



SALES TAX 2018

GENERAL GUIDE

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This information is intended to provide a general understanding of the relevant treatment under Sales Legislation and aims to provide a better general understanding of taxpayers' tax obligations. It is not intended to comprehensively address all possible tax issues that may arise. While RMCD has taken the initiative to ensure that all information contained in this Guide is correct, the RMCD will not be responsible for any mistakes and inaccuracies that may be contained, or any financial loss or other incurred by individuals using the information from this Guide. All information is current at the time of preparation and is subject to change when necessary

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INTRODUCTION

General Guide

1. The General Guide on Sales Tax is a part of a series of educational materials made available to help businesses prepare for the implementation of sales tax in Malaysia.

Legislation

2. The related legislation for the implementation of sales tax is as follows:
- (i). Sales Tax Act 2018
 - (ii). Sales Tax Regulations 2018
 - (iii). Sales Tax (Customs Ruling) Regulations 2018
 - (iv). Sales Tax (Determination of Sale Value of Taxable Goods) Regulations 2018
 - (v). Appointment of Date of Coming Into Operation
 - (vi). Sales Tax (Imposition of Sales Tax In Respect of Designated Areas) Order 2018
 - (vii). Sales Tax (Imposition of Sales Tax In Respect of Special Areas) Order 2018
 - (viii). Sales Tax (Exemption From Registration) Order 2018
 - (ix). Sales Tax (Total Sale Value of Taxable Goods) Order 2018
 - (x). Sales Tax (Persons Exempted From Payment of Tax) Order 2018
 - (xi). Sales Tax (Goods Exempted From Tax) Order 2018
 - (xii). Sales Tax (Compounding of Offences) Regulations 2018
 - (xiii). Sales Tax (Rates of Tax) Order 2018

SCOPE OF SALES TAX

3. Sales Tax Act 2018 applies throughout Malaysia, excluding the Designated Areas and the Special Areas. Sales tax is a single stage tax charged and levied on all taxable goods manufactured in or imported into Malaysia.

Imposition of Sales Tax

4. Under section 8 of the Sales Tax Act 2018, sales tax is charged and levied on all taxable goods:

- (i) Manufactured in Malaysia by a registered manufacturer and sold, used or disposed of by him; or
- (ii) Imported into Malaysia by any person.

5. Sales tax shall be levied and payable on any importation of taxable goods into Malaysia as if it were a customs duty or an excise duty and as if such importation of taxable goods are dutiable and liable to customs duty or excise duty.

Rate of Sales Tax

6. Sales tax is an **ad valorem** tax and different rates apply based on group of taxable goods. Sales tax for petroleum is charged on a **specific** rate which is different from other taxable goods.

7. Section 10 of the Sales Tax Act 2018 empowers the Minister to fix the various rates of sales tax as prescribed in the Sales Tax (Rates of Tax) Order 2018 to be imposed on taxable goods which are not exempted by the Minister of Finance through the Sales Tax (Goods Exempted From Tax) Order 2018 which comes into force on 1 September 2018.

Sales Value

8. In the case of taxable goods

- (i) Sold by a taxable person; or

- (ii) manufactured by a taxable person and
 - a) Used by him otherwise than as materials in the manufacture of taxable goods; or
 - b) Disposed of by him otherwise than by sale,

the sales value of such taxable goods shall be determined in accordance with the regulations made under the Sales Tax Act 2018. The rules for the determination of sales value of taxable goods are specified in the Sales Tax (Determination of Sales Value of Taxable Goods) Regulations 2018.

9. Generally, the sale value of taxable goods shall be determined based on the transaction value of the taxable goods that is the price for which the taxable goods are actually sold by the registered manufacturer to the purchaser.

10. In the case of taxable goods imported into Malaysia, the sale value of the taxable goods shall be the sum of the following amounts:

- (i) The value of such taxable goods for the purpose of customs duty as determined in accordance with the Customs Act 1967;
- (ii) The amount of customs duty, if any, paid or to be paid on such taxable goods; and
- (iii) The amount of excise duty, if any, paid or to be paid on such taxable goods.

Taxable Goods

11. Taxable goods are class or type of goods that are not exempted from sales tax. Goods exempted from sales tax are listed in Schedule A, Sales Tax (Goods Exempted from Tax) Order 2018.

Threshold (Annual Sales Turnover)

12. The total sale value of taxable goods for the purpose of registration of any manufacturer is prescribed by the Minister in the Sales Tax (Total Sale Value of

Taxable Goods) Order 2018 is RM500,000.

Sales Tax Due

13. The sales tax chargeable under Sales Tax Act 2018 shall be due at the time the taxable goods are sold, disposed of otherwise than by sale, or first used otherwise than as materials in the manufacture of taxable goods by the taxable person.

14. The Minister may determine different time for sales tax to be due in respect of petroleum subject to such conditions as the Minister deems fit.

15. No sales tax is due on the purchase or acquisition below when a registered manufacturer ceases to carry on a business as a manufacturer and he is succeeded by another person who either:-

- (a) Purchases any stock of taxable goods which is on hand of the registered manufacturer at the date of cessation; or
- (b) Acquires any stock of taxable goods as a trustee, receiver, liquidator, donee, or beneficiary of the registered manufacturer.

REGISTRATION

Liability To Be Registered

16. Every person engaged in the manufacturing of taxable goods in the course of business is required to apply to be a registered manufacturer not later than the last day of the month following the month he is liable to be registered.

Example 1:

Liable to be registered on 15 December 2018.

Apply for registration within the period 1 January to 31 January 2019.

17. To determine whether a person is subject to such requirement, it is pertinent to ascertain that his operation complies with the definition of 'manufacture' and the

finished goods arising from the manufacturing is taxable.

18. 'Manufacture' is defined under section 3 of the Sales Tax Act 2018 and means:

- (i) In relation to goods other than petroleum, manufacture is defined as a conversion of organic or inorganic materials by manual or mechanical means into a new product by changing the size, shape, composition, nature or quality of such materials and includes the assembly of parts into a piece of machinery or other products. However, manufacture does not include the installation of machinery or equipment for the purpose of construction.
- (ii) In relation to petroleum, any process of separation, purification, conversion, refining and blending.

19. This registration requirement enables RMCD to identify the manufacturers' scope of taxation who come under the jurisdiction of the Sales Tax Act 2018. A manufacturer who is registered under the Act is called a registered manufacturer.

