

# INCOME TAX (DEDUCTION FOR CONTRIBUTION TO UNIVERSAL SERVICE PROVISION FUND) RULES 2011

PU (A) 158  
15 April 2011

IN exercise of the powers conferred by paragraph 154(1)(b) read together with paragraph 33(1)(d) of the Income Tax Act 1967 [Act 53], the Minister makes the following rules:

## CITATION AND COMMENCEMENT

- 1(1) These rules may be cited as the **Income Tax (Deduction for Contribution to Universal Service Provision Fund) Rules 2011**.
- 1(2) These Rules shall be deemed to have effect from the year of assessment 2002.

## INTERPRETATION

2 In these Rules—

"**Commission**" means the Malaysian Communications and Multimedia Commission established under section 4 of the Malaysian Communications and Multimedia Commission Act 1998 [Act 589];

"**USP Fund**" means Universal Service Provision Fund established under section 204 of the Communications and Multimedia Act 1998 [Act 588];

"**designated service**" means designated service as defined in regulation 2 of the Communications and Multimedia (Universal Service Provision) Regulations 2002 [P.U. (A) 419/2002];

"**licensee**" means licensee as defined in regulation 2 of the Communications and Multimedia (Universal Service Provision) Regulations 2002.

## DEDUCTION

- 3(1) Subject to subrules (2) and (3), for the purposes of ascertaining the adjusted income of a licensee resident in Malaysia from its business of providing designated services for the basis period for a year of assessment, there shall be allowed a deduction of an amount equivalent to the amount of contribution made by the licensee to the USP Fund, in the basis period for that year of assessment.
- 3(2) For the deduction under subrule (1), the licensee shall obtain verification from the Commission specifying—
- (a) the amount of contribution required to be paid; and
  - (b) the date the contribution is due.
- 3(3) Where the licensee makes the required contribution to the USP Fund in two equal instalments and the second instalment falls in the basis period of that licensee for the year of assessment following the year of assessment where the first instalment was made, that second instalment shall be allowed as a deduction in that following year of assessment.