

TECHNICAL

Indirect Taxation

[GOODS AND SERVICES TAX \(AMENDMENT\) \(NO.2\) REGULATIONS 2015 \[P.U.\(A\) 293-2015\]](#)

The Regulations were gazetted on 14 December 2015 and came into operation on 1 January 2016. The following are some of the major amendments to the principal Regulations, [the Goods and Services Tax Regulations 2014 \[P.U. \(A\) 190/2014\]](#):

Regulation 2 –

“tax year”, in relation to a taxable person, means—

- (a) the first period of twelve calendar months or any period other than twelve calendar months as may be approved or directed by the Director General commencing on the effective date of registration determined in accordance with the Act or the date he should be **is liable to** registered;
- (b); or
- (c)

Regulation 38(1)(e) –

Any taxable person claiming input tax by deducting from the output tax that is due from him under section 38 of the Act shall do so on the return furnished by him for the taxable period in which he holds,—

- “(e) *if the claims is in respect of imported services –*
 - (i) *a document stating that the claimant has made payment for the services consumed, if the time of supply is the time referred to in paragraph 13(4)(a) of the Act; or*
 - (ii) *the invoice issued in the name of claimant by a supplier who belongs in a country other than Malaysia or who carries on business outside Malaysia, if the time of supply is the time referred to in paragraph 13(4)(b) of the Act.”*

Note: This is a consequential amendment following the amendment to Section 13(4) of the GST Act 2014 (GSTA), Regulation 38(1)(e).

Regulation 41 –

Investment holding company is now inserted into the list of businesses for which Regulation 40 shall not apply. Regulation 40 stipulates the treatment of input tax attributable to exempt financial supplies as being attributable to taxable supplies.

Members may read the Regulations 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 [Regulations](#).

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