

## **Guidance from the Examiner – December 2020 and June 2021**

### **Paper – Foundations in Taxation Malaysia (FTX-MYS)**

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 2020**

For examinations in the period December 2020 and June 2021, the cut-off date for examinable legislation and other changes, such as Inland Revenue Board (IRB) public rulings, is **31 March 2020**.

#### **Budget 2020**

The Finance Act 2019, Act 823, gazetted on 31 December 2019 will be examinable. Supplementary legislation (PU Orders) gazetted by 31 March 2020 are also examinable.

#### **Sales tax and Service Tax**

All supplementary legislation (PU Orders and regulations) under the Sales Tax and Service Tax Acts relevant to the topics covered in the syllabus and gazetted by 31 March 2020 will be examinable.

The relevant guidelines, Director General's decisions and updates issued by the Royal Malaysian Customs Department are examinable and can be viewed or downloaded from the Royal Malaysian Customs website at [www.mysst.customs.gov.my](http://www.mysst.customs.gov.my).

**Any new laws or public rulings introduced after 31 March 2020 WILL NOT be examinable at the December 2020 and June 2021 sessions. In addition, the tax measures announced by the Government under the Economic Stimulus Package in response to the Covid-19 situation WILL NOT be examinable as well.**

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).

Candidates must note that the rates given in the exam are there to provide a guide and they will have to know how the rates are to be applied in each specific case.

**Working knowledge of the following public rulings (including the latest amendments and addendums) issued by the Inland Revenue Board, Malaysia is expected:**

<i>Public ruling number</i>	<i>Subject matter</i>
4/2000 (Revised)	Keeping sufficient records (companies and co-operatives)
5/2000 (Revised)	Keeping sufficient records (individuals and partnerships)
7/2000	Providing reasonable facilities and assistance
8/2000	Wilful evasion of tax and related offences
1/2003	Tax treatment relating to leave passage
2/2003	“Key-man” insurance
1/2005	Computation of total income for individual
2/2005	Computation of income tax payable by a resident individual
3/2005	Living accommodation benefit provided for the employee by the employer

6/2006	Tax treatment of legal and professional expenses
1/2010	Withholding tax on income under paragraph 4(f)
4/2012	Deduction for loss of cash and treatment of recoveries
5/2014	Ownership and use of asset for the purpose of claiming capital allowances
10/2014	Special allowances for small value assets
12/2014	Qualifying plant and machinery for claiming capital allowances
3/2015	Failure to furnish information within a stipulated period
4/2015	Entertainment expense
6/2015	Qualifying expenditure and computation of capital allowances
3/2016	Tax treatment on interest income received by a person carrying on a business
8/2016	Industrial buildings Part I
10/2016	Industrial buildings Part II
6/2017	Withholding tax on income of a non-resident public entertainer
7/2017	Disposal of Plant or Machinery Part I – other than controlled sales
11/2017	Residence status of individuals
12/2017	Appeal against an assessment and application for relief
3/2018	Qualifying expenditure and computation of industrial building allowance
4/2018	Taxation of a resident individual Part I – Gifts or contributions and allowable deductions
5/2018	Taxation of a resident individual Part II – Computation of total income and chargeable income
6/2018	Taxation of a resident individual Part III – Computation of income tax and tax payable
12/2018	Income from letting of real property
1/2019	Professional indemnity insurance
4/2019	Tax treatment of wholly & partly irrecoverable debts and debt recoveries
5/2019	Perquisites from employment
6/2019	Tax treatment on expenditure for repairs and renewals of assets
9/2019	Residence status of companies and bodies of persons
10/2019	Withholding tax on special classes of income
11/2019	Benefits in kind
12/2019	Tax treatment of exchange gains and losses

Guidelines on real property gains tax – issued in August 2012