

# INCOME TAX (EXEMPTION) ORDER 2021

PU (A) 30

8 January 2021

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 2021**.

**1(2)** This Order shall have effect for the year of assessment 2020.

## EXEMPTION

**2(1)** The Minister exempts an employee from the payment of income tax in relation to the value of benefit which is received by the employee from his employer limited to an amount not exceeding five thousand ringgit in ascertaining the gross income from his employment in the basis period for a year of assessment.

**2(2)** For the purpose of subparagraph (1), the value of the benefit shall be for the purpose to acquire smartphone, tablet or personal computer.

**2(3)** Nothing in subparagraph 2(1) shall absolve or deemed to have absolved the employee from complying with any requirement to submit any return or statement or statement of accounts or to furnish any other information under the provisions of the Act.

## NON-APPLICATION

**3** This Order shall not apply to an employee—

- (a) where the employee is a sole proprietor;
- (b) where the employee is the employer's partner in a partnership; or
- (c) where his employer is a company, the employee has the control or power to secure that the affairs of the company or any other company that has control over his employer are conducted in accordance with the wish of the employee in the following manner:
  - (i) by means of the holding of shares in the company or such other company;
  - (ii) by possession of voting power in relation to the company or such other company; or
  - (iii) by exercising any power conferred in the constitution of the company or other documents regulating the company or such other company.