Building a better working world

EY Tax Alert

Vol. 25 – Issue no. 3
8 February 2022

Malaysian developments

Overseas developments

Malaysian developments

Practice Note (PN) No. 1/2022: Explanation in relation to the definition of factory for the purpose of reinvestment allowance (RA) claim under Schedule 7A, Income Tax Act 1967 (ITA)

The Inland Revenue Board (IRB) has recently published PN No. 1/2022: Explanation in relation to the definition of factory for the purpose of RA claim under Schedule 7A, ITA, dated 17 January 2022. The PN was issued to explain the "factory" definition in Paragraph 9 of Schedule 7A of the ITA.

As highlighted in an earlier alert, Public Ruling (PR) No. 10/2020 – RA Part I – Manufacturing Activity was issued on 6 November 2020 (see *Tax Alert No. 20/2020*). The PR includes a diagram (refer to Paragraph 8.2 of the PR) which presents the following fact pattern:

i. The building is not used for the purposes of a qualifying project
ii. The building is extended, and the extension is used for a qualifying (diversification) project, and
iii. The storage space in the extended area is 30% of the total floor area of the extension

Based on the above, the PR concluded that the extension of the building would not qualify as a "factory" under Paragraph 9 of Schedule 7A of the ITA. This is because the storage space exceeds 10% of the total floor area of the extension.

Following the above, PN No. 1/2022 was issued to clarify that in a situation where the storage space in an extended area exceeds 10% of the total floor area of the extension, RA claims would still be allowed for the portion of the extension used for the purpose of a qualifying project (excluding the storage space). The PN also provides three examples to demonstrate the methodology of computing the "10% storage space area" and the tax treatment under various scenarios, as replicated in Appendix I to this Alert.

Amendments to Earnings Stripping Rules (ESR)

As highlighted in earlier Special Tax Alerts, the Income Tax (Restriction on Deductibility of Interest) Rules 2019 ("Rules") were gazetted on 28 June 2019 with respect to Section 140C of the ITA, which was introduced into the ITA to implement the ESR. Thereafter, the Restriction on Deductibility of Interest Guidelines [Section 140C, ITA] dated 5 July 2019 were issued by the IRB to provide clarification on the Rules (see *Special Tax Alerts No. 4/2019 and 5/2019*).

Following the above, the Income Tax (Restriction on Deductibility of Interest) (Amendment) Rules 2022 [P.U.(A) 27] were gazetted on 31 January 2022. The amendments are as outlined below:

- Section 140 stipulates that in ascertaining the adjusted income of a person from his business sources, no deduction shall be allowed:

(a) for any interest expense in a controlled transaction granted directly or indirectly to that person,
(b) which is in excess of the maximum amount of interest as determined under the Rules

The Rules prescribe that the maximum amount of interest is 20% of the amount of "tax-EBITDA" of that person from each of his business sources for the basis period for a year of assessment (YA).

Tax-EBITDA is the sum of A + B + C, where:

A is the amount of the adjusted income of the person from his business sources for the basis period for a YA before any restriction on deductibility of interest under Section 140C of the ITA is made

B is the total amount of qualifying deductions allowed in ascertaining the amount of the adjusted income in A

C is the total amount of interest expense incurred in relation to the gross income of the person for any financial assistance in a controlled transaction from his business sources for the basis period for a YA

The Amendment Rules provide that a "qualifying deduction" means:

(a) where there is business expenditure incurred in the profit and loss (P&L) account allowed as a deduction under the ITA and the amount of deduction allowed exceeds the amount of business expenditure incurred, an amount equal to the difference between the amount of deduction allowed and amount of the business expenditure, or

(b) where there is no business expenditure incurred in the P&L account, the amount of deduction allowable under the ITA

Previously, a "qualifying deduction" means:

(a) An amount equal to the expenditure incurred by the person which qualifies for double deductions,
(b) Any claim for deduction under any rules made under Paragraph 154(1)(b) of the ITA where the deduction is allowed for purposes of ascertaining the adjusted income of the person.

