

TECHNICAL

Indirect Taxation

SERVICE TAX REGULATIONS [P.U.(A) 419/2020 AND 422/2020]

P.U. (A)	Remarks (Please access the Regulations for the full details)
<p>419/2020</p> <p>Service Tax (Digital Services) (Amendment) (No. 2) Regulations 2020</p> <p>Date Gazetted: 31 December 2020</p>	<p>These Regulations amend the Service Tax (Digital Service) Regulations 2019 [P.U.(A) 269/2019] (reported in our e-CTIM TECH-IT 43/2019 dated 7 November 2019) by including the following:</p> <ul style="list-style-type: none"> • Foreign service provider in regulation 5A; • New regulation 6A on issuance of credit note and debit note; and • Claim for refund under Section 40(3) of the Service Tax Act 2018 in regulation 10(1). <p><u>With effect from:</u> 1 January 2021</p> <p><u>Further details</u> See paragraph 2 - 6 of the amendment Regulations.</p> <p><u>Related reference</u> Other amendments to the P.U.(A) 269/2019 by the following amendment Regulations:</p> <ul style="list-style-type: none"> • Service Tax (Digital Services) (Amendment) Regulations 2019 [P.U.(A) 389/2019] (reported in our e-CTIM TECH-IT 7/2020 dated 31 January 2020); and • Service Tax (Digital Services) (Amendment) Regulations 2020 [P.U.(A) 150/2020]* (reported in our e-CTIM TECH-IT 47/2020 dated 23 December 2020). <p>*Inserts Part IIA (Digital service provided by a Foreign Registered Person) and regulation 5A (Digital service provided to group of companies) into the P.U. (A) 269/2019.</p>
<p>422/2020</p> <p>Service Tax (Amendment) (No. 2) Regulations 2020</p>	<p>These Regulations amend regulation 11 (Issuance of credit note and debit note) of the Service Tax Regulations 2018 [P.U.(A) 214/2018] (reported in our e-CTIM TECH-IT 25/2018 dated 30 August 2018) by replacing the following:</p>

<p>Date Gazetted: 31 December 2020</p>	<ul style="list-style-type: none"> • “a person” with “any registered person” in regulation 11(1); • “person” with “registered person” in regulation 11(2)(a) and 11(4); and • The words in regulation 2(b) with the following words: “in the case of a registered person who has ceased to be a registered person, such person shall make a deduction or addition of service tax in the return for the last taxable person during which he was registered.” <p><u>With effect from:</u> 1 January 2021</p> <p><u>Related reference</u> Other amendments to the P.U.(A) 214/2018 by the following amendment Regulations:</p> <ul style="list-style-type: none"> • Service Tax (Amendment) Regulations 2018 [P.U.(A) 231/2018] (reported in our e-CTIM TECH-IT 27/2018 dated 19 September 2018); • Service Tax (Amendment) (No. 2) Regulations 2018 [P.U.(A) 255/2018] (reported in our e-CTIM TECH-IT 32/2018 dated 12 October 2018); • Service Tax (Amendment) (No. 3) Regulations 2018 [P.U.(A) 398/2018] (reported in our e-CTIM TECH-IT 1/2019 dated 7 January 2019); • Service Tax (Amendment) Regulations 2019 [P.U.(A) 232/2019] (reported in our e-CTIM TECH-IT 37/2019 dated 13 September 2019); • Service Tax (Amendment) (No. 2) Regulations 2019 [P.U.(A) 357/2019] (reported in our e-CTIM TECH-IT 2/2020 dated 17 January 2020); and • Service Tax (Amendment) Regulations 2020 [P.U.(A) 149/2020] (reported in our e-CTIM TECH-IT 47/2020 dated 23 December 2020).
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Members may read the above Regulations in full at the official website of the [Attorney-General's Chambers](#).

You may write to the Institute at technical@ctim.org.my in respect of any suggestions, concern or comments you may have on the above Regulations so that we may raise them to the RMCD.

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