

# STAMP DUTY (EXEMPTION) (NO. 5) ORDER 2024

PU (A) 346  
12 November 2024

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. 5) Order 2024.
- 1(2)** This Order is deemed to have come into operation on 1 January 2022.

## EXEMPTION

- 2(1)** The Minister exempts the instrument of loan or financing agreement relating to the loan or financing facility executed between a financial institution and small and medium enterprises from stamp duty.
- 2(2)** The exemption under subparagraph (1) shall apply to the said instrument which is executed pursuant to a letter of offer issued by the financial institution on or after 1 January 2022 but not later than 31 December 2023.
- 2(3)** The exemption under subparagraph (1) shall be accompanied by a letter of offer from the financial institution to the small and medium enterprises which states the approval of the loan or financing facility.
- 2(4)** In this paragraph—
- (a) “financial institution” has the same meaning as that assigned to “banker” in section 2 of the Act, and any person prescribed as a financial institution by the Minister under subsection 2(1) of the Central Bank of Malaysia Act 2009 [*Act 701*] for the purposes of section 49 of the Central Bank of Malaysia Act 2009;
  - (b) “loan or financing facility” means a loan or financing facility approved under Bank Negara Malaysia’s Fund for Small and Medium Enterprises in respect of—
    - i. All Economic Sectors Facility;
    - ii. Small and Medium Enterprises Automation and Digitalisation Facility; or
    - iii. Agrofood Facility;
  - (c) “small and medium enterprises” has the meaning assigned to it in section 2 of the Small and Medium Enterprises Corporation Malaysia Act 1995 [*Act 539*].