



INLAND REVENUE BOARD OF MALAYSIA

**BASIS PERIOD FOR COMPANIES
UNDER LIQUIDATION**

PUBLIC RULING NO. 7/2016

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BASIS PERIOD FOR COMPANIES UNDER LIQUIDATION

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DIRECTOR GENERAL'S PUBLIC RULING

Section 138A of the Income Tax Act 1967 [ITA] provides that the Director General is empowered to make a Public Ruling in relation to the application of any provisions of the ITA.

A Public Ruling is published as a guide for the public and officers of the Inland Revenue Board of Malaysia. It sets out the interpretation of the Director General of Inland Revenue in respect of the particular tax law and the policy as well as the procedure applicable to it.

The Director General may withdraw this Public Ruling either wholly or in part, by notice of withdrawal or by publication of a new ruling.

**Director General of Inland Revenue,
Inland Revenue Board of Malaysia.**

1. Objective

The objective of this Public Ruling (PR) is to explain the determination of the basis period for companies under liquidation.

2. Relevant Provisions of the Law

- 2.1 This PR takes into account laws which are in force as at the date this PR is published.
- 2.2 The provisions of the Income Tax Act 1967 (ITA) related to this PR are sections 2 and 21A, subsections 77A(1), 77A(2) and 77A(4).

3. Interpretation

The words used in this PR have the following meaning:

- 3.1 "Operations" means an activity which consists of:
- 3.3.1 the carrying on of a business;
 - 3.3.2 the making of investments;
 - 3.3.3 the carrying on of a business and the making of investments; or
 - 3.3.4 the making of investments prior to the commencement of a business or after the cessation of a business.
- 3.2 "Company" means a body corporate and includes any body of persons established with a separate legal identity by or under the laws of a territory outside Malaysia and a business trust.
- 3.2 "Failure year" means the year in which there is failure to close the accounts to the normal accounting date.

4. Introduction

- 4.1 Liquidation or winding-up of a company is a process where all the company's assets will be seized and realised, with the resulting proceeds used to pay the debts and liabilities of the company. The surplus will be distributed among the shareholders or contributories of the company according to their entitlement. Upon completion of the liquidation, the company goes into dissolution and it ceases to exist.

4.2 Liquidation can happen in two ways:

4.2.1 Voluntary liquidation

Members' voluntary liquidation is initiated by the company's shareholders by way of a special resolution that is made to liquidate the company.

Creditors' voluntary liquidation is initiated by the creditors of the company through a special resolution at a meeting attended by the shareholders and creditors to liquidate the company.

4.2.2 Liquidation by order of the Court

Liquidation by order of the Court (forcible dissolution of the company) is initiated from a liquidation or winding-up order issued by the Court on a petition made by any person who is entitled to file a petition for a company liquidation.

4.3 For a company under liquidation, liquidator's accounts (Liquidator's Account of Receipts & Payments & a Statement of the Position in the Winding-up) must be prepared for a period of 6 months from the date of appointment of the liquidator and thence, for every subsequent period of 6 months.

5. Determination of Basis Period for Companies under Liquidation

5.1 The determination of the basis period for a company under liquidation is provided in subsection 21A(3) of the ITA and in accordance with the principles set out in the PR No.8/2014 entitled "Basis Period of a Company, Limited Liability Partnership, Trust Body and Co-Operative Society".

5.2 Commencing from the year of assessment (YA) 2014, a company which is in operations and prepares its accounts for a period of 12 months ending on any day in a basis year and fails to close its accounts on the same date in the following basis year (failure year), the Director General of Inland Revenue (DGIR) will determine the basis periods for the YA in which the failure occurs and the following YA.

5.3 This provision applies to all cases irrespective of whether a company's accounts are closed on 31 December or on a date other than 31 December before the failure year and it includes companies under liquidation.

5.4 In determining the basis period for the failure year and years following the failure year for a company in liquidation, the accounting period prepared by the company in the failure year would generally be accepted by the DGIR provided that –

- i. there is no missing YA;
- ii. there shall not be two or more accounts closed in the same YA which will be taken as the basis period for the failure year or the YA following the failure year; and
- iii. the first set of accounts that is closed in the failure year will be the basis period for the failure year or that accounts will be combined with the next accounts and taken as the basis period for the YA in the failure year.

