

New Section 153 Guidelines

Introduction

The much awaited new Section 153 (3) of the Income Tax Act 1967 Guidelines are out. MIT's Technical Department has compiled it in the form of charts for your easy reading and referencing. These are also available on the MIT's website at www.mit.org.my.

Application Procedures for Tax Agent's License (Under Subsection 153(3), Income Tax Act 1967)

COMPARISON: PROCEDURES FOR NEW APPLICATION

No.	Description	2006	2007
1	Attendance at Budget Seminar	All applicants applying for their tax agent license are required to attend the latest Budget Seminar organised by LHDN.	All applicants applying for their tax agent license are required to attend the latest Budget Seminar organised by LHDN/MIT/MATA.
2	Copies of certificates to be attached with application form	A copy of certificate(s) of attendance in budget seminar organised by LHDNM certified as a true copy by a Commissioner of Oath	Attestation by Commissioner for Oath of Statutory Declaration by applicant on the true copies of the original documents and certificate.
3	Period	A certificate will be issued to the successful candidate for the period of two years .	A certificate will be issued to the successful candidate for the period of three years .
4	Interview appeal procedures	Applicants who failed the interview may re-apply by providing the completed form, six months from the date of rejection letter.	Applicants who failed the first interview may appeal to MOF for the second interview conducted jointly by MOF and LHDNM. If applicants is rejected/fails in the second interview, he may re-apply by providing the completed form, six months from the date of rejection letter.
5	Method of Payment	Either by cheque or money order	Either by postal order or money order or bank draft.

COMPARISON: PROCEDURES FOR RENEWAL APPLICATION

No.	Description	2006	2007
1	Attendance at Budget Seminar	All applicants applying for their tax agent license are required to attend the latest Budget Seminar organised by LHDN.	All applicants applying for their tax agent license are required to attend the latest Budget Seminar organised by LHDN/MIT/MATA.
2	CPD/CPE hours to be collected	80 CPD hour within 2 years.	90 CPD hour within 3 years.
3	Procedures	Fill in Form EC(1) in 3 copies	Fill in Form EC(1) in 2 copies
4	Interview process	All applicants will go through an interview process	Not available
5	Method of Payment	Either by cheque or money order	Either by postal order or money order or bank draft.

COMPARISON: APPLICATION FORM FOR NEW APPLICANTS

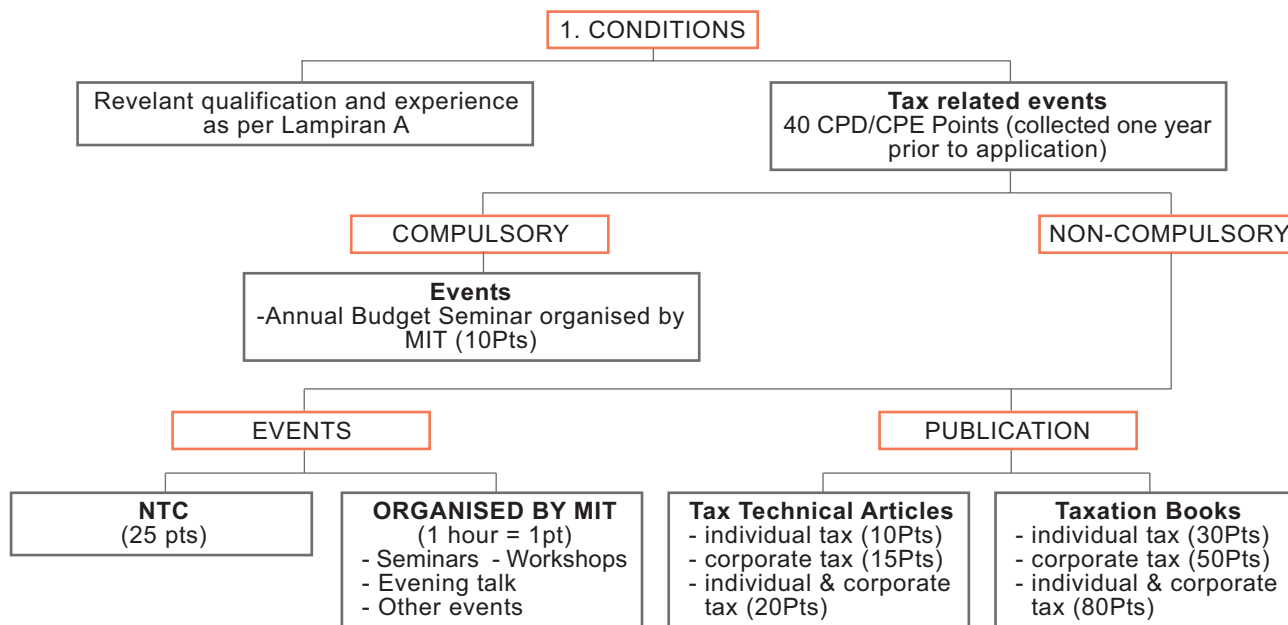
No.	Description	2006	2007
1	List of clients	There is no restriction to the number of clients to be disclosed in the EC form.	Applicants must provide a list of at least 20 clients, audited and non-audited.