20. A manufacturer of taxable goods is liable to be registered at the following time, whichever the earlier:

- (i) At the end of any month, where the total sale value of all his taxable goods in that month and the eleven months immediately preceding that month has exceeded RM500,000; or
- (ii) At the end of any month, where the total sale value of all his taxable goods in that month and the eleven months immediately succeeding that month will exceed RM500,000.

21. A manufacturer who carries out sub-contractor work with threshold exceeding RM500,000 per year is liable to be registered.

22. There are special rules for registration under the transitional period from the previous taxation system to the sales tax system as provided in the transitional provision.

Application for Registration

23. Person who carries on a business of manufacturing taxable goods shall apply for registration as a registered manufacturer in the Form SST- 01.

Example 2:

Able Copier Sdn Bhd manufactures and sells photocopiers besides providing after-sale service. Able Copier sells taxable goods and provides non-taxable services. He is only required to be registered under section 13 of the Sales Tax Act 2018.

24. The registration date shall be the first day of the month following the month the notification of liability is received or any earlier date agreed by the Director General but not earlier than the date he becomes liable to be registered. The registered manufacturer will be notified and assigned with a registration number.

25. A taxable person who manufactures petroleum has to furnish plans and drawings specifying:

- (i) The site;
- (ii) The layout of the premises;
- (iii) The layout of the plants, machinery, equipment, pipelines, meters and devices; and
- (iv) The storage tanks

at the time when the application for registration is submitted for the Director General's approval.

26. The Director General has power to set conditions for a registered petroleum manufacturer as follows:

- (i) Any plans and drawings approved by the Director General shall be signed by him and the manufacturer shall not deviate from the approved plan and drawings without written approval of the Director General;

- (ii) The registered petroleum manufacturer shall only store taxable petroleum in storage tanks in licensed warehouses, or any premises in the free zone;
- (iii) The registered petroleum manufacturer shall not change the grade of any stored petroleum without prior written approval from the Director General;
- (iv) All pipelines which have been affixed with meters and devices shall be approved by the Director General;
- (v) All meters and devices used for measuring petroleum shall be approved by the Director General; and
- (vi) The registered petroleum manufacturer shall repair immediately any leakage of petroleum occurring within his place or premises.

27. The registered manufacturer shall occupy the premise where the registered manufacturer carries on his business. If he fails to do so, he commits an offence under regulation 5 of the Sales Tax Regulations 2018.

28. The registered manufacturer is required to notify RMCD immediately any changes to the registered manufacturer's particulars such as name of business, address of any business premises, status of business, any change or addition to the taxable goods, etc. as provided under regulation 6 of the Sales Tax Regulations 2018.

Late Registration

29. Where a manufacturer fails to register when he is liable under this Act and fails to notify the Director General of his liability, the Director General shall register him on the date as the Director General may determine but not earlier than the date he is liable to be registered under section 12 of the Sales Tax Act 2018.

Online Registration

30. Online registration application can be made through the MySST portal

provided to facilitate manufacturers to apply to be a registered manufacturer. Online application can be accessed at www.mysst.customs.gov.my.

Voluntary Registration

31. Any of the following manufacturer who is not liable to be registered may apply to be registered under the Sales Tax Act 2018 subject to conditions as determined by the Director General:

- (i) Manufacture taxable goods but below threshold; or
- (ii) Persons who are exempted from registration.

32. The Director General may approve the registration from such date as he may determine subject to conditions as he deems fit.

Registration of Partnership

33. The registration of persons carrying on a business in a partnership as a registered manufacturer shall be in the name of the firm. If the same persons are carrying on separate businesses in a partnership as a registered manufacturer, the registration may be in the name of the respective firms.

Cessation of Liability to Be Registered

34. The registered manufacturer shall notify the Director General in writing including the date of cessation if:

- (i). He ceases to carry on the business of manufacturing taxable goods; or
- (ii). His total sale value of taxable goods in that month and the eleven months immediately succeeding that month does not exceed RM500,000.

35. If no notification is made by a registered manufacturer, the Director General may cancel the registration from the date the registered manufacturer ceases to manufacture taxable goods or ceases to be liable for registration, or from any later date determined by the Director General.

Exemption from Registration

36. Section 20 of the Sales Tax Act 2018 provides for the Minister the power to exempt any class of persons from registration under section 13 of the Sales Tax Act 2018 subject to conditions as he deems fit. Such exemption is granted through the Sales Tax (Exemption from Registration) Order 2018.

37. The following manufacturers are excluded from registration as provided under such order:

- (i). Manufacturer of non-taxable goods (not eligible for voluntary registration);
- (ii). Manufacturer below threshold;
- (iii). Sub-contractor manufacturer below threshold; or
- (iv). Manufacturing activities that have been exempted from registration.

e.g. personal tailoring service, incorporation of goods into building, jeweller, optician.

38. Manufacturers who are exempted from registration under the Sales Tax (Exemption from Registration) Order 2018 do not have to apply for exemption from registration. However, under section 20(2) of the Sales Tax Act 2018, the manufacturer may apply to be a registered manufacturer voluntarily.

ACCOUNTING FOR SALES TAX

Taxable Period

39. The first taxable period of every taxable person shall commence from the date he should have been registered under section 13 of the Sales Tax Act 2018 and ending on the last day of the following month and the subsequent taxable period shall be a period of two (2) months ending on the last day of any month of any calendar year.

Filing Frequency	Taxable Period
First Taxable Period	Bimonthly Sept – Oct 2018
Subsequent Taxable Period	Nov - Dec, Jan - Feb, Mar - Apr, May - Jun, Jul - Aug, Sept – Oct, ...
Specific Basis Period	Subject to Director General's approval

40. The Director General may determine a different taxable period in respect of petroleum subject to such conditions as the Director General deems fit.

41. The Director General may reassign the taxable period for taxable person other than the period previously assigned to him, as he deems fit, and also upon a written application by the taxable person to vary the taxable period or the date on which the taxable period begins or ends.

Invoices

42. Registered manufacturer is required under the Act, unless otherwise prescribed by regulation, to issue an invoice, either in hard copy or electronically to the purchaser in respect of any transaction relating to the sale of taxable goods.

43. The amount of sales tax payable shall be collected by the registered manufacturer from the purchaser in addition to the price and any other amount due and payable by the purchaser in respect of the taxable goods.

