

## Guidance from the Examiner – December 2014 and June 2015

### Paper P6 (MYS) – Advanced Taxation

This guidance note is intended to help students to identify topics and changes in the law which affect the examination for which they are studying.

#### Cut-off date on 31 March 2014

For examinations in the year 1 October 2014 to 30 September 2015, the common cut off date for examinable legislation and other changes, such as Inland Revenue Board Public Rulings, is **31 March 2014**.

#### Budget 2014

The Finance Act 2014, Act 761, gazetted on 23 January 2014 will be examinable. Supplementary legislation (PU Orders) gazetted by 31 March 2014 are also examinable.

#### Public Rulings

Public Rulings issued during the period 1 April 2013 and 31 March 2014 will be examinable. They are:

Public Ruling number	Subject matter	Date issued
2013-4	Accelerated capital allowance	15.4.2013
2013-5	Taxation of unit holders of unit trust funds	23.5.2013
2013-6	Unit trust funds Part II – Taxation of unit trusts	23.5.2013
2013-7	Unit trust funds Part I – An overview	28.5.2013
2013-8	Gratuity	25.6.2013
2013-9	Special deduction for expenditure on treasury shares	27.6.2013
2013-10	Taxation of business trusts	3.7.2013
2013-11	Pre-operational business expenditure	18.11.2013
2014-1	Withholding tax on special classes of income	23.1.2014

**Any new laws or public rulings introduced after 31 March 2014 WILL NOT be examinable at December 2014 and June 2015.**

Candidates are reminded that describing a topic as examinable does not mean that it will be examined at the earliest opportunity.

Candidates are expected to be familiar with technical articles published by ACCA and with IRB public rulings and guidelines that are relevant to the topics covered by the study guides for their respective examinations. Technical articles may be downloaded from the ACCA website at [www.accaglobal.com](http://www.accaglobal.com). Public Rulings may be downloaded from the IRB website at [www.hasil.org.my](http://www.hasil.org.my).

#### List of PU orders examinable for paper P6 (MYS):

Title	PU number	Study guide
Income Tax (Capital Allowances and Charges) Rules 1969	96/1969	A2(c)(i)
Income Tax Leasing Regulations 1986	131/1986	A2(b)(iii)

Income Tax (Exemption) (No.16) Order 1991 (Income received from offshore companies)	160/1991	A4(iv)
Income Tax (Allowance for Increased Exports) Rules 1999 As amended in 2003	128/1999 309/2003	A2(c)(vi)
Income Tax (Deductions for promotion of export of services) Rules 1999 As amended in 2003	193/1999 262/2003	A2(c)(vi)
Income Tax (Qualifying plant annual allowances Rules 2000	52/2000	A2(a)
Income Tax (Exemption) (No.10) Order 2000 (Dividends paid from dividends received from offshore companies)	99/2000	A4(iv)
Income Tax (Deductions for promotion of export of higher education) Rules 2001 As amended in 2003	185/2001 261/2003	A2(c)(vi)
Income Tax (Exemption) (No.9) Order 2002 (Income from the export of qualifying service)	57/2002	A2(c)(vi)
Income Tax (Deduction for Cost of Acquisition of Proprietary Rights) Rules 2002	63/2002	A2(c)(ix)
Income Tax (Exemption) (No.12) Order 2002 (Income of a Malaysian International trade corporation arising from increased exports) As amended in 2003	60/2002  181/2003	A2(c)(vi)
Income tax (Deduction for promotion of export of services) Rules 2002 As amended in 2005	114/2002	A2(c)(vi)
Income Tax (Deduction for promotion of exports)(No.3) Rules 2002	117/2002	A2(c)(vi)
Income Tax (Deduction for Cost on Acquisition of a Foreign Owned Company) Rules 2003	310/2003	A2(c)(x)
Income Tax (Exemption)(No.60) Order 2003 (Exemption for employee of operational head office or regional office)	382/2003	A1(a)
Income Tax (Deduction for Promotion of Export of Professional services) Rules 2003	124/2003	A2(c)(vi)
Income Tax (Deduction for Investment in a Venture Company) Rules 2005	76/2005	A1(g)(i)
Income Tax (Exemption) (No.17) Order 2005 (Income from increased exports of manufactured products and agricultural produce)	158/2005	A2(c)(vi)
Income Tax (Exemption) (No.22) Order 2006 (Income from government grants)	207/2006	A3(ii), (iii)
Income Tax (Deduction for Establishment Expenditure of Real Estate Investment Trust or Property Trust Fund) Rules 2006	135/2006	A2(b)(ii)
Income Tax (Exemption) (No.6) Order 2007 (Income from qualifying professional services rendered in Labuan)	83/2007	A2(c)(vi)
Income Tax (Exemption) (No.40) Order 2005 as amended in 2007 (Income of operational headquarters companies)	307/2005 260/2007	A2(c)(xii)
Income Tax (Exemption) (No.41) Order 2005 as amended in 2007 (income of regional distribution centre companies)	308/2005 261/2007	A2(c)(xii)
Income Tax (Exemption) (No.42) Order 2005 as amended in 2007 (Income of international procurement centre companies)	309/2005 262/2007	A2(c)(xii)
Income Tax (Deduction for promotion of exports) Rules 2007	14/2007	A2(c)(vi)
Income Tax (Exemption) Order 2009 (Exemption of various benefits and gifts from employer)	152/2009	A1(a)
Income Tax (Deduction for Benefit and Gift from Employer to Employee) Rules 2009	153/2009	A2(a)
Income Tax (Deduction for Expenses relating to Remuneration of Employee) Rules 2009.	110/2009	A2(a)