5.5 A company placed under liquidation needs to prepare accounts for a period of 6 months from the date of appointment of the liquidator and thence for every subsequent period of 6 months. The two set of accounts for a period of 6 months each may be combined and taken to be the basis period for a YA.

5.6 Change of accounting period following the liquidation of the company

5.6.1 New accounts are prepared for less than 12 months and ending in the same year as the accounts before liquidation

A company which is under liquidation may change its accounting period. The first set of accounts which is closed in the failure year will be taken as the basis period for the failure year, or the accounts will be combined with the next set of accounts and taken as the basis period for a YA.

Example 1

Transmillenium Sdn. Bhd. (accounts normally closed on 30 April each year) was put under voluntary liquidation on 25.9.2014 and a liquidator was appointed on the same date.

Following the liquidation of the company, the accounting periods of the company are prepared as follows:

YA	Accounting Period	Period
2014 (before liquidation)	01.05.2013 - 30.04.2014	12 months
Failure year	01.05.2014 - 24.09.2014	4 months 24 days
	25.09.2014 - 24.03.2015	6 months
	25.03.2015 - 24.09.2015	6 months
	25.09.2015 - 24.03.2016	6 months

The basis periods are determined as shown below:

YA	Basis period	Period
2014	01.05.2013 - 30.04.2014	12 months
2015	01.05.2014 - 24.09.2014	4 months 24 days
	25.09.2014 - 24.03.2015	6 months
2016	25.03.2015 - 24.09.2015	6 months
	25.09.2015 - 24.03.2016	6 months

Note:

1. The failure year is the year 2015. The DGIR will determine the basis periods for YA 2015 and the subsequent YA.
2. The new accounting period and the following accounting period are combined and taken as the basis period for the YA in the failure year. As such, accounts for the period from 1.5.2014 to 24.9.2014 are combined with the accounts for the period from 25.9.2014 to 24.3.2015 and taken as the basis period for the YA 2015.
4. The next two 6-month accounting periods form the basis period for the following YA.

Example 2

The shareholders of Bintang Biru Sdn. Bhd. commenced the process of voluntary liquidation and appointed a liquidator who took over the company's affairs on 18.12.2014. The company which normally closed its accounts on 31 March every year changed its accounting periods as follows:

YA	Accounting period	Period
2014	01.04.2013 - 31.03.2014	12 months
Failure year	01.04.2014 - 17.12.2014	8 months 17 days
	18.12.2014 - 17.06.2015	6 months
	18.06.2015 - 17.12.2015	6 months
	18.12.2015 - 17.06.2016	6 months

The basis periods are determined as shown below:

YA	Basis Period	Period
2014	01.04.2013 - 31.03.2014	12 months
2015	01.04.2014 - 17.12.2014	8 months 17 days
	18.12.2014 - 17.06.2015	6 months
2016	18.06.2015 - 17.12.2015	6 months
	18.12.2015 - 17.06.2016	6 months

Note:

1. The failure year is the year 2015. The DGIR will determine the basis periods for YA 2015 and the subsequent YA.
2. The new accounting period and the following accounting period are combined and taken as the basis period for the YA in the failure year. As such, accounts for the period from 1.4.2014 to 17.12.2014 are combined with the accounts for the period from 18.12.2014 to 17.6.2015 and taken as the basis period for the YA 2015.
3. The accounting period from 18.6.2015 to 17.12.2015 is combined with the period from 18.12.2015 to 17.6.2016 and are taken as the basis period for YA 2016.
4. The next two 6-month accounting periods form the basis period for the following YA.

5.6.2 New accounts are prepared for less than 12 months and ending in the following year

A company changes its accounting period and the new accounts are closed in the following year. The first set of accounts which is closed in the failure year is taken as the basis period for the YA in the failure year.

