

STAMP DUTY (EXEMPTION) (NO. 2) ORDER 2019

PU (A) 81

15 March 2019

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. 2) Order 2019**.

1(2) This Order is deemed to have come into operation on 1 January 2019.

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 National Home Ownership Campaign 2019, 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 the 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 Co-operative Societies Act 1993 [Act 502];
- (e) the Borneo Housing Mortgage Finance Berhad incorporated under the Companies Act 2016 [Act 777];
- (f) the Mutiara Mortgage and Credit Sdn Bhd incorporated under the Companies Act 2016;
- (g) any employer who provides an employee housing loan scheme;
- (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 exemption of the stamp duty under subparagraph (1) shall only apply if—

- (a) the sale and purchase agreement for the purchase of the residential property is executed on or after 1 January 2019 but not later than 30 June 2019 and is stamped at any branch of the Inland Revenue Board Malaysia;
- (b) the sale and purchase agreement for the purchase of the residential property is between an individual and a property developer; and
- (c) the purchase price in the sale and purchase agreement is a price after a discount of ten percent by the property developer except for a residential property which is subject to controlled pricing.

2(4) The application for the exemption under subparagraph (1) shall be accompanied by a National Home Ownership Campaign 2019 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).

2(5) 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 for which the property developer has obtained an approval for a Developers' 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 who is a Malaysian citizen or co-purchasers who are Malaysian citizens; and

"property developer" means a property developer registered under 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).