44. The invoice must comply with the following requirements:

- (i). Contain prescribed particulars:
 - (a) The invoice serial number;
 - (b) The date of the invoice;
 - (c) The name, address and identification number of the registered manufacturer;

- (d) The name and address of the person to whom the taxable goods is sold;
 - (e) A sufficient description of the taxable goods sold;
 - (f) Any discount offered;
 - (g) For each description, distinguish the type of taxable goods, quantity of the taxable goods and the amount payable excluding sales tax;
 - (h) The total amount payable excluding sales tax, the rate of sales tax and the total sales tax chargeable shown as a separate amount;
 - (ha) the total amount payable inclusive of the total of sales tax chargeable; and
 - (i) Any amount expressed in a currency other than Ringgit shall also be expressed in Ringgit at the selling rate of exchange prevailing in Malaysia at the time of sale of the taxable goods.
- (ii). It must be in the national language or English language;

Production of Invoices By Computer

45. Section 22 of the Sales Tax Act 2018 enables the issuance of computerized invoices for transactions relating to sale of taxable goods. A registered manufacturer shall be treated as having issued an invoice to a purchaser, although there is no delivery of any equivalent document in the form of paper to the purchaser if the prescribed particulars are recorded in a computer and;

- (i) are transmitted to the purchaser by electronic means; or
- (ii) are produced on any material other than paper and are delivered to the purchaser.

46. Issuance of invoice electronically is allowable.

Example 3:

Able Furniture manufactures and sells kitchen cabinets and appliances besides providing consultancy services to design and remodel kitchens. Able Furniture is manufacturing taxable goods and providing taxable services (consultancy services). Hence he is required to be registered under section 13 of the Sales Tax Act 2018 and section 13 of the Service Tax Act 2018. However, he may use the same invoice format for either the sale of goods or provision of services subject to approval of the Director General.

Credit Notes and Debit Notes

47. A registered manufacturer who sells taxable goods shall issue a credit note, if there is a deduction to the amount of sales tax payable, after the sales tax return (Form SST-02) for the taxable period has been furnished to the Director General in the following situations:

- (i). Goods are returned by the purchaser due to wrong quantity, poor or defective quality or uncontracted taxable goods, provided that the taxable goods have not been subsequently sold or disposed of by the purchaser; or
- (ii). Discounts have been given in respect of taxable goods sold and which are freely available to any person who are willing to conduct business.

48. On the contrary, a registered manufacturer who sells taxable goods shall issue a debit note if there is an additional amount of sales tax payable, after the sales tax return (Form SST-02) for the taxable period has been furnished to the Director General, due to any price adjustment.

49. The registered manufacturer shall make a sales tax adjustment relating to a credit note or debit note in his return for the taxable period in which the credit note or debit note is issued or if he has ceased to be a registered manufacturer, he shall

make a sales tax adjustment in the return for the last taxable period during which he was registered.

50. A credit note or debit note must contain the following particulars:

- (i) The words “credit note” or “debit note” in a prominent place;
- (ii) The serial number;
- (iii) The date of issuance;
- (iv) The name, address and identification number of the registered manufacturer;
- (v) The name and address of the person to whom the taxable goods is sold;
- (vi) The reason for the issuance;
- (vii) The description, quantity and amount of taxable goods for which the credit note or debit note is given;
- (viii) The total amount excluding sales tax;
- (ix) The rate and amount of sales tax; and
- (x) The number and date of the issuance of the original invoice.

51. The Director General may disallow any deduction where the credit notes presented are untrue or incorrect.

52. Where the deduction of sales tax for any taxable period exceeds the amount of sales tax payable by a taxable person, the balance is to be carried forward to the next taxable period and subsequent taxable periods, until the whole balance has been deducted.

53. Where a taxable person ceases to carry on business, no refund shall be allowed on any balance that is carried forward to the period in which the taxable person ceases to carry on business.

DUTY TO KEEP RECORDS

54. Under section 24(1) of the Sales Tax Act 2018, it is the duty of every registered manufacturer to keep complete and true records written up to date of all transactions which affect or may affect his liability to sales tax. Such records or books of accounts must be maintained in the national language or English language.

55. Registered manufacturer shall keep records in Malaysia unless otherwise approved by the Director General. The required records are: -

- (i) All records of sales of taxable goods including invoices, receipts, debit notes and credit notes;
- (ii) All records of importation and exportation of taxable goods; and
- (iii) All other records as director general may determine.

56. Where records are kept electronically, such records must be readily accessible and easily converted into writing. Where records are initially kept in a manual form but subsequently converted into an electronic form, the records shall be retained in its original form prior to the conversion.

57. The basic records to be kept are :

- (i) Invoices and payment receipt;
- (ii) Daily, monthly or yearly sales report;
- (iii) Debtor's aging listing;
- (iv) Credit note and debit note;
- (v) Audited financial statement;
- (vi) Bank statement; and
- (vii) Contractual agreement and progressive report.

58. Records or books of accounts shall be preserved for a period of seven (7) years from the issuance date. Failure to comply with such requirement constitutes an offence under section 24 of the Sales Tax Act 2018 and the offender is liable to a fine not exceeding RM50,000 or an imprisonment for a term not exceeding three (3) years or to both.

FURNISHING OF RETURNS AND PAYMENT OF SALES TAX

Sales Tax Return

59. A taxable person shall account for the sales tax due in a sales tax return (Form SST-02) and the return shall be furnished to the Director General in the prescribed manner not later than the last day of the month following the end of his taxable period.

60. The submission can be done electronically through MySST portal or the taxable person can download and print the Form SST-02 from the MySST portal. The return shall be furnished by post to the Customs Processing Centre.

Last Date To Furnish The Sales Tax Return

61. The sales tax return shall be furnished to the Director General not later than the last day of the month following the end of the taxable person's taxable period.

62. Where a taxable person's taxable period has been varied, the sales tax return shall be furnished within thirty (30) days from the ending date of the varied taxable period.

63. The sales tax return shall be furnished if there is a sales tax payable or otherwise.

64. The taxable person shall furnish, among others, the following particulars in the sales tax return:

- (i) Information of taxable goods;
- (ii) Tariff code for the taxable goods;
- (iii) Value of taxable goods sold;
- (iv) Value of all taxable goods for own used/ disposed;
- (v) The amount of sales tax payable.

Correction of Errors

65. If a taxable person makes an error in any returns furnished, he may correct the error voluntarily in Form SST-02 in such manner and within such time as the senior officer of sales tax may determine.

