

INCOME TAX (EXEMPTION) (NO. 5) ORDER 2018

PU (A) 356
27 December 2018

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) (No. 5) Order 2018**.
- 1(2)** This Order comes into operation from the year of assessment 2018 until the year of assessment 2020.

INTERPRETATION

2 In this Order, —

“Securities Commission Malaysia” means the Securities Commission Malaysia established under the Securities Commission Malaysia Act 1993 [Act 498];

“company” means a fund management company which is—

- (a) resident in Malaysia;
- (b) incorporated under the Companies Act 2016 [Act 777]; and
- (c) licensed under the Capital Markets and Services Act 2007 [Act 671] or registered with the Securities Commission Malaysia as a venture capital management corporation or a private equity management corporation.

EXEMPTION

- 3(1)** Subject to subparagraph (2), the Minister exempts a company from the payment of income tax in a basis period for a year of assessment in respect of the statutory income derived from a business of providing fund management services for Sustainable and Responsible Investment Fund in Malaysia.
- 3(2)** The Sustainable and Responsible Investment Fund referred to in subparagraph (1) shall fulfil the requirements set out in the guidelines relating to Sustainable and Responsible Investment Fund issued by the Securities Commission Malaysia under the Capital Markets and Services Act 2007.
- 3(3)** Nothing in subparagraph (1) shall absolve or be deemed to have absolved the 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 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 source of business for the company.

APPLICATION OF PARAGRAPHS 5 AND 6 OF SCHEDULE 7A OF THE ACT

- 5** Paragraphs 5 and 6 of Schedule 7A to the Act shall apply, mutatis mutandis, to the amount of statutory income exempted under subparagraph 3(1).

NON-APPLICATION

- 6** This Order shall not apply to a company if in the basis period for a year of assessment—
- (a) the company has been granted any incentive under section 60G of the Act; or
 - (b) the company has been granted any exemption under paragraph 127(3)(b) of the Act.