

UNDERSTANDING THE LEGAL AND PRACTICAL ASPECTS ON DEDUCTIBILITY OF EXPENSES BASED ON PUBLIC RULINGS (With Relevant Budget 2015 Updates)

24 & 25 June 2015 | Seri Pacific Hotel, Kuala Lumpur | 9am – 5pm

TRAINING OBJECTIVES

The Income Tax Act 1967 (ITA) as well as other rules and regulations as may be issued by the Minister of Finance or the Director General of Inland Revenue (DGIR) imposes many compliance requirements on taxpayers. Tax compliance requirements, if not adhered to by taxpayers in accordance to the ITA as well as guidelines, public rulings and other regulations issued by the DGIR will create risks to these taxpayers with the high possibility of tax audit adjustments being made by the DGIR. This two day tax training will examine the relevant provisions of the ITA pertaining to deductibility of expenses together with its practical aspects by reviewing the various related. Public Rulings which have been issued by the IRB as well as various tax cases.

TRAINING CONTENTS

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| <p>1) Deductibility of expenses</p> <ul style="list-style-type: none"> • Examine the general deduction rules in the ITA 1967 • Specific allowable and disallowable deductions • Deductions under section 34 and section 35 ITA 1967 <p>2) Non-deductible expenses</p> <ul style="list-style-type: none"> • Distinguishing between capital expenses and revenue expenses • Examine methods of minimising tax audit adjustments on non-deductible expenses • Review of Public Rulings related to expenses <p>3) Public Ruling 2/2011: Interest expenses and Interest restriction</p> <ul style="list-style-type: none"> • Tax treatment of interest expenses • Interest restriction under subsection 33 (2) ITA 1967 • Non-applicable interest restriction under subsection 33 (2) ITA 1967 • Interest expenses incurred on investments <p>4) Public Ruling 11/2013: Allowable Pre-operational and Pre-commencement of Business expenses</p> <ul style="list-style-type: none"> • Qualifying pre-operational business expenditure • Incorporation expenses • Pre-commencement of business expenditure on approved training • Pre-commencement of business training expenses • Establishment expenditure of REIT • Establishment expenditure of an Islamic stock broking company • Recruitment expenses of employees <p>5) Public Ruling 3/2009: Professional indemnity Insurance</p> <ul style="list-style-type: none"> • Prerequisite for a professional to carry on or to practice a profession • Tax treatment of insurance premium expenses • Tax treatment of insurance proceeds and compensation <p>6) Public Ruling 3/2008: Entertainment Expenses</p> <ul style="list-style-type: none"> • Deduction for entertainment expenses • Principle in determining the deduction of entertainment • Section 39(1)(l) ITA 1967 | <p>7) Public Ruling 6/2006: Tax Treatment of Legal and Professional Expenses</p> <ul style="list-style-type: none"> • General principle • Deductible expenses • Non-Deductible expenses <p>8) Public Ruling 4/2006: Valuation of Stock In Trade and Work In Progress</p> <ul style="list-style-type: none"> • Importance of valuation of stock in trade • Market value or total value • Total cost or historical cost • Work in progress • Consistency of valuation • Cessation of business • Obsolescence • Diminution in value of shares <p>9) Public Ruling 4/2012: Deduction for Loss of Cash and Treatment of Recoveries</p> <ul style="list-style-type: none"> • Basis for deductibility • Cash of cash caused by theft, defalcation or embezzlement • Tax treatment of recoveries <p>10) Public Ruling 2/2003: “Key-Man” Insurance</p> <ul style="list-style-type: none"> • “Key-Man” insurance • Deductibility of premium expenses • Taxability of insurance proceeds <p>11) Public Ruling 1/2003: Tax Treatment of Leave Passage</p> <ul style="list-style-type: none"> • Not assessable as an employment income • Assessable as an employment income • Expenditure incurred by the employer for his employee <p>12) Public Ruling 1/2002: Deduction for Bad and Doubtful Debts and Treatment of Recoveries</p> <ul style="list-style-type: none"> • Basis for writing off a debt as bad • Circumstance when a debt is considered bad • Provision for doubtful debts • Circumstance where write off or provision not allowed as deduction <p>13) Discussions and review of Tax Cases</p> |
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WHO SHOULD ATTEND

- ✓ Company Directors
- ✓ Tax Practitioners, Tax Managers and Tax Executives
- ✓ Finance Managers and Accountants Sole-proprietors and Partners

BENEFITS OF ATTENDING

This two day workshop will among others provide participants with a sound knowledge and understanding of income tax laws and regulations pertaining to the various tax regulations on deductibility of expenses. Participants will be exposed to Public Rulings, common compliance related provisions provided in the Income Tax Act 1967 (as amended) together with practical examples from selected tax cases.

SPEAKER'S PROFILE

***Kularaj K. Kulathungam**, a member of the Chartered Tax Institute of Malaysia, is an approved tax agent under the Income Tax Act 1967 and Managing Director of a Tax Consultancy & Advisory firm. His experience in taxation spans over 27 years both with the Inland Revenue Board (IRB) as well as in private practice. As a former Assistant Director of Income Tax with the IRB, he has served at various IRB Branches and divisions between 1988 and 2003, his last posting being the Head of the Labuan Offshore Taxation Unit. With his vast experience in the various major areas of direct taxation, he is able to blend the legal and practical aspects of taxation thereby greatly enhancing the learning experience for participants. In addition to managing his tax consultancy practice, he also lectures extensively at local institutions of higher learning and a regular speaker at workshops and seminars on taxation issues in Malaysia.*

Please present your identification card upon registration and collection of certificate of attendance for verification purposes. Registration and collection certificate on your behalf is not allowed.

16
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UNDERSTANDING THE LEGAL & PRACTICAL ASPECTS ON DEDUCTIBILITY OF EXPENSES BASE ON PUBLIC RULINGS (EVENT CODE : 15WS/008)

*Registration Fees

	Participation Fee	GST 6%	Net Registration Fee
<input type="checkbox"/> CTIM/ACCA Member	RM800.00	RM48.00	RM848.00
<input type="checkbox"/> Member's Firm Staff	RM900.00	RM54.00	RM954.00
<input type="checkbox"/> Non-Member	RM1000.00	RM60.00	RM1060.00

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- 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.
- All outstanding payments must be received on or prior to the date of the event for participants to be allowed to attend. The Institute reserves the right to cancel the registration if no payment is received prior to or on the date of the event.
- Walk-in participant registration and attendance 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.

Participant's Contact Details

Name	:	Company	:
I/C Number	:	Designation	:
Membership No	:	<input type="checkbox"/> CTIM <input type="checkbox"/> ACCA <input type="checkbox"/> Member's Firm Staff	Tel	:
		Fax	:
		Email	:
Company Address	:	Mobile	:
		Dietary	:	Normal <input type="checkbox"/> Vegetarian <input type="checkbox"/>

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REPLACEMENTS

Please note registrations for the event are not interchangeable but replacements are allowed. 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 ON PARTICIPATION

The Chartered Tax Institute of Malaysia must receive cancellations in writing five (5) working days prior to the event date. Refund amount is subject to deduction of administration and finance charges. No refund will be given for cancellations received within less than five working days prior to the event date.

CONFIRMATION OF REGISTRATION

The confirmation letter will be issued 5 days before the commencement of the event upon receipt of full payment via email. In the event that 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 number of participants is less than 20. A minimum three (3) days notice will be given

RECORDING

Video / Sound recording is strictly prohibited.