- The earlier Rules stipulated that where a company has interest expense which is in excess of 20% of tax-EBITDA, the excess can be carried forward and deducted against the adjusted income of the company for subsequent YAs. In any given YA, the total interest which can be claimed is limited to 20% of tax-EBITDA. A company can utilize such brought-forward interest expense even if the company has no interest expense in the subsequent YA, until the excess has been fully utilized.

  The Amendment Rules now provide that the above would apply to a "person" (instead of being restricted to only a company).

- The Amendment Rules reaffirms that in the case of a company, the carry-forward of interest from the preceding year is subject to the condition that the Director General is satisfied that the shareholders of the company are "substantially the same" in the following YA. The Rules also provide clarification as to how shareholders would be ascertained to be "substantially the same".

The Amendment Rules came into operation on 1 February 2022.

Guidelines on Prescribed Labuan Business Activities for Non-Licensed Trading Entities in Labuan International Business and Financial Centre (LIBFC)

As highlighted in an earlier alert, the Labuan Financial Services Authority (LFSA) issued a Frequently Asked Questions (FAQs) document dated 14 December 2021 in relation to the Labuan Business Activity Tax (Requirements for Labuan Business Activity) Regulations 2021 (Regulations) (see *Tax Alert No. 25/2021*). The FAQs document was intended to provide guidance on the types of activities that fall within the list of prescribed services outlined below (i.e., per Item 20 of the First Schedule of the Regulations), pending the issuance of Guidelines under Section 4A of the Labuan Financial Services Authority Act 1996 (LFSAA):

i) administrative
ii) accounting
iii) legal
iv) backroom processing
v) payroll
vi) talent management
vii) agency
viii) insolvency-related
ix) management

Following the above, the LFSA has issued the Guidelines on Prescribed Labuan Business Activities for Non-Licensed Trading Entities in LIBFC (Guidelines) dated 24 January 2022. The Guidelines reiterate the types of activities that fall within the above-mentioned types of services per the FAQs, and apply to any Labuan financial institution (as defined in Section 2(1) of the LFSAA) that undertakes any Labuan business activity prescribed in Item 20 of the First Schedule of the Regulations.

The Guidelines are deemed to have come into effect on 1 January 2019.

List of reportable jurisdictions for the Common Reporting Standard (CRS)

Following the enactment of the relevant rules for the Automatic Exchange of Information by the Malaysian Government under the CRS, Malaysian FIs are required to collect financial account information from all non-residents and report information in relation to "reportable jurisdictions", to the IRB. The IRB will exchange this information with the relevant foreign tax authorities, from 2018.

The IRB has recently published on its website the updated list of Reportable Jurisdictions dated 14 January 2022, which is available at the following link: CRS List of Reportable Jurisdictions

Deferment of the reporting deadline for the US Foreign Account Tax Compliance Act (FATCA)

The US FATCA aims to reduce tax evasion by US persons and affects Financial Institutions (FIs) worldwide. FIs outside the US are required to provide information on their clients who are US persons, to the US Inland Revenue Service (US IRS). The US has developed Inter-Governmental Agreement (IGA) models as tools to facilitate the FIs' compliance with FATCA. Malaysia reached an agreement with the US on a Model 1 IGA, where reporting Malaysia-based FIs will provide the IRB with the account information of US persons. The IRB will then exchange such information with the US IRS (see *Tax Alert No. 7/2015*).

The IRB has recently announced on its website that the date for submitting the 2014 to 2022 reportable information and/or nil returns has been deferred to 2023.

Overseas developments

OECD publishes 2022 Transfer Pricing Guidelines

On 20 January 2022, the Organisation for Economic Co-operation and Development (OECD) released the 2022 edition of the OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations (OECD TP Guidelines).

The 2022 edition of the OECD TP Guidelines mainly reflects the consolidation of a number of reports resulting from the OECD/G20 Base Erosion and Profit Shifting (BEPS) Project. It incorporates the following three revisions of the 2017 edition: (i) revised guidance on the transactional profit split method approved by the OECD/Inclusive Framework on BEPS in 2018; (ii) guidance for tax administrations on the application of the approach to Hard-to-Value Intangibles approved in 2018; and (iii) transfer pricing guidance on financial transactions approved in 2020. It also includes some related changes for consistency.

