

# STAMP DUTY (EXEMPTION) (NO. 3) ORDER 2020

PU (A) 216  
27 July 2020

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. 3) Order 2020**.

**1(2)** This Order is deemed to have come into operation on 1 June 2020.

## EXEMPTION

**2(1)** Subject to subparagraphs (2), (3) and (4), stamp duty shall be exempted in respect of any loan agreement to finance the purchase of residential property under the Home Ownership Campaign 2020/2021, the value of which is more than three hundred thousand ringgit but not more than two million five hundred thousand ringgit, executed between an individual named in a sale and purchase agreement and—

- (a) a licensed bank under the Financial Services Act 2013 [Act 758];
- (b) a licensed Islamic bank under the Islamic Financial Services Act 2013 [Act 759];
- (c) a development financial institution prescribed under the Development Financial Institutions Act 2002 [Act 618];
- (d) a co-operative society registered under the Co-operative Societies Act 1993 [Act 502];
- (e) any employer who provides an employee housing loan scheme;
- (f) Borneo Housing Mortgage Finance Berhad (Company Registration Number: 25457-V) incorporated under the Companies Act 2016 [Act 777];
- (g) Mutiara Mortgage and Credit Sdn Bhd (Company Registration Number: 257663-T) incorporated under the Companies Act 2016;
- (h) a licensed insurer authorized to provide a housing loan under the Financial Services Act 2013; or
- (i) a licensed takaful operator authorized to provide an Islamic housing loan under the Islamic Financial Services Act 2013.

**2(2)** The stamp duty exemption under subparagraph (1) shall only apply if—

- (a) the sale and purchase agreement for the purchase of the residential property is between an individual and a property developer;
- (b) the purchase price in the sale and purchase agreement referred to in subparagraph (a) is a price after a discount of at least ten per cent from the original price offered by the property developer except for a residential property which is subject to controlled pricing; and
- (c) the sale and purchase agreement for the purchase of the residential property is executed on or after 1 June 2020 but not later than 31 May 2021 and is stamped at any branch of the Inland Revenue Board Malaysia.

**2(3)** A Home Ownership Campaign 2020/2021 Certification issued by the Real Estate and Housing Developers' Association (REHDA) Malaysia, Sabah Housing and Real Estate Developers Association (SHAREDADA) or Sarawak Housing and Real Estate Developers' Association (SHEDA) shall be submitted by the individual concerned to any branch of the Inland Revenue Board Malaysia for the purpose of obtaining the exemption under subparagraph (1).

**2(4)** In this paragraph—

**"residential property"** means a house, a condominium unit, an apartment or a flat, purchased or obtained solely to be used as a dwelling house, and includes a service apartment and small office home office (SOHO) for which the property developer has obtained approval for a Developer's License and Advertising and Sales Permit under the Housing Development (Control and Licensing) Act 1966 [Act 118], Housing Development (Control and Licensing) Enactment 1978, Sabah [No. 24 of 1978] or Housing Development (Control and Licensing) Ordinance 2013, Sarawak [Cap. 69];

**"individual"** means a purchaser of a residential property who is a Malaysian citizen or co-purchasers of a residential property who are Malaysian citizens; and

**"property developer"** means a property developer registered with the Real Estate and Housing Developers' Association (REHDA) Malaysia, Sabah Housing and Real Estate Developers Association (SHAREDADA) or Sarawak Housing and Real Estate Developers' Association (SHEDA).