

INCOME TAX (EXEMPTION) ORDER 2014

PU (A) 150
15 May 2014

IN exercise of the powers conferred by paragraph 127(3)(b) of the Income Tax Act 1967 [Act 53], the Minister makes the following order:

CITATION AND COMMENCEMENT

1(1) This order may be cited as the **Income Tax (Exemption) Order 2014**.

1(2) This Order has effect from the year of assessment 2014 until the year of assessment 2016.

QUALIFYING COMPANY

2 These Rules shall not apply to a chargeable person in a basis period for a year of assessment—

- (a) is incorporated under the Companies Act 1965 [Act 125];
- (b) is resident in Malaysia; and
- (c) holds a Capital Markets Services Licence under the Capital Markets and Services Act 2007 [Act 671] to carry on the business referred to in subparagraph 3(1).

EXEMPTION

3(1) The Minister exempts a qualifying company for the basis period for a year of assessment from the payment of income tax in respect of its statutory income derived from a business of providing fund management services to business trust or real estate investment trust in Malaysia which is managed in accordance with *Syariah* principles and certified by the Securities Commission.

3(2) In subparagraph (1)—

- (a) a fund management has the same meaning assigned to it in the Capital Markets and Services Act 2007;
- (b) a business trust has the same meaning assigned to it in the Capital Markets and Services Act 2007; and
- (c) a real estate investment trust has the same meaning as provided in the guidelines relating to real estate investment trust issued by the Securities Commission under the Capital Markets and Services Act 2007.

3(3) Nothing in subparagraph (1) shall absolve or be deemed to have absolved the qualifying company from complying with any requirement to submit any return or statement of accounts or to furnish any other information under the provisions of the Act.

SEPARATE ACCOUNT

4 The qualifying company shall maintain a separate account for the income derived from the business referred to in subparagraph 3(1) for the basis period for each year of assessment and that income shall be treated as a separate and distinct business source of the qualifying company.