Detailed discussion

Background

Following its first publication in 1979, the original version of the OECD TP Guidelines was approved by the OECD Council in 1995. A limited update was issued in 2009, primarily to reflect the adoption of the arbitration clause in the 2008 update of the Model Tax Convention. In the 2010 edition, Chapters I-III were substantially revised, with new guidance on: (i) the selection of the most appropriate transfer pricing method for the circumstances of the case; (ii) the practical application of transactional profit methods; and (iii) the performance of comparability analyses. The 2010 edition also included the addition of Chapter IX on the transfer pricing aspects of business restructurings. The 2017 edition

incorporated substantial revisions to reflect clarifications and revisions contained in the 2015 BEPS Reports on Actions 8-10 (Aligning Transfer Pricing Outcomes with Value Creation) and Action 13 (Transfer Pricing Documentation and Country-by-Country Reporting).

On 20 January 2022, the OECD published the 2022 edition of the OECD TP Guidelines. This latest edition consolidates the changes made to the 2017 edition of the OECD TP Guidelines resulting from three reports:

- The report Revised Guidance on the Application of the Transactional Profit Split Method, published on 21 June 2018.
- The report Guidance for Tax Administrations on the Application of the Approach to Hard-to-Value Intangibles, published on 21 June 2018.
- The report Transfer Pricing Guidance on Financial Transactions, published on 11 February 2020.

Revised guidance on transactional profit split method

The revised guidance on the transactional profit split method was developed under the mandate of BEPS Action 10 and was approved in 2018. This guidance amends the guidance on the transactional profit split method in Chapter II of the 2017 edition of the OECD TP Guidelines. The basic premise of the profit split method remains unchanged (i.e., to apply the transactional profit split method where it is found to be the method most appropriate to the particular case).

The revised guidance is intended to clarify and expand on when a profit split method may be the most appropriate method. It also expands on how the profit split method should be applied, including determining the relevant profits to be split and the appropriate profit-splitting factors. The revised guidance also includes several examples illustrating the principles discussed.

Guidance for tax administrations on Hard-to-Value Intangibles

The treatment of Hard-to-Value Intangibles (HTVI) for transfer pricing purposes was addressed in the report of BEPS Actions 8-10 and incorporated in the 2017 edition of OECD TP Guidelines. The guidance was developed to tackle the asymmetry of information available between taxpayers and tax administrations regarding the potential value of an HTVI, when it is transferred. In summary, the HTVI approach authorizes tax administrations to use ex post evidence on the financial outcomes of an HTVI transaction (i.e., information gathered in hindsight about how valuable an intangible has turned out to be) as presumptive evidence on the appropriateness of the ex ante pricing arrangements.

The new guidance for tax administrations was approved in 2018 and now has been incorporated into the 2022 edition of the OECD TP Guidelines. This guidance aims to reach a common understanding and practice on how to apply adjustments for HTVI. As a result, the guidance is intended to improve consistency and mitigate the risk of economic double taxation. The guidance contains three main components: (i) an outline of principles underlying the application of the HTVI approach; (ii) a number of examples clarifying the application of the HTVI approach; and (iii) specifics on the interaction between the HTVI approach and access to the mutual agreement procedure.

Transfer pricing guidance on financial transactions

The 2020 report on the transfer pricing guidance on financial transactions contained follow up guidance in relation to BEPS Action 4 (Limiting Base Erosion Involving Interest Deductions and Other Financial Payments) and Actions 8-10. The guidance now has been incorporated in the 2022 edition of the OECD TP Guidelines, mainly in the new Chapter X.

The guidance covers the accurate delineation of financial transactions, in particular with respect to

the capital structures of multinational enterprises. The guidance also addresses specific issues related to the pricing of financial transactions such as treasury functions, intra-group loans, cash pooling, hedging, guarantees, and captive insurance. In addition, it addresses the determination of risk-free rates of return and risk-adjusted rates of return where an associated enterprise is entitled to such a return under the guidance in Chapter I and Chapter VI of the OECD TP Guidelines.