NEW SECTION 153 GUIDELINES

COMPARISON: APPLICATION FORM FOR RENEWAL OF LICENSE

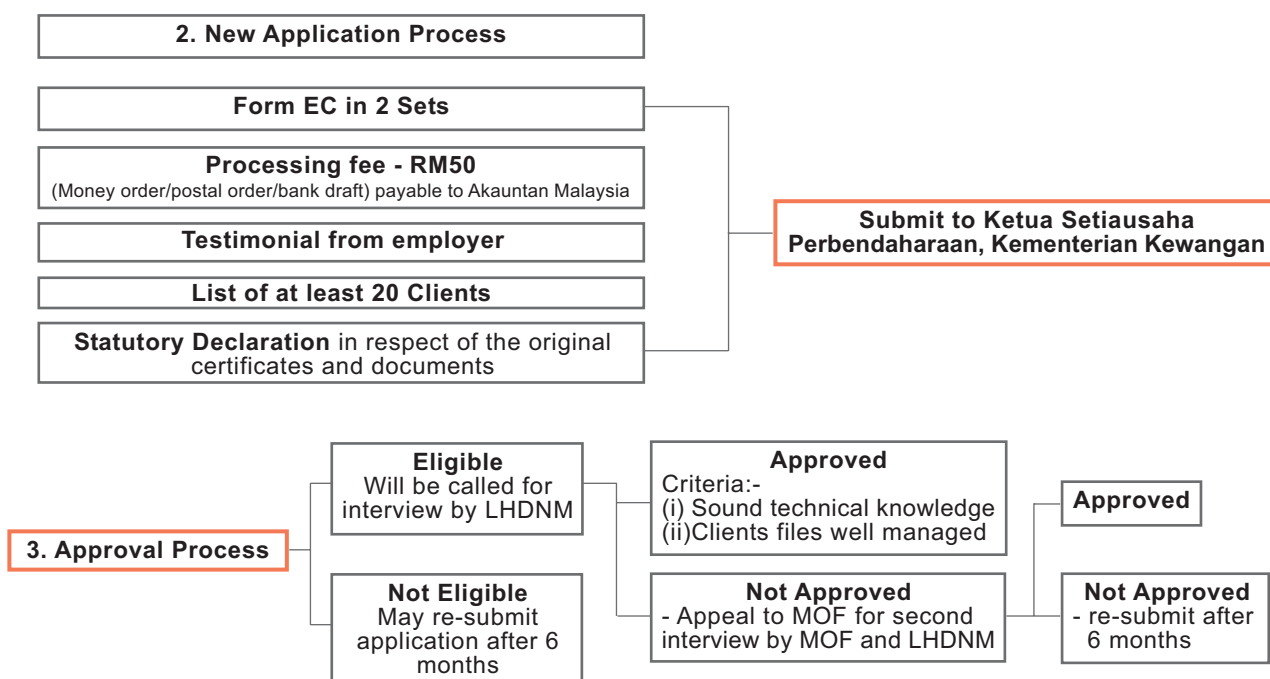
No.	Description	2006	2007
1	Particulars of tax agent firm	Applicants are required to provide the name and address of their firms.	Applicants are not required to provide the name and address of their firms.
2	List of clients	There is no limitation to the number of clients to be disclosed in the form.	Applicants must provide a list of at least 30 clients, audited and non-audited.

