

TECHNICAL

Income Tax (Accelerated Capital Allowance) (Information and Communication Technology Equipment) (Amendment) Rules 2015 [P.U. (A) 284/2015]

The above [Rules](#) which amends the [Income Tax \(Accelerated Capital Allowance\) \(Information and Communication Technology Equipment\) Rules 2014 \[P.U. \(A\) 217/2014\]](#), was gazetted on 2 December 2015 and shall be deemed to have effect from the year of assessment 2014. (Our [e-CTIM TECH-DT 45/2015](#) dated 4 June 2015 also refers.)

Based on the [Rules](#), Rule 7 of the P.U. (A) 217/2014 is amended as follows:-

“Non-application

7. These Rules shall not apply to a person ~~if in the basis period for a year of assessment~~ who has incurred qualifying capital expenditure on an information and communication technology equipment for a basis period for a year of assessment where during that basis period the person is eligible and has claimed in respect of that information and communication technology equipment –
- (a) ~~the person has been granted any incentive investment tax allowance~~ under the Promotion of Investments Act 1986 [Act 327];
 - (b) ~~the person has been granted a~~ reinvestment allowance ~~or an investment allowance~~ under Schedule 7A ~~or 7B~~ to the Act ~~respectively~~;
 - (c) ~~the person has been granted any exemption under section 127 of the Act; or investment allowance for service sector under Schedule 7B to the Act;~~
 - (d) ~~the person has qualified for a deduction~~ accelerated capital allowance under any ~~other~~ rules made under section 154 of the Act; or
 - (e) tax exemption under any order made under section 127 of the Act in respect of his statutory income which is equivalent to any part or the whole of the amount of the qualifying capital expenditure incurred by the person.”

Members may read the Rules in full at the official website of the [Attorney-General's Chambers](#).

You may write to the Institute at technical@ctim.org.my or secretariat@ctim.org.my in respect of any suggestions, concern or comments you may have on the [Rules](#) so that we may raise them to the LHDNM.

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