Implications

The release of the 2022 edition of the OECD TP Guidelines consolidates the changes that have been adopted since the 2017 edition. Individual countries take different approaches with respect to whether and how they incorporate the OECD TP Guidelines into their domestic tax systems. For example, in some countries, the domestic rules explicitly refer to the approved OECD TP Guidelines so that updates are automatically incorporated, while in other countries some form of administrative or other action is required to incorporate a new version of the TP Guidelines into their domestic law. The substantive changes in the 2022 update were approved by the OECD earlier, when the underlying reports were published.

Companies should understand and analyze the implications of this development for each jurisdiction in which they operate. For example, companies should review the amendments to the OECD TP Guidelines in the context of their global operations and their current transfer pricing policies and approaches. There will likely be increased scrutiny by tax authorities from OECD member countries and non-OECD member countries on the application of the concepts reflected in the amendments to cross-border inter-company transactions.

Vietnam initiates the review of policies governing tax treaties

Vietnam recently published Decision 2072/QD-TTg of the Prime Minister (the Decision) on policies governing its tax treaty framework. The Decision approved the proposal to "Review the effectiveness of the agreements for the avoidance of double taxation with respect to Vietnam's tax environment and development direction" (the Proposal) issued by the Ministry of Finance (MoF).

The Decision provides MoF with the authority and budget to work on the improvement of the current framework for the negotiation and execution of new tax treaties, renegotiation of the existing tax treaties and amendment of domestic tax administration policies in adherence to international standards.

The key features of the Decision are outlined below:

Detailed discussion

The Decision approved the Proposal focusing on Vietnam's policies with respect to its tax treaty network, in alignment with international tax practices and developments. The objectives of the Proposal include: (i) improving and aligning the framework for the negotiation and execution of tax treaties with the development of Vietnam's economy; (ii) adhering to international standards and Vietnam's commitments under international agreements; and (iii) enhancing the consistency and transparency of Vietnam's taxation system.

The Proposal includes the key tasks as outlined in Appendix II to this Alert.

Implications

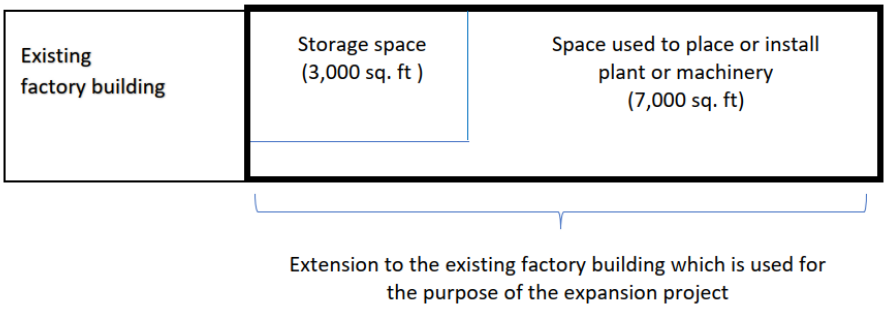
The tasks and timelines stipulated in the Decision constitute an important step towards revamping Vietnam's tax treaty policy framework and aligning it

with the international tax standards and commitments. Considering that Vietnam has signed tax treaties with around 80 countries, multinational enterprises with operations in Vietnam should monitor upcoming developments with respect to Vietnam's tax treaty network, the related domestic tax administration rules and mechanisms for international tax dispute resolution and the exchange of information.

Examples of RA claim under Paragraph 9, Schedule 7A of the ITA

Example 1

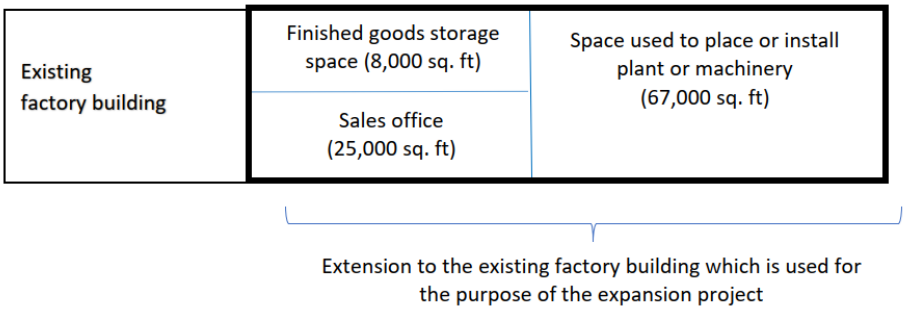
Company A constructs an extension to the existing factory building for an expansion project to the manufacturing operation carried out. The total area of the extension to the building is 10,000 square feet (sq. ft). A portion of the extension with an area of 3,000 sq. ft is used to store raw materials while the remaining is used as a space to place plant or machinery as follows:



