

**TECHNICAL - INDIRECT TAXATION**

**e-CTIM TECH-IT 22/2021**

**3 March 2021**

**Stamp Duty (Exemption) (No. 3) Order 2021 [P.U. (A) 73/2021]**

P.U.(A)	Remarks (Please access the Order for the full details)
<p>73/2021 <b>Stamp Duty (Exemption) (No. 3) Order 2021</b> (Gazetted on 25 February 2021)</p>	<p><u>Instruments exempted from stamp duty (on application)</u></p> <p>Instruments in relation to an approved merger or acquisition executed on or after 1 July 2020 but not later than 31 December 2021 by small and medium enterprises ("SME").</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• Instruments in relation to an approved merger or acquisition are: <ul style="list-style-type: none"> <li>➢ contract or agreement for the sale or leasing of property (land, building, machinery and equipment);</li> <li>➢ instrument of transfer and memorandum of understanding;</li> <li>➢ loan or financing agreement; and</li> <li>➢ first leasing agreement;</li> </ul> </li> <li>• SME has the same meaning as SME in S.2 of the Small and Medium Industries Development Corporation Act 1995*; and</li> <li>• The stamp duty exemption is subject to the condition that the merger or acquisition is approved by the Ministry of Entrepreneur Development and Cooperatives from 1 July 2020 but not later than 30 June 2021*.</li> </ul> <p>*See related references below for more information.</p> <p><u>With effect from</u></p> <p>1 July 2020</p>

Related references:

- 1 - [Small and Medium Industries Development Corporation Act 1995](#);
- 2 - [Guideline for SME Definition](#) issued by SME Corporation Malaysia (Secretariat to the National Entrepreneur and SME Development Council) in September 2020;
- 3 - [Guidelines and Procedures on Incentive of Stamp Duty Exemptions on Mergers and Acquisitions by SME](#), [Frequently Asked Questions](#), [Application Form](#) and [Checklist](#) issued by SME Corporation Malaysia (see our [e-CTIM TECH-IT 1/2021](#) dated 4 January 2021); and
- 4 - Appendix 13 of the [Proposed Tax Measures under PENJANA](#).

Members may read the above [Order](#) 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) in respect of any suggestions, concern or comments you may have on the Order.

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