Income Tax (Accelerated Capital Allowance) (Plant & Machinery) Rules 2009.	111/2009	A2(a)
Income Tax (Exemption)(No.4) Order 2009 (Exemption of other income where payer is Labuan entity)	389/2009	A6(c)
Income Tax (Exemption)(No.6) Order 2009, as amended by corrigendum (Income from healthcare service to foreign clients)	412/2009	A2(a)
Income Tax (Deduction for expenditure on registration of patent and trade mark) Rules 2009	418/2009	A2(a)
Real Property Gains Tax (Exemption)(No. 2) Order 2009 (Revoked with effect from 1.1.2012)	486/2009	A4(a)
Income Tax (Exemption) Order 2011 (Exemption of income from increased exports of motor vehicles and auto parts manufactured in Malaysia)	44/2011	A2(c)(vi)
Income Tax (Exemption)(No.3) Order 2011 (Exemption of income from approved food production project)	166/2011	A2(c)(xii)
Income Tax (Deduction for investment in an approved food production project) Rules 2011	167/2011	A2(c)(xii)
Income Tax (Exemption)(No.6) Order 2011 (Exemption of income from qualifying professional services to Labuan entities)	418/2011	A4
Income Tax (Exemption)(No.7) Order 2011 (Exemption of director's fees from Labuan entity)	419/2011	A4
Income Tax (Exemption)(No.8) Order 2011 (Exemption of income of non-Malaysian citizen from Labuan entity)	420/2011	A4
Income Tax (Exemption)(No.9) Order 2011 (Exemption of income of Malaysians from Labuan entity)	421/2011	A4
Real Property Gains Tax (Exemption) Order 2011	434/2011	A5(b)(ii)
Income Tax (Prescription of activity excluded from the definition of "manufacturing") Rules 2012	23/2012	A2(c)(v)
Income Tax (Exemption) Order 2012 (Exemption of income of a new private healthcare facility business)	22/2012	A2(c)(xiii)
Income Tax (Deduction for Expenditure on Franchise Fee) Rules 2012	76/2012	A2(a)
Income Tax (Exemption) (No. 4) Order 2012 (Exemption of other income from Labuan entities)	209/2012	A4
RPGT (Exemption) Order 2012 (Exemption of RPGT)	414/2012	A5
Income Tax (ACA) (Security control equipment) Rule 2013	4/2013	A2(a)
Income tax (deduction for cost of acquiring foreign owned company)rules 2013	218/2013	A2(c)(x)
RPGT (Business trust) exemption 2013	128/2013	A2(b)(iv)
Stamp duty (Business trust) exemption	127/2013	A2(b)(iv)
RPGT (Exemption) (Revocation) Order 2013	369/2013	A5(b)(ii)