The capital expenditure incurred for the construction of the portion of space to place or install the plant or machinery in this expansion project (7,000 sq. ft) qualifies for RA. The raw materials storage space (3,000 sq. ft) does not qualify for RA claim because it does not meet the definition of 'factory' as the area exceeds one-tenth (1/10) which is 30% (3,000 sq. ft / 10,000 sq. ft x 100%) of the total area of the extension to the existing building.

Example 2

Company B expands the production area of manufactured product by making an extension to an existing factory building. The additional area of the extension is 100,000 sq. ft. Apart from placing plant or machinery, a portion of the extension to the building is also used as a sales office and another part is used as storage space for finished goods. The use of the total space in the extension is shown as follows:



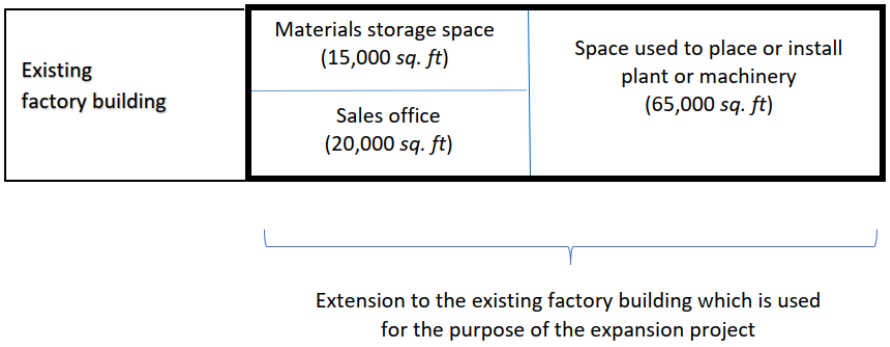
Sales office space is not included in the 'factory definition' in Paragraph 9, Schedule 7A of the ITA. Therefore, the total area of sales office space should be taken out for the purpose of determining 'factory' or space used for the purpose of the qualifying project. As the sales office does not fulfil the meaning of 'factory', hence, the expenditure for sales office space is not a qualifying expenditure for the purpose of Schedule 7A of the ITA.

Determination of RA eligibility for finished goods storage space shall be based on the ratio of the said storage space area (8,000 sq. ft) with the total area of the expansion project, namely the finished goods storage space and the space to place or install plant or machinery (8,000 sq. ft + 67,000 sq. ft).

As the finished goods storage space area has exceeded one-tenth (1/10) which is 10.67% (8,000 sq. ft / 75,000 sq. ft x 100%) of the total area of the expansion project, the said storage space does not fulfil the meaning of 'factory' and is not eligible for RA. Only the construction cost for the area used to place or install plant or machinery (67,000 sq. ft) is eligible to be given RA claim subject to stipulated conditions.

Example 3

Company C undertakes an expansion project for the company's manufacturing business by extending the existing factory building for the installation of plant or machinery, storage of materials and also a sales office. The use of space in the extension to the building is shown as follows:



For the calculation of RA, only the portion of the space used to place or install plant or machinery fulfils the meaning of 'factory' and is eligible to be given RA claim. The space for storage of materials does not fulfil the meaning of 'factory' as the space exceeds one-tenth (1/10) which is 18.75% (15,000 sq. ft / 80,000 sq. ft x 100%) of the total area of the extension to the building used for the purpose of the expansion project. The portion of the sales office is not taken into account in the calculation of the total area of the expansion project as it does not meet the 'factory' definition.