Example 3

The shareholders of Restu Dinamik Sdn. Bhd. commenced voluntary liquidation by a special resolution made to liquidate the company. The company was under liquidation on 21.8.2015 by the Notice of Resolution and a liquidator was appointed on the same date.

Following the voluntary liquidation, the company's accounts which normally closed on 31 Disember every year are changed as follows:

YA	Accounting Period	Period
2014	01.01.2014 - 31.12.2014	12 months
Failure year	01.01.2015 - 20.08.2015	7 months 20 days
	21.08.2015 - 20.02.2016	6 months
	21.02.2016 - 20.08.2016	6 months
	21.08.2016 - 20.02.2017	6 months
	21.02.2017 - 20.08.2017	6 months

The basis periods are determined as shown below:

YA	Basis Period	Period
2014	01.01.2014 - 31.12.2014	12 months
2015	01.01.2015 - 20.08.2015	7 months 20 days
2016	21.08.2015 - 20.02.2016	6 months
	21.02.2016 - 20.08.2016	6 months
2017	21.08.2016 - 20.02.2017	6 months
	21.02.2017 - 20.08.2017	6 months

Note:

1. The failure year is the year 2015. The DGIR will determine the basis periods for the failure year and the subsequent YA.
2. A company which changes its accounting period and the new accounts are closed in the following year, that period will be taken as the basis period for the failure year although the period is less than 12 months.
3. The next two 6-month accounting periods form the basis period for the following YA.

5.6.3 New accounts are prepared for more than 12 months and ending in the following year

Example 4

The shareholders of Semarak Capital Sdn. Bhd. commenced the liquidation process of the company on 1.9.2014 and appointed a

liquidator on the same date. The company which normally closed the accounts on 30 June each year changed its accounting period after commencement of the liquidation.

The following are the accounting periods of the company before and after liquidation:

YA	Accounting Period	Period
2013	01.07.2012 - 30.06.2013	12 months
Failure year	01.07.2013 - 31.08.2014	14 months
	01.09.2014 - 28.02.2015	6 months
	01.03.2015 - 31.08.2015	6 months
	01.09.2015 - 28.02.2016	6 months
	01.03.2016 - 31.08.2016	6 months

The company's basis periods are determined as shown below:

YA	Basis Period	Period
2013	01.07.2012 - 30.06.2013	12 months
2014	01.07.2013 - 31.08.2014	14 months
2015	01.09.2014 - 28.02.2015	6 months
	01.03.2015 - 31.08.2015	6 months
2016	01.09.2015 - 28.02.2016	6 months
	01.03.2016 - 31.08.2016	6 months

Note:

1. The failure year is the year 2014 and the DGIR will determine the basis periods for the YA 2014 and the following YA.
2. For a company which is under liquidation and changes its accounting period, the first set of accounts which is closed in the failure year will be taken as the basis period for the failure year.
3. Although the accounting period for the failure year is more than 12 months, that period may be accepted as the basis period for the YA in the failure year which is YA 2014.
4. The next two 6-month accounting periods form the basis period for the following YA.

5.6.4 New accounts are prepared for more than 12 months and ending in the third year

Example 5

Solo Holdings Sdn. Bhd. was under voluntary liquidation on 6.2.2015 and a liquidator was appointed on the same date. The company normally closed its accounts on 31 December each year.

Following the company's liquidation and the appointment of the liquidator, the company's accounts are prepared as shown below:

YA	Accounting Period	Period
2013	01.01.2013 - 31.12.2013	12 months
Failure year	01.01.2014 - 05.02.2015	13 months 5 days
	06.02.2015 - 05.08.2015	6 months
	06.08.2015 - 05.02.2016	6 months
	06.02.2016 - 05.08.2016	6 months
	06.08.2016 - 05.02.2017	6 months

The company's basis periods are determined as shown below:

YA	Basis Period	Period
2013	01.01.2013 - 31.12.2013	12 months
2014	01.01.2014 - 31.07.2014	7 months
2015	01.08.2014 - 05.02.2015	6 months 5 days
2016	06.02.2015 - 05.08.2015	6 months
	06.08.2015 - 05.02.2016	6 months
2017	06.02.2016 - 05.08.2016	6 months
	06.08.2016 - 05.02.2017	6 months

