

TO ALL MEMBERS

CTIM Webinar Series:

No	Topic	Speaker	Date/Time	CPD Points
1	Place of Doing Business – Section 12(3) & 12(4)	Mr Chong Mun Yew & Mr Steve Chia	3 Nov 2020, 10am – 12pm	2
2	Malaysia Property Taxes: Practical Issues & Insights	Ms Yong Mei Sim	4 Nov 2020, 9am – 5pm	8
3	Analysis of Recent Tax & Customs Cases	Mr Mohd Noor & Mr S Saravana Kumar	5 Nov 2020, 9am – 12pm	3
4	Taxation Opportunities in the Economic Recovery Plan (PENJANA)	Mr Vincent Josef	9 Nov 2020, 9am – 5pm	8

1. Place of Doing Business – Section 12(3) & 12(4)

Topic Outline:

- ♣ Rationale for introducing Section 12(3) & 12(4) and issues faced in determining a place of business for non-DTA cases prior to its introduction.
- ♣ Differences and similarities between Section 12(3) & 12(4) and DTAs including implications of the main differences.
- ♣ Key points to take note from the IRB's Guidelines on Section 12(3) & 12(4) dated 21 May 2020 and their implications.
- ♣ Future implications on Section 12(3) & 12(4) and DTAs arising from Malaysia's signing of the Multilateral Convention to implement tax treaty related measures to prevent BEPS.
- ♣ Case Studies - To illustrate the impact of Section 12(3) and 12(4) on the taxable presence of non-resident in Malaysia.

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2. Malaysia Property Taxes: Practical Issues & Insights

Topic Outline:

- Special Tax Deduction on rental reduction given to SME tenants
- Public Ruling No 1/2009 -Property development – when it is deemed completed
- Public Ruling 2/2009: Construction Contract
- Joint Venture Property Development between landowners and housing developers
- Common tax risks associated with property development and what housing developers and contractors should be on the watch out
- "Grey areas" on taxing property transactions.
- Taxation of RPC shares under RPGT
- Tax awareness for property developers and landowners.
 - Deduction of expenses incurred during the defect liability or warranty period
 - Interest expense and guarantee fees
 - Fees paid for soliciting projects
 - Liquidated damages.
 - Strata title expenses.
 - Transfer between fixed assets and stock-in-trade
 - RPGT vs ITA
 - An understanding on the latest judicial developments of property transactions from decided cases in the courts.

- Badges of trade – is it still attractive for individual investors to invest in properties?

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3. Analysis of Recent Tax & Customs Cases

Topic Outline:

- ❖ BLD case: Whether reinvestment allowance is available for cultivation of oil palm?
- ❖ TNB case: Availability of judicial review in tax cases.
- ❖ Sovereign Teamwork case: Are Bumiputra quote release fee tax deductible?
- ❖ HHD case: Availability of stay order in tax cases.
- ❖ JEP case: Taxable supply is not required for exceptional input tax credit.
- ❖ G(M) case: Sales tax refund is available despite minor errors.
- ❖ SF case: nature of land is not determined by the intended intention of the purchaser for GST purposes.
- ❖ GM case: Data protection vs Power of IRB to request for information.
- ❖ MBM case: Availability of judicial review in Customs disputes.
- ❖ HLY case: Interpretation of sales tax exemption order.

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4. Taxation Opportunities in the Economic Recovery Plan (PENJANA)

Topic Outline:

- ✓ Personal Reliefs
 - ◆ Purchase of mobile phones/notebooks
 - ◆ Childcare expenses
 - ◆ Domestic Travel
- ✓ Reduction in Rental
 - ◆ Persons who qualify
 - ◆ Relevant Conditions
 - ◆ Computation of "Discount" Benefit
- ✓ Business Deductions
 - ◆ Personal Protection Equipment and Capital Allowance on Non-Disposable PPE
 - ◆ Renovation / Refurbishment expenses up to RM300,000
 - ◆ Accelerated Capital Allowance
 - ◆ Incentives for Flexible Work Schedules
 - ◆ Special Reliefs for the Tourism Industry
 - ◆ 10/15-year Exemptions for Investment in Manufacturing Sector
- ✓ Investment Incentives

Other existing Incentive Opportunities will also be examined and the comparative advantages of the various exemptions and allowances available. Similarly, the respective Qualifying Conditions and the Application Procedures will be explained.

For full brochure and registration form click [HERE](#)

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