Final Sales Tax Return

66. Any registered manufacturer who ceases to be liable to be registered or ceases to manufacture taxable goods has to furnish a final return, not later than thirty (30) days after such cessation, or such later date as the Director General may allow.

67. Where a registered manufacturer ceases to carry on business as a manufacturer and has a stock of taxable goods on which sales tax due and payable has not been paid and where section 11(4) does not apply, he shall include particulars of such taxable goods in his return as if the goods had been sold by him in the last taxable period and pay the sales tax accordingly.

Offence for Late Submission of Return

68. A taxable person who fails to submit sales tax returns within the stipulated period or furnishes an incorrect return, commits an offence under section 26(7) of the Sales Tax Act 2018 and shall, on conviction, be liable to a fine not exceeding RM50,000 or imprisonment for a term not exceeding three (3) years or both.

Payment of Sales Tax Due and Payable

69. Any taxable person who is required to furnish a sales tax return shall pay to the Director General the amount of sales tax due and payable by him in respect of the taxable period, not later than the last day on which he is required to furnish the sales tax return.

Method of Payment

70. Payment of sales tax in respect of any return, surcharge, penalty, fee or other money payable shall be made either by:

- (i). Electronic banking; or
- (ii). Cheque or bank draft and shall be posted to Customs Processing Centre. Post-dated cheques are not allowed.

Example 4:

Company ABC posted a cheque for the payment of sales tax on 25 Jan 2019. The cheque was post-dated as 29 Jan 2019. The cheque was received by the Customs Processing Centre on 26 Jan 2019. Cheques written by the taxable person for a date in the future is not accepted as payment for sales tax by RMCD.

Time of Payment

71. Cheque or bank draft for the payment of sales tax, surcharge, penalty, fee or other money shall be deemed to be paid when the payment is received by the Director General on the date the amount is duly paid to the Director General i.e. when the cheque is cleared.

72. Any payment made electronically shall be deemed to be received when such payment is entered to be credited to the Director General.

73. Cheque or bank draft sent by post to the Customs Processing Centre shall be deemed to have been received on the date of the post mark.

Offence for Late Payment of Tax

74. A taxable person who fails to pay the sales tax due and payable within the stipulated period shall be guilty of an offence under section 26(8) of the Sales Tax Act 2018 and shall, on conviction, be liable to a fine not exceeding RM50,000 or imprisonment for a term not exceeding three (3) years or both.

Penalty for Late Payment of Tax

75. Where any sales tax due and payable is not paid wholly or partly by any taxable person after the last day on which it is due and payable, and no prosecution is instituted, the taxable person shall pay a penalty: -

- (i) For the first thirty (30) days period, that the sales tax is not paid wholly or partly after the expiry of the period, a penalty of ten (10) per cent of the amount of sales tax remains unpaid;
- (ii) For the second thirty (30) days period that the sales tax is not paid wholly or partly after the expiry of the period, an additional penalty of fifteen (15) per cent of the amount of sales tax remains unpaid; and
- (iii) For the third thirty (30) days period that the sales tax is not paid wholly or partly after the expiry of the period, an additional penalty of fifteen (15) per cent of the amount of sales tax remains unpaid.

76. The taxable person will be subject to a maximum penalty of forty (40) per cent after the expiry period of ninety (90) days.

Example 5: Late payment of tax

Taxable Period (monthly)	Penalty Imposition Due Date	SalesTax			Due Date	
		Tax due (RM)	Tax paid before due date (RM)	Balance (RM)	Rate of penalty %	Penalty due (RM)
1.09.2018 to 31.10.2018	31.12.2018	10,000	-	10,000		

Taxable Period (monthly)	Penalty Imposition Due Date	SalesTax			Due Date	
		Tax due (RM)	Tax paid before due date (RM)	Balance (RM)	Rate of penalty %	Penalty due (RM)
	31.01.2019	10,000	5,000	5,000	10%	500
	28.02.2019	5,000	3,000	2,000	15%	300
	31.03.2019	2,000	1,000	1,000	15%	150

Amount of penalty due is calculated as below: -

- 31.01.2019: $RM5,000 \times 10\% = RM500$
- 28.02.2019: $RM2,000 \times 15\% = RM300$
- 31.03.2019: $RM1,000 \times 15\% = RM150$

Power to Assess

77. The Director General may assess in his best judgment the amount of sales tax due and payable including penalty by the taxable person who:

- (i). Fails to apply for registration under section 13;
- (ii). Fails to furnish a return under section 26; or
- (iii). Furnishes a return which appears to be incomplete or incorrect.

78. The proper officer may assess the sales tax payable on any taxable goods imported by any person.

79. Where a taxable person are found to have control over any taxable goods or has imported any taxable goods, the Director General may require him to account for the taxable goods. Where the taxable person fails to account for the taxable goods by the following reason: -

- (i). The taxable goods have been sold by him;
- (ii). The taxable goods have been exported; or
- (iii). The taxable goods have been lost or destroyed,

the Director General may assess in his best judgement the amount of sales tax that would have been imposed on the taxable goods. Notice of assessment shall be sent to the taxable person in writing.

RECOVERY OF SALES TAX, etc.

Recovery of Sales Tax, Surcharge, Penalty, Fee or Other Money as Civil Debt

80. Civil action may be taken to recover any sales tax due and payable, surcharge accrued, penalty, fee or other money payable, as a civil debt due to the government.

Collection of Sales Tax, Surcharge, Penalty, Fee or Other Money from Person Owning Money to Taxable Person

81. Where sales tax is due and payable, surcharge accrued, penalty, fee or other money is payable by a taxable person, the Director General may, by notice in writing, recover such outstanding amount from the following persons:

- (i). A person owing money to the taxable person;
- (ii). A person who holds money on behalf of the taxable person;
- (iii). A person who holds money on behalf of another person to be paid to the taxable person; or
- (iv). A person whom authorized by a person to pay money to the taxable person.

82. A copy of the notice shall be forwarded to the taxable person at his last known address.

83. All payments made pursuant to the notice shall be deemed to have been made on behalf of the taxable person.

Recovery of Sales Tax, Surcharge, Penalty, Fee or Other Money from Persons About to Leave Malaysia

84. Pursuant to section 30 of the Sales Tax Act 2018, if the Director General has reason to believe that it is probable that any person is about to leave or is likely to leave Malaysia before the sales tax due by him becomes payable, the sales tax shall be paid on an earlier date as determined by the Director General and such person shall be notified accordingly.