Note:

1. The accounts are prepared beyond one YA that is YA 2014. Therefore, the DGIR will determine the basis periods for the YA 2014 and 2015.
2. A company which changes its accounting period and the new accounts end in the third year, the new accounting period will be

apportioned into two equal periods and the two periods will be taken to be the basis periods for the first two years of assessment commencing from the failure year. Since the accounting period from 1.1.2014 to 5.2.2015 involved two years of assessment, the basis period for the years of assessment 2014 and 2015 are determined by dividing the accounting period into two periods i.e. 7 months for the YA 2014 and 6 months 5 days for YA 2015.

3. When there is an uneven division of the basis periods for the two years of assessment, any fraction of a month should be treated as falling in the first basis period to form a complete month.
4. The next two 6-month accounting periods form the basis period for the following YA.

5.7 Determination of basis period in certain situations

5.7.1 Change of accounting period prior to YA 2014

If the failure year falls in the year prior to the year 2014, the determination of the basis period is provided in subsection 21A(3) (before amendment) by applying the principles set out in the PR No. 7/2001 (before being replaced by the PR No. 8/2014 on 1.12.2014).

Example 6

ZEST Malaysia Sdn. Bhd. commenced its voluntary liquidation by a special resolution on 22.11.2013. The company's financial period normally closed on 31 December. Following the appointment of a liquidator on the same date, the company changed its accounting period.

The following are the company's accounting periods before and after liquidation:

YA	Accounting Period	Period
2012	01.01.2012 - 31.12.2012	12 months
Failure year	01.01.2013 - 21.11.2013	10 months 21 days
	22.11.2013 - 21.05.2014	6 months
	22.05.2014 - 21.11.2014	6 months
	22.11.2014 - 21.05.2015	6 months

	22.05.2015 - 21.11.2015	6 months
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The company's basis periods are determined as below:

YA	Basis Period	Period
2012	01.01.2012 - 31.12.2012	12 months
2013	01.01.2013 - 31.12.2013	12 months
2014	22.11.2013 - 21.05.2014	6 months
	22.05.2014 - 21.11.2014	6 months
2015	22.11.2014 - 21.05.2015	6 months
	22.05.2015 - 21.11.2015	6 months

Note:

1. If the accounts are normally closed on 31 December and there is a change of accounting period, the basis period in the year of change is the year ending on 31 December. The basis period for the following YA is also the year ending on 31 December unless the accounts are prepared for a 12-month accounting period ending in that year, then that 12-month accounting period will be the basis period.
2. The overlapping period is the period from 22.11.2013 to 31.12.2013 and the adjusted income is to be calculated in accordance with subsection 42(2) of the ITA.

Example 7

A liquidation order was issued by the Kuala Lumpur High Court to Pinggiran Corporation Sdn. Bhd. on 16.11.2012. A liquidator was appointed on the same date. The company which normally closed its accounts on 31 July each year changed its accounting period after liquidation.

The followings are the company's accounting periods before and after liquidation:

YA	Accounting Period	Period
2012	01.08.2011 - 31.07.2012	12 months
Failure year	01.08.2012 - 15.11.2012	3 months 15 days
	16.11.2012 - 15.05.2013	6 months

	16.05.2013 - 15.11.2013	6 months
	16.11.2013 - 15.05.2014	6 months

The company's basis periods are determined as shown below:

YA	Basis Period	Period
2012	01.08.2011 - 31.07.2012	12 months
2013	01.08.2012 - 15.11.2012	3 months 15 days
	16.11.2012 - 15.05.2013	6 months
2014	16.05.2013 - 15.11.2013	6 months
	16.11.2013 - 15.05.2014	6 months

Note:

- For a company that normally closes its accounts on a date other than 31 December and then changes the company's accounting period, the new accounting period which ends in the failure year will be taken as the basis period for the failure year; or that accounting period is combined with the next accounting period and are taken as the basis period for the failure year.
- The next two 6-month periods form the basis period for the following YA.

