
TECHNICAL

Indirect Taxation

TOURISM TAX GAZETTE ORDERS

The following legislations were recently gazetted to give effect to the implementation of the proposed tourism tax.

1. [**TOURISM TAX \(RATE OF TAX\) ORDER 2017 \[P.U.\(A\) 241/2017\]**](#)

This [Order](#) takes effect from 1 September 2017.

Paragraph 2 of this [Order](#) states that the rate of tourism tax is fixed at RM 10 per room per night.

2. [**TOURISM TAX \(EXEMPTION\) ORDER 2017 \[P.U. \(A\) 240/2017\]**](#)

This [Order](#) came into operation on 23 August 2017.

- The following are exempted (under paragraph 2): from payment of tourism tax
 - (a) a tourist who is a Malaysian national; and
 - (b) a tourist who is a permanent resident of Malaysia.
- The following operators are exempted (under paragraph 3) from collecting the whole of tourism tax, and from the requirement to register under Part IV of the Tourism Tax Act 2017:
 - (a) an operator operating a homestay under the Pengalaman Homestay Malaysia Programme, as determined by the Minister who is responsible for tourism, and is registered with the Ministry that is responsible for tourism;
 - (b) an operator operating a “kampungstay” under the Visit My Kampung Programme, as determined by the Minister who is responsible for tourism, and is registered with the Ministry that is responsible for tourism;
 - (c) the Federal Government, State Government, statutory body, local authority or private higher educational institutions registered under the Private Higher Education Institution Act 1996, operating accommodation premises as a facility to any person for educational, training or welfare purposes;
 - (d) an *employee** operating accommodation premises as a facility to his employees;
(CTIM's Note; - the emphasis here is added. It is not certain whether this word is a typo which should read "employer" instead, since the latter word would seem to make more sense.)*
 - (e) a religious or welfare body as approved by the Minister, operating accommodation premises for religious or welfare activities and not for commercial purposes, and registered with the Registrar of Societies Malaysia or any written law governing such body; and
 - (f) an operator operating accommodation premises having 4 accommodation rooms or less.

Members may view the Orders in full at the [Attorney-General Chambers](#) website. You may write to the Institute at technical@ctim.org.my or secretariat@ctim.org.my in respect of any suggestions, concerns or comments you may have on the Orders so that we may raise them to the authorities.

Members may also refer to our e-CTIM [TECH-IT 17/2017](#) dated 28 June 2017, [TECH-IT 24/2017](#) dated 8 August 2017 and [TECH-IT 28/2017](#) dated 18 August 2017 on the legislation, regulations, guidelines and other matters pertaining to Tourism Tax.

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