

# **INCOME TAX (EXEMPTION) (NO. 6) 2020 (AMENDMENT) ORDER 2022**

PU (A) 352  
31 October 2022

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. 6) 2020 (Amendment) Order 2022**.
- 1(2)** This Order is deemed to have come into operation on 1 January 2016 except for paragraph 4 relating to the new subsubparagraphs 5A(1)(f) and (g) of the Income Tax (Exemption) (No. 6) Order 2020 [P.U. (A) 373/2020] which are deemed to have come into operation on 1 January 2021.

## **AMENDMENT OF PARAGRAPH 3**

- 2** The Income Tax (Exemption) (No. 6) Order 2020 which is referred to as the “principal Order” in this Order, is amended by substituting for paragraph 3 the following paragraph:

“3. This Order shall apply to a new food production project or an expansion project—

- (a) which an application is received by the Minister through the Minister charged with the responsibility for that project, on or after 1 January 2016 but not later than 31 December 2022;
- (b) which has not commenced on the date the application is received by the Minister; and
- (c) which commences within one year from the date of approval given by the Minister.”.

## **AMENDMENT OF PARAGRAPH 4**

- 3** Subsubparagraph 4(1)(b) of the principal Order is amended—
- (a) by inserting after the words “the statutory income from” the words “the existing projects and”; and
  - (b) by inserting after the words “in relation to the” the words “existing projects and”.

## **NEW PARAGRAPH 5A**

- 4** The principal Order is amended by inserting after paragraph 5 the following paragraph:

### **“Approved food production project**

5A. (1) An approved food production project referred to in this Order is a project in relation to—

- (a) planting of industrial crop, vegetables, fruits, herbs, spices or cash crop;

- (b) aquaculture;
  - (c) rearing of honey or urena lobate bees;
  - (d) rearing of cows, buffaloes, goats, sheep or deer;
  - (e) deep sea fishing;
  - (f) high seas fishing;
  - (g) planting of seeds for agro food; or
  - (h) planting of feed mill, subject to subparagraph (2).
- (2) The planting of feed mill which is referred to in subparagraph (1)(h) shall be cultivated in a project which has been identified by the Minister charged with the responsibility of that project and approved by the Minister.
- (3) An approved food production project in this paragraph shall be regarded as a separate and distinct business in determining the statutory income of qualified person for the purpose of exemption under this Order.”.

#### **AMENDMENT OF PARAGRAPH 6**

5 The principal Order is amended by substituting for paragraph 6 the following paragraph:

“6. A new food production project referred to in this Order is the first project carried out by a qualified person for the purpose of undertaking an approved food production project and the new project is approved by the Minister.”.

#### **AMENDMENT OF PARAGRAPH 7**

6 The principal Order is amended by substituting for paragraph 7 the following paragraph:

“7. An expansion project which is exempted under subparagraph 4(1)(b) is a project carried out by a qualified person for the purpose of expanding its existing approved food production project where the expansion project—

- (a) has not been granted an exemption under this Order;
- (b) involves a new area of land; and
- (c) is approved by the Minister.”.

#### **AMENDMENT OF PARAGRAPH 12**

7 Subparagraph 12(c) of the principal Order is amended in the national language text by substituting for the words “123(3A)” the words “127(3A)”.