5.7.2 The accounting period for the failure year is too short

Example 8

TransAct Capital Sdn. Bhd., a real estate company normally closed its accounts on 31 December each year. The company commenced its winding-up process on 12.1.2015 and a liquidator was appointed on the same date. Following the appointment of the liquidator, the company's management accounts were prepared for the period from 1.1.2015 to 11.1.2015. The liquidator's accounts were prepared every 6 months following the appointment of the liquidator.

The following are the accounting periods of the company before and after the date of winding-up:

YA	Accounting Period	Period
	01.01.2014 - 31.12.2014	12 months
Failure year	01.01.2015 - 11.01.2015	11 days

	12.01.2015 - 11.07.2015	6 months
	12.07.2015 - 11.01.2016	6 months
	12.01.2016 - 11.07.2016	6 months

The basis periods of the company are determined as below:

YA	Basis Period	Period
2014	01.01.2014 - 31.12.2014	12 months
2015	01.01.2015 - 11.01.2015	11 days
	12.01.2015 - 11.07.2015	6 months
2016	12.07.2015 - 11.01.2016	6 months
	12.01.2016 - 11.07.2016	6 months

Note:

1. The failure year is the year 2015. The DGIR will determine the basis period for the YA 2015 and YA 2016.
2. The basis period from 1.1.2015 to 11.1.2015 may be accepted as the basis period for the YA 2015. However, the period is too short and will not reflect the activities carried out by the company during that period. Therefore, for practical purposes, that period will not be taken as the basis period for any YA. The DGIR will accept an accounting period of at least three months as the basis period for a YA. Thus, the accounts for the period 1.1.2015 to 11.1.2015 will be combined with the accounts for the period 12.1.2015 to 11.7.2015 and taken as the basis period for YA 2015.
3. The next two 6-month periods form the basis period for the following year of assessment.

5.7.3 Company under liquidation with a few liquidators being appointed

Example 9

Sakura Stream Sdn. Bhd. was under voluntary liquidation on 27.12.2013 and a liquidator was appointed on the same date. However, for some reasons the appointed liquidator resigned and a second liquidator was appointed on 10.5.2014. The company normally closed its accounts on 31 December every year. Following the appointment of the first and second liquidator, the company's accounts are prepared as below:

YA	Accounting Period	Period
2012	01.01.2012 - 31.12.2012	12 months
Failure year	01.01.2013 - 26.12.2013	11 months 26 days
Failure year	27.12.2013 - 09.05.2014	4 months 13 days
	10.05.2014 - 09.11.2014	6 months
	10.11.2014 - 09.05.2015	6 months
	10.05.2015 - 09.11.2015	6 months
	10.11.2015 - 09.05.2016	6 months

The company's basis periods are determined as shown below:

YA	Basis period	Period
2012	01.01.2012 - 31.12.2012	12 months
2013	01.01.2013 - 31.12.2013	12 months
2014	27.12.2013 - 09.05.2014	4 months 13 days
2015	10.05.2014 - 09.11.2014	6 months
	10.11.2014 - 09.05.2015	6 months
2016	10.05.2015 - 09.11.2015	6 months
	10.11.2015 - 09.05.2016	6 months

Note:

1. Since the failure year falls in the YA 2013, the determination of the basis period is provided in subsection 21A(3) by applying the principles set out in the PR No. 7/2001.
2. Commencing from YA 2014, the provision of subsection 21A(3) of the ITA applies where the DGIR shall direct the basis period for the failure year and the year following the failure year by applying the principles set out in the PR No. 8/2014.

The accounts in the failure year are prepared for a period of less than 12 months and ended in the following year. Therefore, the first set of accounts which closed in the failure year will be taken as the basis period for the YA in the failure year.

For YA 2014, the period of 27.12.2013 to 9.5.2014 will be taken as the basis period even though the accounting period is less than 12 months because the accounts in the failure year is closed in the year 2014.

