

**TECHNICAL**

**Indirect Taxation**

**STAMP DUTY – GAZETTED ORDERS**

The following Orders (as reported in our [e-CTIM TECH-IT 38/2018](#), [e-CTIM TECH-IT 39/2018](#) and [e-CTIM TECH-IT 1/2019](#)) for the exemption or remission of stamp duty have been gazetted:

	P.U.(A)	Date of Gazette	Citation	Comes into operation on
<b>Exemption Orders</b>				
1.	321	21/12/2018	<a href="#">Stamp Duty (Exemption) (No. 4) Order 2018</a>	1/1/2019
2.	359	28/12/2018	<a href="#">Stamp Duty (Exemption) (No. 5) Order 2018</a>	1/1/2019
3.	377	31/12/2018	<a href="#">Stamp Duty (Exemption) (No. 6) Order 2018</a>	1/1/2019
4.	378	31/12/2018	<a href="#">Stamp Duty (Exemption) (No. 7) Order 2018</a>	1/1/2019
5.	397	31/12/2018	<a href="#">Stamp Duty (Exemption) (No. 8) Order 2018</a>	(Deemed) 20/11/2012
<b>Remission Orders</b>				
6.	320	21/12/2018	<a href="#">Stamp Duty (Remission) Order 2018</a>	1/7/2019
7.	376	31/12/2018	<a href="#">Stamp Duty (Remission) (No. 2) Order 2018</a>	1/1/2019

The exemption/ remissions provided in these Orders are summarized below:

**Exemption**

(No._) Order	Exemption	Requirements
No. 4	Any loan agreement to finance the purchase of only 1 unit of residential property the value of which is not more than RM300,000 executed between an individual named in the sale and purchase agreement (SPA) and any of those listed under items <a href="#">(a) to (i) of sub-para. 2(1)</a> is exempted from stamp duty.	<i>Sub-para 2(2):</i> <ul style="list-style-type: none"> <li>- The SPA for the purchase of the residential property is executed on or after 1/1/2019 but not later than 31/12/2020; and</li> <li>- the individual has never owned any residential property including one which is obtained by way of inheritance or gift, which is held either individually or jointly;</li> </ul> Another requirement in <a href="#">sub-para 2(3)</a> .
No. 5	Any insurance policies and takaful certificates for Perlindungan Tenang products issued by a licensed insurer or a licensed takaful operator with an annual premium or takaful	<i>Sub-para (2):</i> Applies to insurance policies and takaful certificates issued on or after 1/1/ 2019 but not later than 31/12 /2020.

	contribution not exceeding RM100 are exempted from stamp duty.	
No. 6	All instrument of transfer executed in relation to the purchase of only 1 unit of residential property the value of which is not more than RM300,000 by an individual is exempted from stamp duty.	<i>Sub-para 2(2)</i> Same as in (No. 4) Order 2018 Another requirement in <a href="#">Sub-para. 2(4)</a> .
No. 7	All instruments of transfer executed in relation to the purchase of only 1 unit of residential property the value of which is more than RM300,000 but not more than RM1,000,000 by an individual is exempted from stamp duty.	<i>Sub-para 2(2):</i> <ul style="list-style-type: none"> <li>- The SPA for the purchase of the residential property is executed on or after 1/1/2019 but not later than 30/6/2019;</li> <li>- the SPA for the purchase of the property is between an individual and a property developer; and</li> <li>- the individual has never owned any residential property including one which is obtained by way of inheritance or gift, which is held either individually or jointly;</li> </ul> Another requirement in <a href="#">sub-para. 2(4)</a> .
No. 8	Any instrument chargeable with ad valorem duty for transfer of the real property, used for the purposes of carrying on a qualifying tourism project is exempted from stamp duty.	<i>Sub-para 2(2)</i> <ul style="list-style-type: none"> <li>- Applies to instruments that qualify that are executed on or after 20/11/2012 but not later than 31/12/2020;</li> </ul> Another requirement in <a href="#">sub-para. 2(3)</a> .

## Remission

(No._) Order	Remission	Requirements
	A sum of RM1500 shall be remitted from the stamp duty chargeable on any loan agreement to finance the purchase of only 1 unit of residential property the value of which is more than RM300,000 but not more than RM500,000 executed between an individual named in the SPA any of those listed under items <a href="#">(a) to (i) of sub-para. 2(1)</a> .	<i>Sub-para 2(2)</i> <ul style="list-style-type: none"> <li>- The SPA for the purchase of the residential property is executed on or after 1/7/2019 but not later than 31/12/2020; and</li> <li>- the individual has never owned any residential property including one which is obtained by way of inheritance or gift, which is held either individually or jointly.</li> </ul>
No. 2	The amount of stamp duty chargeable on an instrument of transfer of property under subsubitem 32(a)(iv) of the First Schedule to the Stamp Act 1949 is remitted for a sum of RM1.00 for every RM100.00 or a fractional part	<i>Sub-para 2(2)</i> <ul style="list-style-type: none"> <li>- The instrument of transfer of property is stamped on or after 1/1/2019 but not later than 30/6/2019; and</li> <li>- the value of the property is in excess of RM1,000,000 until RM 2,500,000.</li> </ul>

	of RM100 of the amount of the money value of the consideration or the market value of the property, whichever is the greater, which is in excess of RM1,000,000.	Another requirement in <a href="#">sub-para 2(3)</a> .
--	--	--

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

You may write to the Institute at [technical@ctim.org.my](mailto:technical@ctim.org.my) or [secretariat@ctim.org.my](mailto:secretariat@ctim.org.my) in respect of any suggestions, concern or comments you may have on the Gazette Orders.

#### Disclaimer

This document is meant for the members of the Chartered Tax Institute of Malaysia (CTIM) only. CTIM has taken all reasonable care in the preparation and compilation of the information contained in this e-CTIM. CTIM herein expressly disclaims all and any liability or responsibility to any person(s) for any errors or omissions in reliance whether wholly or partially, upon the whole or any part of this e-CTIM.