A. Tax Agent Licensing (New Application) (Income Tax Act 1967 Subsection 153(3))



Note: Practitioners can also attend other tax related events to collect CPD/CPE points. Please refer to the guideline for further details.

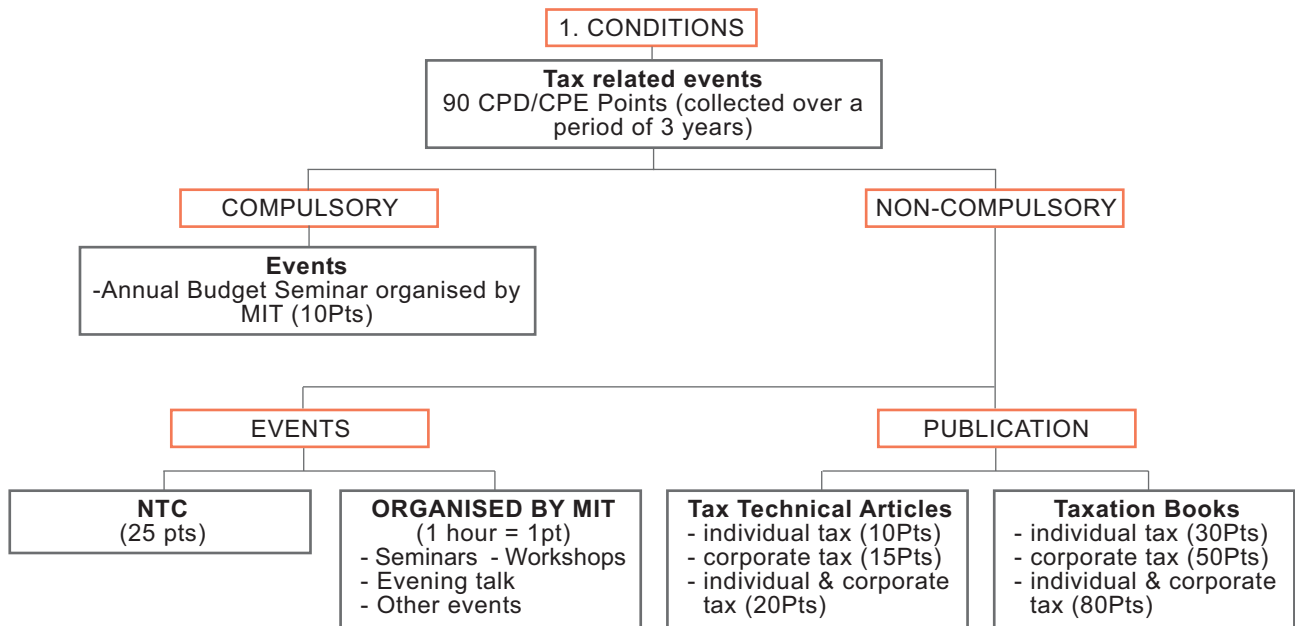
A. Tax Agent Licensing (New Application) (Income Tax Act 1967 Subsection 153(3))



Note:

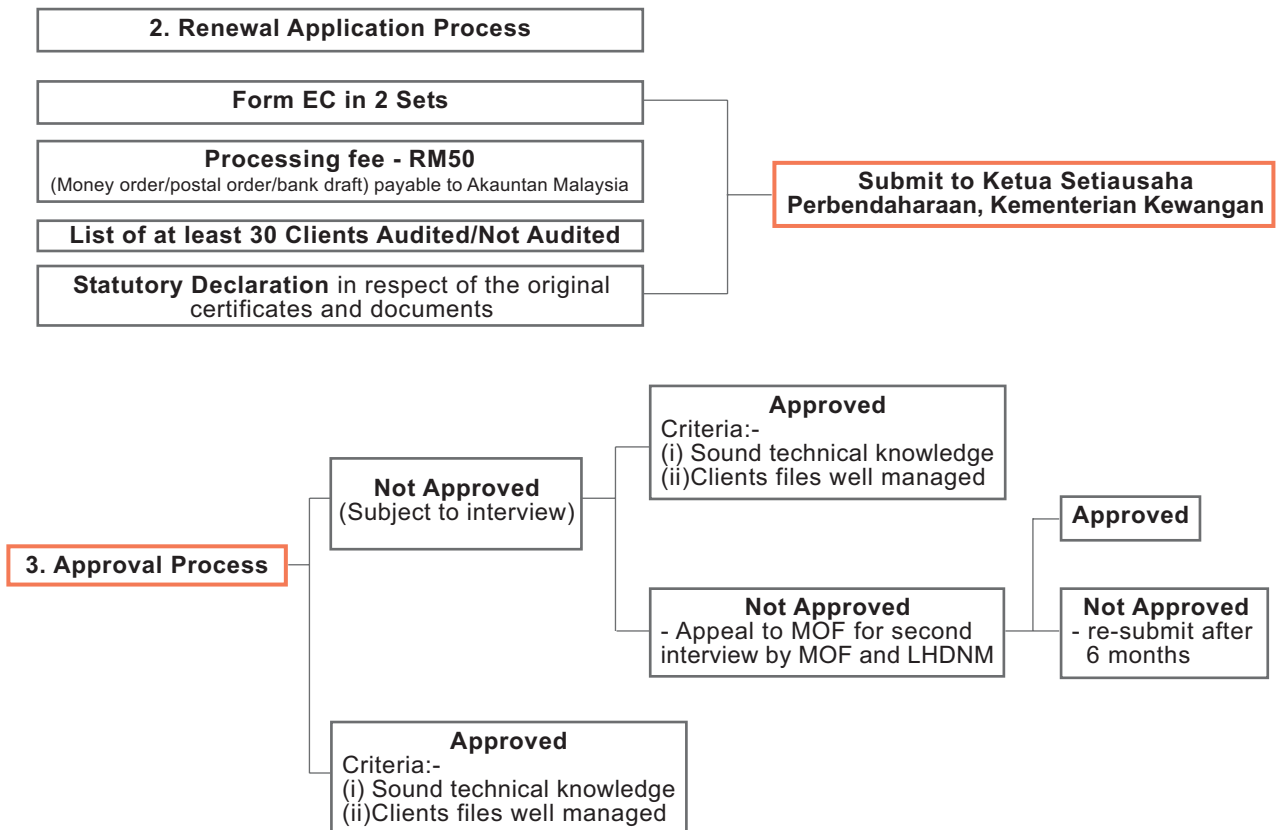
Applicants must ensure that they have submitted their own tax returns to the LHDNM and settled their income tax liabilities on a timely basis so as to avoid any delays in their approval as tax agents.

B. Tax Agent Licensing (Renewal Application) (Income Tax Act 1967 Subsection 153(3))



Note: Practitioners can also attend other tax related events to collect CPD/CPE points. Please refer to the guideline for further details.

B. Tax Agent Licensing (Renewal Application) (Income Tax Act 1967 Subsection 153(3))



Note:

1. Submissions must be done at least 4 months prior to the expiry date of the current approved license.
2. Applicants must ensure that they have submitted their own tax returns to the LHDNM and settled their income tax liabilities on a timely basis so as to avoid any delays in the renewal of their tax licence.