

TECHNICAL

Direct Taxation

LHDNM: REVISED RPGT GUIDELINES

The Inland Revenue Board of Malaysia (LHDNM) has uploaded a [revised Real Property Gains Tax \(RPGT\) Guidelines](#) ("Revised RPGT Guidelines") dated 13 June 2018, available in **Bahasa Malaysia** only.

This revised guidelines replace the [RPGT Guidelines dated 18 June 2013](#) (please refer to our [e-CTIM TECH 82/2013](#) dated 05 July 2013).

The objective of this Revised RPGT Guidelines is to provide clarification on RPGT calculations, exemptions and the responsibilities of the disposer and acquirer in the disposal of real property transactions in Malaysia and takes into account the amendments in the [Finance Act \(No.2\) 2017 \[Act 801\]](#) (please refer to our [e-CTIM TECH-DT 1/2018](#) dated 05 January 2018).

The contents of the Revised RPGT Guidelines are as follows: -

1. Introduction;
2. Purpose;
3. Scope of imposition;
4. RPGT rates;
5. Date of disposal and date of acquisition;
6. Disposal price and acquisition price;
7. Disallowed expenditure;
8. Determination of chargeable gain or allowable loss;
9. Utilisation of allowable loss;
10. Exemptions;
11. Transfer of real property by way of gift;
12. Transfer of real property by inheritance;
13. Joint venture with developer;
14. Transfer of real property to controlled companies;
15. Transfer of property asset to trading stock under paragraph 17A Schedule 2 RPGT Act 1976;
16. Shares of Real Property Companies;
17. Application of Paragraphs 34A and 34, Schedule 2 of the RPGT Act 1976 which are mutually exclusive;
18. Filing procedures of RPGT return form;
19. Responsibilities of disposer;
20. Responsibilities of acquirer;
21. Receiving of RPGT return form;
22. Method of form submissions;
23. Cancellation of disposal or sale transaction;
24. Payment of RPGT;
25. Procedures for RPGT refund; and

26. Appendix – Agreement Declaration Letter for Application of RPGT Refund.

Members may read the Revised RPGT Guidelines in full at the websites of the [Institute](#) and the [LHDNM](#).

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 above Revised RPGT Guidelines.

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