85. The Director General may issue to the Director General of Immigration a notice containing particulars of the person and his offence and request that such person be prevented from leaving Malaysia until payment of sales tax, surcharge, penalty, fee or other money has been made or a security for its payment is furnished to the satisfaction of the Director General.

Payment by Instalments

86. Where a taxable person fails to pay sales tax, a demand may be made to order the taxable person to pay the tax. If the taxable person fails to settle it in a single payment, he may apply to the Director General to pay by instalment in the amount and on such date as may be specified by him. In this case, the penalty shall cease to be calculated from the date the Director General allows the payment by instalments.

87. If there is defaults in payment of such instalment, a surcharge equivalent to ten per cent (10%) of the outstanding balance will be imposed. The whole outstanding balance and the surcharge shall become due and payable on the date of default in payment.

Liability of Directors

88. Section 34 of the Sales Tax Act 2018 stipulates that directors, partners are jointly and severally liable for the sales tax, surcharge, penalty, fee or other money

payable by the company, firm, as the case may be. In this respect, the sales tax incurred by the registered manufacturer may be recovered from the:

- (i) Directors of the company, including persons who were directors of such company (in the case where the registered manufacturer is a company);
- (ii) Compliance officers who is appointed amongst the partners of the limited liability partnership or if no compliance officer, any one or all of the partners of the limited liability partnership;
- (iii) Partners of the firm, including persons who were partners of such firm (in the case where the registered manufacturer is a firm).
- (iv) Office-bearers of the society; or
- (v) Persons responsible for the management of the body of persons.

89. The director of a company that is being wound up under the Companies Act 2016, shall be liable for sales tax, surcharge, penalty, fee or other money payable if the company's assets are insufficient to settle the amount, after paying any sum which has priority over the winding up of the company.

FACILITIES UNDER THE SALES TAX ACT 2018

Exemption under section 35 of the Act

90. Section 35 of the Sales Tax Act 2018 provides the Minister the power to exempt sales tax. The exemption can be categorised as follows:

- (i). Exemption by Order of the Minister; or
- (ii). Specific exemption.

Exemption by Order

91. The Minister may by order exempt:

- (i). Any goods or class of goods from the whole or any part of the sales tax;

or

- (ii). Any persons or class of persons from payment of the whole or any part of the sales tax which may be charged and levied on any taxable goods manufactured or imported.

Specific Exemption

92. Person or class of persons may apply to the Minister to be exempted from payment of the whole or any part of the sales tax which would have been payable by such person or class of persons. Application shall be submitted to the Tax Division of the Ministry of Finance. In granting the exemption, the Minister may prescribe such conditions as he deem fit to impose.

93. When any person granted an exemption fails or ceases to comply with any prescribed conditions, the person granted the exemption or any person found to have such taxable goods shall be jointly and severally liable to pay the sales tax.

Exemption Under Schedule A, Sales Tax (Goods Exempted From Tax) Order 2018

94. Goods or class of goods that are exempted from sales tax are listed in the Schedule A, Sales Tax (Goods Exempted From Tax) Order 2018.

Exemption Under Schedule A, B and C, Sales Tax (Persons Exempted From Payment of Tax) Order 2018

95. The schedules in the Order provides for the following:

- (i) **Schedule A** of the Order provides the list of persons or class of persons exempted from payment of sales tax.

e.g. Ruler of States, Federal or State Government Department, Local Authority, Inland Clearance Depot and Duty Free Shop.

- (ii) **Schedule B** provide sales tax exemption to a manufacturer of specific exempted goods, to acquire raw materials, components and packaging materials used in the manufacture of exempted goods.

- (iii) **Schedule C** provides exemption of sales tax to registered manufacturer on the acquisition of raw materials, components and packaging materials to be used in manufacturing of taxable goods.

REFUND, DRAWBACK AND REMISSION

Claim For Refund of Sales Tax In Relation To Bad Debt

96. Bad debt means the amount of outstanding payment in respect of the sale of taxable goods including sales tax which has not been paid to the registered manufacturer or who has ceased to be a registered manufacturer, and can no longer be recovered by the manufacturer.

97. Any claim for a refund in relation to bad debts from the Director General can be made by a registered manufacturer or a person who has ceased to be a registered manufacturer. The claim for a refund on the whole or any part of the sales tax paid shall be made within six (6) years from the date the sales tax is paid by him subject to the conditions as follows:

- (i) The whole or any part of the sales tax payable to the registered manufacturer has been written off in his accounts as bad debts; and
- (ii) All reasonable efforts have been made by him to recover the sales tax.

98. The person whose making a claim is entitled for a refund of the sales tax paid if he did not receive payment in respect of the sale of taxable goods.

99. If he has received payment in respect of the sale of taxable goods, the claim can be made for the difference between the sales tax paid and the amount calculated according with the following formula:

$$\frac{A}{B} \times C$$

- Where
- A is the payment received in respect of the sale of such taxable goods;
 - B is the sale value of such taxable goods plus sales tax payable on such taxable goods; and
 - C is the sales tax payable on such taxable goods.

Example 6:

Kilang Kertas Merah Sdn Bhd is a registered manufacturer, whom yet to receive the balance of payment including the sales tax amounting RM120,000 from the value of sales of RM220,000 which are not be able to collect. Later, his debtor has been declared as a bankrupt and he is unable to pay the debt. The registered manufacturer has accounted for sales tax of 10% to RMCD. Hence, Kilang Kertas Merah Sdn Bhd is entitled to claim for bad debt based on the calculation as follows: -

$$\begin{array}{r} \text{RM } 100,000 \\ \hline \text{RM } 220,000 \end{array} \times \text{RM } 22,000 = \text{RM } 10,000$$

*The bad debt that can be claimed from RMCD is **RM12,000** (RM22,000 – RM10,000)*

100. If the refund of sales tax has been made by the Director General to a person and then the person receives the payment in respect of the sale of the taxable goods has been received from the debtor, the sales tax shall be repaid by the person to the Director General in accordance with the formula in paragraph 99.

