

# STAMP DUTY (EXEMPTION) (NO. 3) ORDER 2013

PU (A) 42

29 January 2013

IN exercise of the powers conferred by subsection 80(1) of the Stamp Act 1949 [Act 378], the Minister makes the following order:

## CITATION AND COMMENCEMENT

- 1(1) This order may be cited as the **Stamp Duty (Exemption) (No. 3) Order 2013**.
- 1(2) This Order is deemed to have come into operation from 10 October 2011 until 31 December 2021.

## INTERPRETATION

2(1) In this Order—

**"qualifying activity"** means any of the following activity carried out by a qualifying person in RAPID Complex:

- (a) blending, processing or cracking of crude, condensates, feedstock or intermediate feedstock;
- (b) production, manufacturing or product development of petroleum, petrochemical, chemicals, intermediate, final products or its related by-products;
- (c) storing, formulating, blending, distributing or marketing of petroleum, petrochemical, chemicals, intermediate, final products or its related by-products;
- (d) re-gasification of LNG to gas and relevant distribution; or
- (e) generation, distribution or sales of all forms of utilities including but not limited to electricity, water, steam, gases, hydrogen, air or waste treatment;

**"RAPID Complex"** means a complex which consists of liquid cracker plants, refinery plants, petrochemical or chemical production plants and all support and auxiliary facilities including but not limited to liquid natural gas (LNG), Receiving and Re-gasification Terminal (RGT), COGEN power plant, storage facilities or waste disposal facilities, and located in Pengerang, Johor;

**"qualifying person"** means—

- (a) Petroliam Nasional Berhad;
- (b) any other company incorporated under the Companies Act 1965 [Act 125] where Petroliam Nasional Berhad holds at least 51 per cent paid up capital in respect of ordinary shares; or
- (c) any other company incorporated under the Companies Act 1965 which carries out qualifying activity within the RAPID Complex where Petroliam Nasional Berhad holds, either directly or indirectly, ordinary shares in that company.

2(2) For the purpose of this Order, "RAPID" is an abbreviation for Refinery and Petrochemical Integrated Development.

## EXEMPTION

- 3(1)** All instrument chargeable with *ad valorem* duty executed by a qualifying person in relation to qualifying activity carried on in RAPID Complex on or after 10 October 2011 but not later than 31 December 2021 where stamp duty due would ordinarily be payable by that qualifying person is exempted from stamp duty which would otherwise be chargeable under the Stamp Act 1949.
- 3(2)** For the purpose of qualifying for the exemption under subparagraph (1), a qualifying person shall produce an approval letter from the Minister approving the qualifying person to carry out qualifying activity in RAPID Complex.