3. The next two 6-month periods form the basis period for the following YA.

Example 10

Pesona Millenium Sdn. Bhd. was under voluntary liquidation on 1.11.2013 and a liquidator was appointed on the same date. However, the first liquidator resigned and a second liquidator was appointed on 15.11.2013. The second liquidator retired and a third liquidator was appointed on 10.5.2014. The company closed its accounts on 31 December before liquidation.

The following are the accounting periods of the company before and after liquidation:

YA	Accounting Period	Period
2012	01.01.2012 - 31.12.2012	12 months
Failure year	01.01.2013 - 31.10.2013	10 months
Failure year	01.11.2013 - 09.05.2014	6 months 9 days
	10.05.2014 - 09.11.2014	6 months
	10.11.2014 - 09.05.2015	6 months

The basis periods of the company are determined as shown below:

YA	Basis Period	Period
2012	01.01.2012 - 31.12.2012	12 months
2013	01.01.2013 - 31.12.2013	12 months
2014	01.11.2013 - 09.05.2014	6 months 9 days
2015	10.05.2014 - 09.11.2014	6 months
	10.11.2014 - 09.05.2015	6 months

Example 11

Jentayu Corporation Bhd was liquidated on 25.3.2012 and the company appointed its first liquidator on 30.5.2012. The company's accounts which normally closed on 30 June each year was changed to 29 May after the liquidator was appointed. However, the first liquidator retired and was replaced by a second liquidator on 10.10.2014.

The following are the accounting periods of Jentayu Corporation Bhd before and after liquidation:

YA	Accounting Period	Period
2011	01.07.2010 - 30.06.2011	12 months
Failure year	01.07.2011 - 29.05.2012	10 months 29 days
	30.05.2012 - 29.11.2012	6 months
	30.11.2012 - 29.05.2013	6 months
	30.05.2013 - 29.11.2013	6 months
	30.11.2013 - 29.05.2014	6 months
Failure year	30.05.2014 - 09.10.2014	4 months 11 days
	10.10.2014 - 09.04.2015	6 months
	10.04.2015 - 09.10.2015	6 months
	10.10.2015 - 09.04.2016	6 months

The company's basis periods are determined as shown below:

YA	Basis Period	Period
2011	01.07.2010 - 30.06.2011	12 months
2012	01.07.2011 - 29.05.2012	10 months 29 days
2013	30.05.2012 - 29.11.2012	6 months
	30.11.2012 - 29.05.2013	6 months
2014	30.05.2013 - 29.11.2013	6 months
	30.11.2013 - 29.05.2014	6 months
2015	30.05.2014 - 09.10.2014	4 months 11 days
	10.10.2014 - 09.04.2015	6 months

2016	10.04.2015 - 09.10.2015	6 months
	10.10.2015 - 09.04.2016	6 months

Note:

1. The first failure year is the year 2012. The company changed its accounting period after the appointment of the first liquidator on 30.5.2012. The new accounting period is taken as the basis period for the failure year i.e. YA 2012. The statement of receipts and payments by the liquidator has to be prepared for each period of six months after the date of liquidation.
2. When the second liquidator was appointed after the retirement of the first liquidator on 10.10.2014, the company's accounting period was changed again. The DGIR will determine the basis period for the failure year after the appointment of the second liquidator and the year following the failure year.
3. The new accounting period and the following accounting period will be combined and taken as the basis period for the YA in the failure year. Therefore, the accounts for the period 30.5.2014 to 9.10.2014 are combined with the accounts from the period 10.10.2014 to 9.4.2015 and taken as the basis period for YA 2015.
4. The accounting period from 10.4.2015 to 9.10.2015 will not be taken as part of the basis period for the YA 2015 as it will result in the basis period for the YA 2015 being too long.
5. The next two 6-month periods form the basis period for the following YA.

5.7.4 Company under liquidation by court order

Example 12

A liquidation order was issued by the Court to Garuda Property Sdn. Bhd that took effect from 26.10.2015. Upon liquidation of the company, The Department of Insolvency was named as the provisional liquidator on the same date and the management accounts were prepared for the period 26.10.2015 to 7.8.2016. On 8.8.2016, a joint liquidator was appointed and the accounts were prepared from that date to 7.2.2017. Garuda Property normally closed its company's accounts on 31 December each year.