Example 7:

A registered manufacturer has received a bad debt refund from Director General amounting RM5,000 in respect of the sale of taxable goods at the value of RM105,000 which cannot be collected from the debtor. Four years later the debtor is free from bankruptcy and has paid RM10,000 including 5% of sales tax to

the registered manufacturer to settle his debt. Even though the payment is partially received, the registered manufacturer is required to repay the sales tax to RMCD based on the calculation as below: -

$$\begin{array}{r} \text{RM 10,000} \\ \hline \text{RM 105,000} \end{array} \times \text{RM 5,000} = \text{RM 476.20}$$

*The repayment of sales tax to be paid to RMCD is **RM 476.20**.*

101. Whenever any person make a repayment of sales tax in relation to bad debt to the Director General, he shall: -

- (i) In the case of registered manufacturer, repay the amount of sales tax to the Director General in his Form SST-02 in the taxable period in which the registered manufacturer receives the payment of the sales tax from the debtors; and
- (ii) In the case of person who has ceased to be a registered manufacturer, the repayment shall be made to the Director General in his Form SST-02 for the last period he becomes a taxable person.

102. The person claiming a refund in relation to bad debt is required to keep all records and documents relating to the claim for seven (7) years from the date of claim for the purpose of inspection by the proper officer at any time.

Example 8:

The registered manufacturer is selling taxable goods on 2 September 2018 and no payment has been received. His debtor has been declared bankrupt and the registered manufacturer is claiming the bad debt in the fifth year from the date of sales tax was paid on 1 October 2023. Hence, the records relating to the bad debt claim shall be kept for an additional period of seven (7) years until 30 September 2030.

103. A registered manufacturer who is eligible to claim for a refund of sales tax in relation to bad debt shall make an application in Form JKDM No.2 together with the following documents:

- (i) A copy of invoice issued;
- (ii) Form SST-02 and any other documents showing such sales tax have been accounted for and paid;
- (iii) Records or any other documents showing that the payment in respect of the sales tax has not been received;
- (iv) Records or any other documents showing that all reasonable efforts have been taken by the person to recover the payment in respect of the sale of taxable goods; and
- (v) Record or any other documents showing that the payment in respect of the sales of taxable goods has been written off in the person's account as bad debt,

and submitted to the *Cawangan Perakaunan Hasil* in the controlling zone/ state/ station.

104. The Director General may disallow refund if;

- (i). The records or any documents presented are untrue or incorrect; or
- (ii). For any other reasons for the purpose of protection of revenue.

Payment of Sales Tax, Surcharge, Penalty, Fee or Other Money Short Paid or Erroneously Refunded

105. The Director General shall demand any person:

- (i). to pay the sales tax, surcharge, penalty, fee or other money; or
- (ii). to pay the deficient sales tax, surcharge, penalty, fee or other money; or
- (iii). to repay the refund erroneously paid to him,

if the whole or any part of sales tax due and payable, surcharge accrued, or penalty, fee or other money payable has not been paid by a person or after having been paid, has been erroneously refunded to a person.

106. The demand shall be made within six (6) years from the date:

- (i) The sales tax, surcharge, penalty, fee or other money was payable, or the deficient sales tax, surcharge, penalty, fee or other money was paid; or
- (ii) The refund was made.

Refund of Sales Tax, Surcharge, Penalty, Fee or Other Money Overpaid or Erroneously Paid

107. Pursuant to section 39 of the Sales Tax Act 2018, the Director General may make a refund in respect of the claim of sales tax, surcharge, penalty, fee or other money that have been overpaid or erroneously paid by a person, after satisfied that the person has proved the claim accordingly.

108. A claim for refund shall be made to the Director General within one (1) year from the time the overpayment or erroneous payment occurred.

109. The application must be made in the Form JKDM No. 2 together with the relevant supporting documents as follows:

- (i). An application letter that explain about claim of refund of sales tax, surcharge, penalty, fees and other money;
- (ii). A copy of invoice;
- (iii). A copy of exemption or remission letter if applicable;
- (iv). A copy of customs form No. 1 (for imported goods);
- (v). A copy of Form SST-02;
- (vi). Statement of refund; and

- (vii). Other related documents as required by the Director General.

110. The Director General may reduce or disallow any refund in respect of the claim if the refund is improper and will enrich the claimant.

Drawback of Sales Tax

111. Under Section 40 of the Sales Tax Act 2018, the Director General may allow drawback of the full amount of sales tax paid by a person in respect of taxable goods except petroleum which are subsequently exported by the person from Malaysia subject to the Sales Tax Regulations 2018.

112. A person may apply for drawback of sales tax paid in respect of taxable goods upon exportation of such goods.

113. In general, drawback of sales tax is allowed on taxable goods, either imported or purchased from a registered manufacturer, which are subsequently exported.

Eligibility for Drawback

114. Application for drawback of sales tax is allowed if:

- (i). The taxable goods has been exported within six (6) months from the date on which the sales tax has been paid for the importation of taxable goods or the date of invoice for the purchase of taxable goods;
- (ii). The application is made within three (3) months from the date the taxable goods are exported in the JKDM Form No. 2 and supported by the relevant documents such as customs form No. 1, copy of customs form No. 2, customs form No. 9, invoice from the registered manufacturer, sales invoices to the purchaser and any other documents containing particulars of sales tax and exportation as allowed by the Director General;
- (iii). The taxable goods on which sales tax has been paid and drawback is claimed under section 40 of Sales Tax Act 2018 must be declared on customs form No. 2 and identified to the satisfaction of a senior officer of

sales tax that such taxable goods have been exported;

- (iv). Payment of drawback on the taxable goods to be exported has not been prohibited by regulations made under the Customs Act 1967;
- (v). The taxable goods have not been used after importation or after payment of sales tax; and
- (vi). Every person claiming the drawback must declare that the said taxable goods are not to be relanded or detained and are not intended to be relanded or detained at any place in Malaysia.

115. Drawback is not allowed for petroleum.

116. The application for drawback are required to be made in the JKDM Form No. 2 and submit the following documents:

- (i). Customs form No.1 or customs form No.9;
- (ii). Purchase invoice from registered manufacturer;
- (iii). Sales invoice to purchaser;
- (iv). Copy of customs form No. 2;
- (v). Air waybill, sea waybill, manifest or bill of lading; and
- (vi). Other related documents containing the particulars of sales tax and exportation.

117. The drawback application shall be submitted to the *Cawangan Perakaunan Hasil* in the controlling zone/ state / station.

Remission by the Minister of Finance

118. The Minister of Finance may remit the whole or any part of the sales tax due and payable by any person where he deems fit.

119. Application for such remission can be made in writing to the Minister of

Finance. There is no specific form to be filled but the application should provide with all the relevant details.

Remission by Director General

120. The Director General may remit the whole or any part of the surcharge accrued, penalty, fee or other money payable by any person where he deems fit. Such application can be made in writing to the Director General with supporting evidence and documents to support the application.