APPENDIX II

Key tasks under the proposal to review the effectiveness of the agreements for the avoidance of double taxation with respect to Vietnam's tax environment and development direction

Tasks	Timing of implementation
Develop new policies for the negotiation of tax treaties with new tax treaty partners	
Study the other countries' views and approach towards the application of the new clauses recommended to be included into tax treaties by the OECD, especially the clauses with respect to preventing tax treaty abuse, preventing the artificial avoidance of permanent establishment (PE) status, digital tax, and Mutual Agreement Procedures (MAP)	2021 - 2022
Develop a set of tax treaty negotiation principles considering the international practices and developments, and the economy of Vietnam	
Build a new tax treaty template which is flexible for Vietnam to negotiate with different tax treaty partners in different situations and conditions	
Renegotiate the existing tax treaties with current tax treaty partners	
Review the existing tax treaties to identify clauses which are no longer appropriate, assess the possibility of the tax treaty partners accepting Vietnam's proposal for tax treaty renegotiations and accordingly renegotiate tax treaties	2021 - 2023
Develop a clause on digital tax	
Develop a clause on digital tax based on the relevant Ministries' studies of the proposals of the OECD and the United Nations with respect to taxing income derived from digital businesses, the analyses of potential impacts on the economy of Vietnam, and the practices and developments with respect to digital tax in the countries and jurisdictions that undertake significant digital business with Vietnam	2021 – 2022
Proactively initiate negotiations of tax treaties with those countries and jurisdictions to mitigate potential tax leakage and disputes	
Amend the domestic tax administration rules due to the changes to tax treaties	
Study the internationally accepted standards with respect to tax administration, and propose amendments to the domestic tax administration rules	2021 – 2024
Implement the commitments in relation to tax treaties	
Adopt the minimum standards of BEPS including preventing tax treaty abuse and improving the effectiveness of dispute resolution mechanisms	2021 – 2030
Sign and implement the Multilateral Instrument (MLI)	2021
Execute and implement the Convention on Mutual Administrative Assistance in Tax Matters (MAAC) and the Multilateral Competent Authority Agreement (MCAA) to enhance the international cooperation in tax management, tax audit and exchange of information, especially the automatic exchange of information in accordance with CRS and Country-by-Country Reporting (CbCR)	2021 – 2023

Contact details

Principal Tax

Yeo Eng Ping (EY Asia-Pacific Tax Leader)
eng-ping.yeo@my.ey.com
+603 7495 8288

Amarjeet Singh (EY Asean Tax Leader)
amarjeet.singh@my.ey.com
+603 7495 8383

Farah Rosley (Malaysia Tax Leader and Global Compliance and Reporting Leader)
farah.rosley@my.ey.com
+603 7495 8254

People Advisory Services

Tan Lay Keng (EY Asean People Advisory Services Leader and Malaysia People Advisory Services Leader)
lay-keng.tan@my.ey.com
+603 7495 8283

Christopher Lim (EY Asean Immigration Leader)
christopher.lim@my.ey.com
+603 7495 8378

Irene Ang
irene.ang@my.ey.com
+603 7495 8306

Business Tax Services

Robert Yoon (EY Asia-Pacific Fixed Assets Services Leader)
(based in Johor)
robert.yoon@my.ey.com
+603 7495 8332

Wong Chow Yang
chow-yang.wong@my.ey.com
+603 7495 8349

Bernard Yap
bernard.yap@my.ey.com
+603 7495 8291

Chan Vai Fong
vai-fong.chan@my.ey.com
+603 7495 8317

Global Compliance and Reporting

Julian Wong (EY Asean Global Compliance and Reporting Leader and EY Asean Managed Services Leader)
julian.wong@my.ey.com
+603 7495 8347

Farah Rosley (Malaysia Tax Leader and Global Compliance and Reporting Leader)
farah.rosley@my.ey.com
+603 7495 8254

Janice Wong (EY Asean Japan Business Services (JBS) Tax Leader)
janice.wong@my.ey.com
+603 7495 8223

