers do not have to wait for the notice of assessment. Payments should be settled before the period of voluntary disclosure ends to avoid tax increases based on the prevailing provisions of the law.								
51.	If tax is not paid within this Special Program for Voluntary Disclosure period, what are the actions that can be taken against me?	For taxpayers that fail to settle the tax balance at the end of the stipulated period, a tax increase will be imposed according to the prevailing provisions of the law.								
52.	If I fail to make payment within the stipulated period, will legal action be taken against me?	If tax arrears are still unpaid, legal action will be taken accordingly.								
53.	I have made voluntary disclosure on 20/02/2019 and tax payments as follows: <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>RM</th> </tr> </thead> <tbody> <tr> <td>Tax payable</td> <td>10,000</td> </tr> <tr> <td>(-) First payment (25/02/2019)</td> <td>(5,000)</td> </tr> <tr> <td>(-) Second payment (03/07/2019)</td> <td>(5,000)</td> </tr> </tbody> </table>		RM	Tax payable	10,000	(-) First payment (25/02/2019)	(5,000)	(-) Second payment (03/07/2019)	(5,000)	Full payment must be made before or on 01/07/2019. An increase of 10% will be imposed under section 103 of the ITA due to late payment of the second payment.
	RM									
Tax payable	10,000									
(-) First payment (25/02/2019)	(5,000)									
(-) Second payment (03/07/2019)	(5,000)									

NO	QUESTION	ANSWER
	What are the actions that can be taken by the IRBM?	
54.	What are the payment codes necessary for payment at the IRBM counters or banks?	<p>The payment codes necessary for making tax payment are:</p> <p>084 – Individual instalment tax payment 086 – Company instalment tax payment 088 – Advance tax payment / Composite assessment instalment tax payment 090 – RPGT payment 095 – Income tax payment in bank (excluding instalment scheme) 161 – Petroleum tax payment</p> <p>For further information, please refer to the IRBM’s official website (www.hasil.gov.my).</p>
K. STAMP DUTY AND RPGT		
55.	Do the instruments need to be submitted when making voluntary disclosure?	Yes. Duty payers are required to furnish instruments either manually or via online.
56.	What is the meaning of manual stamping and online stamping?	<p>Manual stamping is:</p> <ul style="list-style-type: none"> i. Revenue stamp; ii. Finance Receipt 38; or iii. Digital Franking System (DFS) <p>Online stamping is:</p> <ul style="list-style-type: none"> i. Stamp Assessment and Payment System (STAMPS)
57.	What is the stamping period?	Stamping period is 30 days from the execution of the instrument.
58.	If a disposer disposes more than one asset in the same year, must the disposer furnish form CKHT 1A/1B separately for each asset or only one form for all the assets disposed?	The disposer (taxpayer) is required to submit form CKHT1A/1B separately for each asset disposed.
L. TRANSFER PRICING		
59.	Is the SVDP applicable to transfer pricing (TP) issues?	Voluntary disclosure for Transfer Pricing issues are subject to the Transfer Pricing Audit Framework (TPAF).
60.	What is the procedure in which voluntary disclosure will be carried out for TP issues?	<p>For the purpose of voluntary disclosure, for TP issues, taxpayers are to submit the following documents:</p> <ul style="list-style-type: none"> a. TP Documentation together with the financial information on the comparable for the respective years. The TP Documentation to be submitted must be comprehensive and

NO	QUESTION	ANSWER
		<p>must provide sufficient information on the business activities of the company.</p> <p>b. Information regarding the omitted / undeclared income or expenses over claimed and the supporting documents for the respective years.</p> <p>c. Taxpayer can request for a pre-submission discussion to agree on the suitability of the comparable companies / transfer pricing methods used, provide information on the business activities of the company and propose a suggested timeline for the case.</p> <p>d. The IRBM will undertake a review of the TP Documentation and the comparable submitted / transfer pricing methods used.</p> <p>e. Upon completion of the negotiation, the IRBM will issue a letter containing the tax computations and that the IRBM has accepted the disclosures made based on the information submitted.</p> <p>Any penalty imposed will be in accordance with the TPAF dated 1 April 2013.</p>
61.	Will an audit be carried out for voluntary disclosure of TP issues?	A minimum audit process will be carried out as long as a comprehensive TP Documentation has been submitted and the auditor is satisfied with the information provided.
62.	What is the timeframe to close a voluntary disclosure case containing TP issues?	Due to the complexity of transfer pricing issues, the timeframe for settlement will be discussed during negotiation.
63.	Will the penalty rates for TP issues be increased effective 1 October 2019?	Yes. Higher penalty rates will be imposed.

Updated on: 09 May 2019