121. Any person who intend to apply for remission of sales tax, surcharge, penalty, fee or other money payable is required to submit the following documentation:

- (i) An appeal letter;
- (ii) Audited accounts report (if applicable);
- (iii) Police report (such as theft/ fire/ natural disaster/ etc.);
- (iv) Fire report (in case of fire);
- (v) A copy of insurance policy (if applicable); and
- (vi) Other related documents (if applicable).

Refund by the Minister of Finance and Director General

122. The Minister of Finance and the Director General subject to the conditions in a particular case may direct a refund of sales tax, surcharge, penalty, fee or other money relating to the remission approved to such person.

SALES TAX RULING

Public Ruling

123. A public ruling is a ruling made by the Director General and issued to the public to provide guidance on the interpretation and application of any provision of the Sales Tax Act 2018. The aim is to provide clarity and transparency in the

application of the sales tax legislation.

124. Public ruling issued is applicable to any person or class of persons, or any type of business activity. If a ruling has been issued to the public, the Director General may withdraw the public ruling made, wholly or partly.

Customs Ruling

125. A customs ruling is a ruling made by the Director General upon application by any person to seek ruling on the application of the provisions of the Sales Tax Act 2018 and arrangement for which the customs ruling is sought. The issuance of a customs ruling aims to ensure clarity and certainty of tax treatment and consistency in the application of the sales tax legislations. This will help to promote compliance and minimise disputes.

126. Any person may apply to the Director General for customs ruling under section 43 of the Sales Tax Act 2018 in respect of the following matters:

- (i) Classification of taxable goods;
- (ii) Determination of a taxable person;
- (iii) The principles to be adopted for the purposes of determination of sale value of taxable goods; or
- (iv) Other matters as determined by the Director General.

127. An application for customs ruling shall be made in a prescribed form with a prescribed fee to the Director General.

128. When an application for customs ruling is received, the Director General shall make a customs ruling, subject to such conditions as he deems fit, in respect of the matters specified in the application and the customs ruling shall bind the applicant. A customs ruling takes effect on the date specified in the ruling.

129. The Director General may decline to make a customs ruling if: -

- (i) The information given by the applicant is insufficient;

- (ii) The application is for a hypothetical situation; or
- (iii) Any pending appeal under section 96 of the Sales Tax Act 2018 involves the subject matter referred to in the application.

130. A customs ruling may be amended, modified or revoked by the Director General if:-

- (i) The customs ruling contains an error which needs to be corrected;
- (ii) The customs ruling was based on an error of fact or law;
- (iii) There is a change in the law relating to sales tax; or
- (iv) There is a change in the material fact or circumstances on which the customs ruling was based.

131. The Director General shall declare a customs ruling made to be null, void and has no effect, by a notice, if the applicant is found to have committed a fraud, misrepresentation or falsification of fact in obtaining the ruling.

132. Where an applicant receives two or more different customs rulings on the same subject matter, such rulings shall be treated as being null and void, and such applicant shall immediately notify the Director General. The Director General shall make a new customs ruling within thirty (30) days from the date of such notification.

133. The Director General shall give a notice in writing to the applicant immediately after making amendment, modification, or revocation of customs ruling. Such amended, modified or revoked customs ruling shall take effect from the date stated in the notice.

SPECIAL PROVISIONS RELATING TO DESIGNATED AREAS (DA)

Interpretation

134. Under Part VIII of the Sales Tax Act 2018, the interpretation of Malaysia and Designated Areas are as follows:

- (i) 'Malaysia' excludes Designated Areas and the Special Areas;
- (ii) 'Designated Areas' means Labuan, Langkawi, and Tioman;
- (iii) 'Langkawi' means the Island of Langkawi and all adjacent islands lying nearer to the Island of Langkawi than to the mainland.
- (iv) 'Labuan' means the Island of Labuan and its dependent islands namely Rusukan Besar, Rusukan Kecil, Keraman, Burong, Papan and Daat.
- (v) 'Tioman' means the Island of Tioman and the islands of Soyak, Rengis, Tumok, Tulai, Chebeh, Labas, Sepoi and Jahat.

135. The Sales Tax Act 2018 shall not apply to any taxable goods manufactured in the DA other than petroleum. Taxable goods manufactured and sold, used or disposed or transported in the DA other than petroleum is not subject to sales tax.

136. Any taxable goods imported into DA from outside Malaysia or transported to DA from Malaysia is not subject to sales tax unless they are prescribed in the Sales Tax (Imposition of Sales Tax in Respect of Designated Areas) Order 2018.

137. The order states that sales tax shall be charged and levied at the rate fixed under section 10 (2) of the Sales Tax Act 2018 on the importation of:

- (i) Wine, spirit, beer, malt liquor, tobacco and tobacco products into DA;
- (ii) Marble and anchovies into Langkawi; and
- (iii) Motor vehicles into Tioman.

138. Taxable goods transported between the DA are not subject to sales tax.

139. Taxable goods transported from DA to Malaysia are treated as if the goods were importation into Malaysia. Sales tax shall be payable on such taxable goods upon importation into Malaysia. The sale value of taxable goods that is liable to sales tax shall be determined in accordance with paragraph 8 above.

140. Taxable goods transported from Malaysia to DA are treated as if such goods have been exported from Malaysia or to a place outside Malaysia.

141. Taxable goods transported from DA to Special Area (SA) are not subject to sales tax.

Application of drawback

142. According to section 54 of the Sales Tax Act 2018, drawback under section 40, shall apply to taxable goods, other than any goods declared by the Minister to be taxable on importation into the DA, transported from Malaysia to the DA, as if such goods had been exported or re-exported, as the case may be.

SPECIAL PROVISIONS RELATING TO SPECIAL AREAS (SA)

Interpretation

143. Under Part IX of the Sales Tax Act 2018, the interpretation of Malaysia and Special Areas are as follows:

- (i) 'Malaysia' excludes Designated Areas and the Special Areas;
- (ii) 'Special areas' means any free zone, licensed warehouse, licensed manufacturing warehouse and the Joint Development Areas.

144. The Sales Tax Act 2018 shall not apply to any taxable goods manufactured in the SA.

145. Taxable goods manufactured and sold, used or disposed or transported in the SA is not subject to sales tax.

146. No sales tax shall be levied and payable on any taxable goods imported into the special areas or transported to the special areas from Malaysia unless they are prescribed in the Sales Tax (Imposition of Sales Tax in Respect of Special Areas) Order 2018.

