# INCOME TAX (DEDUCTION FOR THE PROVISION OF CHILD CARE CENTRE) RULES 2013

PU (A) 15
18 January 2013

IN exercise of the powers conferred by paragraph 154(1)(b) of the Income Tax Act 1967 [Act 543], the Minister makes the following rules:

## CITATION AND COMMENCEMENT

**1(1)** These Rules may be cited as the **Income Tax (Deduction for the Provision of Child Care Centre) Rules 2013**.

**1(2)** These Rules shall have effect from the year of assessment 2013.

## APPLICATION

**2** These Rules shall apply to a child care centre registered with the Department of Social Welfare under the Child Care Centre Act 1984 *[Act 308].*

## DEDUCTION

**3(1)** For the purpose of ascertaining the adjusted income of a person resident in Malaysia from his business for the basis period for a year of assessment, a deduction shall be allowed for any outgoing and expenses which were—

(a) Expenses in respect of expenditure on the provision and maintenance of a child care centre; and

(b) Expenses in respect of child care allowance to the persons employed by him in his business.

**3(2)** The total amount of deduction allowable under subrule (1) shall be in addition to any deduction under section 33 of the Act.

**3(3)** Where the total amount of any outgoings and expenses which would have been allowed as a deduction under these Rules exceeds the amount which in the opinion of the Director General of Inland Revenue would reasonably be expected to be incurred in the ordinary course of business, the Director General of Inland Revenue may disallow that amount, to the extent of that excess, as a deduction under these Rules.

**3(4)** For the purpose of subrule (1), where two basis periods overlap, the period common to both periods shall be deemed to fall in the first basis period only.

**3(5)** The "person" referred to in this subrule (1) means any person who, for the purpose of a business provides a child care centre for the benefit of persons employed by him in his business.