The following are the company's accounting periods before and after liquidation:

YA	Accounting Period	Period
2014	01.01.2014 - 31.12.2014	12 months
Failure year	01.01.2015 - 25.10.2015	9 months 25 days
Failure year	26.10.2015 - 07.08.2016	9 months 13 days
	08.08.2016 - 07.02.2017	6 months
	08.02.2017 - 07.08.2017	6 months

The basis periods are determined as shown below:

YA	Basis Period	Period
2014	01.01.2014 - 31.12.2104	12 months
2015	01.01.2015 - 25.10.2015	9 months 25 days
2016	26.10.2015 - 07.08.2016	9 months 13 days
2017	08.08.2016 - 07.02.2017	6 months
	08.02.2017 - 07.08.2017	6 months

Note:

1. The failure years are the years 2015 and 2016. Although the accounting periods for both failure years are less than 12 months, these periods are accepted as the basis periods for the years of assessment 2015 and 2016 because both accounts are closed in the respective failure years.
2. The next two 6-month periods form the basis period for the following YA.

Example 13

Teluk Tenggara Sdn. Bhd. received a liquidation order from the Court that took effect from 20.3.2013. A liquidator was appointed on the same date and the company that normally closed its accounts on 30 June changed its accounting period after liquidation.

The following are the company's accounting periods before and after liquidation:

YA	Accounting Period	Period
Failure year	01.07.2012 - 19.03.2013	8 months 19 days

	20.03.2013 - 19.09.2013	6 months
	20.09.2013 - 19.03.2014	6 months
	20.03.2014 - 19.09.2014	6 months
	20.09.2014 - 19.03.2015	6 months

The basis periods are determined as below:

YA	Basis Period	Period
2013	01.07.2012 - 19.03.2013	8 months 19 days
2014	20.03.2013 - 19.09.2013	6 months
	20.09.2013 - 19.03.2014	6 months
2015	20.03.2014 - 19.09.2014	6 months
	20.09.2014 - 19.03.2015	6 months

Note:

1. If the company's accounts are prepared for a period of 12 months ending on any date other than 31 December in a basis year, that accounting period is the basis period for the YA in which the accounts are closed.
2. The next two 6-month periods form the basis period for the following YA.

6. Date of Submission of the Income Tax Return Form

- 6.1 A company is required to furnish its Income Tax Return Form (ITRF) within seven months from the date following the close of the accounting period and this provision also applies to companies under liquidation.
- 6.2 Companies are required to report their income in the ITRF based on the audited accounts in line with the provisions of the Companies Act 1965. However, for companies under liquidation or winding-up, the Companies Commission of Malaysia (CCM) gives exemption to these companies from submitting audited accounts to the CCM. The companies concerned may report their income based on the Form 75 which are finalised.
- 6.3 For the purpose of application of a tax clearance letter, a company under liquidation must furnish Form C (and Form R including Form R31, if applicable) together with the following documents:

Members' Voluntary Liquidation	Creditors' Liquidation
Upon Application for a tax Clearance Letter	
Form 66 - Declaration of Solvency	Form 65A – Statutory Declaration of Inability of Company to Continue Business, and that Meetings of the Company and its Creditors have been summoned
Form 11 - Notice of Resolution	Form 11 - Notice of Resolution
Form 71 - Notice of Appointment and Location of Liquidator	Form 72 - Notice of Appointment and Location of Liquidator
Form 75 - Liquidator's Account of Receipt & Payments & a Statement of the Position in the Winding Up	Form 75 - Liquidator's Account of Receipt & Payments & a Statement of the Position in the Winding Up
After receipt of the tax clearance letter	
Form 69 - Return by liquidators relating to final meeting & minutes of the final meeting	Form 69 - Return by liquidators relating to final meeting & minutes of the final meeting

**Director General of Inland Revenue,
Inland Revenue Board of Malaysia**