

# WITHHOLDING TAX ON PAYMENTS TO NON-RESIDENTS

(Re-Run Session)

Date : 19 March 2014  
Venue : CTIM Training Room, Kuala Lumpur  
Time : 9.00am to 5.00pm  
Event Code : WS/036



## Workshop Overview

Although income tax is a direct tax, in certain circumstances the payer has the responsibility to withhold the tax when making payment to the person who bears the tax, often a non-resident. The payer must deduct the tax and remit it to the tax authorities within the stipulated time period. If the payer fails to do so, he will suffer penalties and be prohibited from claiming a tax deduction against his own income for the payment to the other party unless and until the tax withheld and any penalty has been remitted. Further penalties can be incurred if the payer makes a claim for the expense in his tax computation before he has remitted the tax withheld to the tax authority. Ignorance is no excuse and it is imperative for any person managing the day-to-day payments and accounts of a business to understand their obligations under the withholding tax provisions, and the cost of non-compliance.

The coverage includes Public Ruling No. 1/2014 and the Federal Court's decision on Alam Maritim case.

## Benefits of Attending

- Understand the payments for which the withholding taxes obligations should be considered.
- Understand the withholding taxes obligation that arises from reimbursements and disbursements in respect of services rendered by non-residents.
- Avoid penalties that may arise if deductions or capital allowances are wrongfully claimed in respect of payments for which the withholding taxes has not been remitted to the authority.

## Course Contents

- The scope and rates of withholding tax
- Responsibilities of the payer
- Non-deductibility of expenses and disallowed capital expenditure
- Permissibility of re-grossing of payments
- Withholding tax for royalty payments
- Withholding tax for interest payments to non-residents
- Withholding tax for public entertainers' remuneration
- Withholding tax for special classes of income (section 4A)
- Withholding tax for contract payments
- Non-finality of tax on contract payments
- Withholding tax for payments in respect of other gains or profits (section 4(f))
- Rules for determination of residence status of the payee
- A brief introduction to the role of tax treaties
- Additional tax or tax refund for the payee (tax overpaid/underpaid due to misunderstandings over residence status)

## Who Should Attend

- Tax agents
- Tax advisors and consultants
- Accountants in the corporate sector
- Those involved in making payments to non-residents
- Tax lecturers and scholars

## Speakers' Profile

**Thenesh Kannaa** is the managing partner of Thenesh, Renga & Associates, a firm of chartered accountants dedicated to providing tax advisory services. Thenesh is also adjunct to a university ranked within the top 100 in the World. His works have been published in various local and international newsletters. Recently, he has co-authored the Manual of Capital Allowances and Charges with Mr. Richard Thornton.

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### Registration Fees

CTIM/ACCA Member  RM300.00      Member's Firm Staff  RM350.00  
CTIM Member Subsidised Fee\*  RM150.00      Non-Member  RM400.00

*\*CTIM members who are from small and medium firms are eligible for this subsidised fee and it will be based on a first-come, first-served basis.*

- \* Seats are limited and based on first-come, first-served basis.
- \* Registration of participants will be confirmed upon registration, receipt of full payment or an acceptable employers guarantee and settlement of previous outstanding dues.
- \* Walk-in participant registration is subject to availability of seats and full payment.
- \* Certificate of Attendance will only be released upon participant signing the attendance register before 10.30am, full attendance and after completion of the event

### Enquiries



Tel: 03-2162 8989  
Fax: 03-2161 3207  
03-2162 8990  
Email: cpd@ctim.org.my



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50450 Kuala Lumpur

### Contact Person:

*For Klang Valley events:*  
Ms Yus (ext 121 / yusfariza@ctim.org.my)  
Mr Asnawi (ext 113 / asnawi@ctim.org.my)  
*For Outstation events:*  
Mr Jason (ext 108/ jason@ctim.org.my)  
Ms Ramya (ext 119 / ramya@ctim.org.my)  
*General enquiries:*  
Ms Ally (ext 123 / ally@ctim.org.my)

### Participant Contact Details

Full Name : _____	Company : _____
I/C Number : _____	Designation : _____
CTIM/ACCA Membership No : _____	Tel : _____
Postal Address : _____	Fax : _____
_____	Email : _____
Dietary Requirements (if any) : _____	Mobile : _____

### Payment Method

I / we hereby enclose

Cash for Amount of RM \_\_\_\_\_

Cheque No. \_\_\_\_\_  
For Amount of RM \_\_\_\_\_  
(Non-refundable) and made payable to CTIM-CPE

Please debit my

Direct Access-CTIM Master Card \_\_\_\_\_  
for amount of RM \_\_\_\_\_

Direct Access-CTIM Visa Card \_\_\_\_\_  
for amount of RM \_\_\_\_\_

Master Card / Visa Card \_\_\_\_\_  
for amount of RM \_\_\_\_\_

Card No \_\_\_\_\_      Expiry Date \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Cardholder's Name ( as appeared on credit card )  
\_\_\_\_\_

\_\_\_\_\_

Cardholder's Signature \_\_\_\_\_      Date \_\_\_\_\_  
(signature must correspond with the specimen signature on card)

#### Replacements

Please note registrations for the event are not interchangeable but replacements are acceptable. Please notify us at least three days prior to the event if you intend to send a replacement. CPD points will be allocated to the designated attendee. If the replacement is not a Member but a Member's Firm Staff or Non-Member, the appropriate fees will apply.

#### Cancellations

The Chartered Tax Institute of Malaysia must receive cancellations in writing five working days prior to the event. No refund will be given for cancellations received within less than five working days of the event.

#### Confirmation of Registration

The confirmation letter will be issued 5 days before the commencement of the event. In the event you do not receive the confirmation letter 5 days before the event, please contact us immediately.

#### Disclaimer

The Organiser reserves the right to change the speaker, date, venue or to cancel the event if the number of participants is less than 20. A minimum of 3 days notice will be given.

#### Membership and Education Programme Promotion

- I am interested in becoming a Member of Chartered Tax Institute of Malaysia, please send me further details
- I am interested in learning more about the Chartered Tax Institute of Malaysia's Education / Examination Programme, please contact me.