Asaithamby Perumal
asaithamby.perumal@my.ey.com
+603 7495 8248

Julie Thong
julie.thong@my.ey.com
+603 7495 8415

Liew Ai Leng
ai-leng.liew@my.ey.com
+603 7495 8308

Lee Li Ming
(based in Johor)
li-ming.lee@my.ey.com
+607 288 3299

Linda Kuang
(based in Kuching)
linda.kuang@my.ey.com
+6082 752 660

Mark Liow
(based in Penang)
mark.liow@my.ey.com
+604 688 1899

Jaclyn Tan (Payroll Operate Services)
jaclyn.tan@my.ey.com
+603 7495 8404

Contact details

International Tax and Transaction Services

Yeo Eng Ping
eng-ping.yeo@my.ey.com
+603 7495 8288

Amarjeet Singh
amarjeet.singh@my.ey.com
+603 7495 8383

Sockalingam Murugesan (EY Asean Transfer Pricing Leader and Malaysia Transfer Pricing Leader)
sockalingam.murugesan@my.ey.com
+603 7495 8224

Anil Kumar Puri
anil-kumar.puri@my.ey.com
+603 7495 8413

Chua Meng Hui
(based in Kota Kinabalu)
meng-hui.chua@my.ey.com
+603 7495 8261

Sharon Yong
sharon.yong@my.ey.com
+603 7495 8478

Derek Chan
derek.chan@my.ey.com
+603 7495 8336

Florence Tan
florence.tan@my.ey.com
+603 7495 8585

Sam Barrett (Operating Model Effectiveness)
sam.barrett@my.ey.com
+603 7495 8555

Gary Ling (Transfer Pricing)
gary.ling@my.ey.com
+603 7495 8388

Hisham Halim (Transfer Pricing)
hisham.halim@my.ey.com
+603 7495 8536

Vinay Nichani (Transfer Pricing)
vinay.nichani@my.ey.com
+603 7495 8433

Indirect Tax

Yeoh Cheng Guan
cheng-guan.yeoh@my.ey.com
+603 7495 8408

Aaron Bromley
aaron.bromley@my.ey.com
+603 7495 8314

Jalbir Singh Riar
jalbir.singh-riar@my.ey.com
+603 7495 8329

Financial Services

Koh Leh Kien
leh-kien.koh@my.ey.com
+603 7495 8221

Bernard Yap
bernard.yap@my.ey.com
+603 7495 8291

Gary Ling (Transfer Pricing)
gary.ling@my.ey.com
+603 7495 8388

Important dates

15 February 2022	Due date for monthly instalments
28 February 2022	6th month revision of tax estimates for companies with August year-end
28 February 2022	9th month revision of tax estimates for companies with May year-end
28 February 2022	Special 11th month revision of tax estimates for YA 2022, for companies with March 2022 year-end
28 February 2022	Statutory deadline for filing of 2021 tax returns for companies with July year-end. A blanket extension of time has been provided until 31 March 2022.
28 February 2022	Extended 2021 tax return filing deadline for companies with June year-end.
15 March 2022	Due date for monthly instalments
31 March 2022	6th month revision of tax estimates for companies with September year-end
31 March 2022	9th month revision of tax estimates for companies with June year-end
31 March 2022	Special 11th month revision of tax estimates for YA 2022, for companies with April 2022 year-end
31 March 2022	Statutory deadline for filing of 2021 tax returns for companies with August year-end. A blanket extension of time has been provided until 30 April 2022.
31 March 2022	Extended 2021 tax return filing deadline for companies with July year-end.

EY | Building a better working world

EY exists to build a better working world, helping create long-term value for clients, people and society and build trust in the capital markets.

Enabled by data and technology, diverse EY teams in over 150 countries provide trust through assurance and help clients grow, transform and operate.

Working across assurance, consulting, law, strategy, tax and transactions, EY teams ask better questions to find new answers for the complex issues facing our world today.

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation are available via ey.com/privacy. EY member firms do not practice law where prohibited by local laws. For more information about our organization, please visit ey.com.

APAC no. 07003272
ED None.

This material has been prepared for general informational purposes only and is not intended to be relied upon as accounting, tax, legal or other professional advice. Please refer to your advisors for specific advice.

ey.com/en_my

Publisher:
Ernst & Young Tax Consultants Sdn. Bhd.
Level 23A Menara Milenium
Jalan Damanlela, Pusat Bandar Damansara
50490 Kuala Lumpur
Tel: +603 7495 8000
Fax: +603 2095 7043