

e-CTIM TECH. No.21/2013

22 February 2013

TO ALL MEMBERS

TECHNICAL

INDIRECT TAX

[Stamp Duty \(Exemption\) \(No.4\) Order 2013 \[P.U. \(A\) 52/2013\]](#)

The Order exempts an instrument relating to the sale and purchase of retail debenture and retail sukuk as approved by the Securities Commission under the Capital Markets and Services Act 2007 [Act 671] and executed, by a retail investor, who is an individual, on or after 1 October 2012 but not later than 31 December 2015 from stamp duty.

A "retail debenture" has the same meaning assigned to the definition of "debenture" in the Capital Markets and Services Act 2007; and a "retail rukuk" has the same meaning as provided in the guidelines relating to sukuk issued by the Securities Commission under the Capital Markets and Services Act 2007. It includes any debenture/sukuk that is proposed to be issued or offered to a retail investor and includes a debenture/sukuk where an invitation to subscribe or purchase of the debenture is proposed to be issued to the retail investor.

A "retail investor" shall be any person other than:-

- (a) the Central Bank of Malaysia established under the Central Bank of Malaysia Act 2009 [Act 701];
- (b) a person to whom an excluded offer or excluded invitation is made as specified in Part A of Schedule 6 to the Capital Markets and Services Act 2007; and
- (c) a person to whom an excluded issue is made as specified in Part A of Schedule 7 to the Capital Markets and Services Act 2007.

The legislation can be viewed from the [Attorney-General's Chambers](#) website.

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