147. The order states that sales tax shall be charged and levied at the rate fixed under section 10(2) of the Sales Tax Act 2018 on the following goods:

The importation of certain goods to be used or consumed in the free zone under section 2 of the Free Zones Act 1990. The goods are as follows:

- (i) Forklifts
- (ii) Crane
- (iii) Office equipment or furniture
- (iv) Firefighting and pollution control equipment
- (v) Motor vehicles and spare parts
- (vi) Petroleum and petroleum products
- (vii) Tyres
- (viii) Explosives and chemicals
- (ix) Air conditioning equipment
- (x) All goods which are not used directly
 - (a) In the activities approved under the First and Second Schedules of the Free Zones Act 1990;
 - (b) For the purpose of warehousing goods under section 65 of the Customs Act 1967; or
 - (c) In the manufacturing of goods in a licensed manufacturing warehouse under section 65A Customs Act 1967.

- (xi) The importation of wine, spirit, beer, malt liquor, tobacco and tobacco products into Tasik Kenyir Duty Free Area.

148. Taxable goods transported between the SA are not subject to sales tax.

149. Taxable goods transported from SA to Malaysia are treated as if such goods were imported into Malaysia. Sales tax shall be payable on such taxable goods upon importation into Malaysia. The sale value of taxable goods that is liable to sales tax shall be determined in accordance with paragraph 8 above.

150. Taxable goods transported from Malaysia to SA are treated as if such goods had been exported from Malaysia or to a place outside Malaysia.

151. Taxable goods transported from SA to DA are not subject to sales tax.

Application of Drawback

152. According to section 61 of the Sales Tax Act 2018, drawback under section 40 shall apply to taxable goods, other than any goods declared by the Minister to be taxable on importation into SA, transported from Malaysia to the SA, as if such goods had been exported or re-exported, as the case may be.

REVIEW AND APPEAL

153. Any person who is dissatisfied with the decision made may apply to the Director General to review the decision within thirty (30) days from the date of notification of the decision, provided that no appeal has been made to the same decision to the Customs Appeal Tribunal. The Director General shall make a review within sixty (60) days or within the time practicable and notify the decision of the review to the person.

154. An application for a review under section 96 of the Sales Tax Act 2018 shall be made in Form SST-03.

155. Where any person is dissatisfied by the decision of the Director General (including decision after review), except any matter relating to compound, he may

appeal to the Customs Appeal Tribunal in writing within thirty (30) days from the date of notification of the decision. Any appeal must be made in a prescribed form together with a prescribed fee.

156. Any sales tax due and payable shall be paid notwithstanding any review or appeal has been made.

TRANSITIONAL PROVISIONS

Repeal of The Goods And Service Tax (GST) Act 2014

157. With effective from 1 September 2018, the GST Act 2014 is repealed. The impact on GST and sales tax from 1 September 2018:

- (i) GST can no longer be imposed on any supply of goods made in Malaysia including deemed supplies under the GST Act 2014 and any importation into Malaysia;
- (ii) The sale of taxable goods will be subject to sales tax;
- (iii) Continuance of liability, etc.
 - (a) Any liability incurred may be enforced;
 - (b) GST due, overpaid or erroneously paid may be collected, refunded or remitted,
 - (c) Sections 178, 181 and 191 of the GST Act shall continue to remain in operation after 1 September 2018.

Registration During The Transitional Period

158. A manufacturer, who manufactures taxable goods before 1 September 2018 and has exceeded the threshold on 1 September 2018 shall apply for registration within 30 days from 1 September 2018. The Director General shall register the manufacturer with effect from the first day of the month following the month in which the application is made and the manufacturer shall charge sales tax with effect from

such date. His registration will commence on 1 October 2018.

159. A manufacturer who manufactures goods before 1 September 2018 but this goods will become taxable goods on 1 September 2018 and has applied for registration before 1 September 2018. The Director General shall register the manufacturer if his total sales value of taxable goods exceeds the threshold using the future method (in the month of effective date and eleven months immediately succeeding that month), on 1 September 2018 and the registered manufacturer shall charge sales tax on the taxable goods sold, used or disposed of with effect from such date.

160. A manufacturer who is registered under GST before 1 September 2018 who manufactures taxable goods on 1 September 2018 is deemed to be registered under the Sales Tax Act 2018 if his total sales value of taxable goods exceeds the threshold using the future method (in the month of effective date and eleven months immediately succeeding that month) and shall charge sales tax on 1 September 2018.

Automatic Registration

161. Manufacturers who are GST registered persons which have been identified and fulfilled the required registration criteria will be registered automatically as registered manufacturer under Sales Tax Act 2018 with effect from 1 September 2018. The registered manufacturer needs to charge sales tax from 1 September 2018 onwards.

162. Please refer SST Online Registration Guide for registration in MySST portal.

Furnishing of Return/Declaration For The Last Taxable Period, Payment of GST , Claiming for Input Tax and Refund.

163. The taxable period for a person registered for GST which begins before 1 September 2018 and ends after 1 September 2018 shall be deemed to end on 1 September 2018.

164. The submission of Form GST-03 under section 40 of the Repealed GST Act

2014, for the last taxable period shall be furnished and corresponding payment of GST shall be made not later than one hundred and twenty (120) days from 1 September 2018 i.e. before or on 29 December 2018.

165. Any declarations under section 42(1) of the Repealed GST Act 2014 shall be made and furnished with payment of GST to be made not later than 30 days from 1 September 2018 i.e. before or on 30 September 2018.

166. Any input tax claim under the Repealed GST Act 2014 which has not been claimed before 1 September 2018 shall be claimed in the Form GST-03 and that claim shall be considered as the final claim for all input tax.

167. Any refund which is subject to verification, audit or investigation which relates to any input tax that has not been made by the Director General on 1 September 2018, or any input tax claim made under paragraph 166, the refund shall be paid by the Director General within six (6) years from 1 September 2018.

Review and Pending Appeals

168. Director General may make decision on any application for review made immediately before 1 September 2018, on or after 1 September 2018.

169. Any decision of review made by Director General before or after 1 September 2018, which is appealable to the GST Appeal Tribunal, may be appealed to the Customs Appeal Tribunal, provided that the appeal is made within thirty (30) days from the date such decision was made known to the aggrieved person by the Director General;

170. GST Appeal Tribunal may continue to hear and decide any appeal which is pending immediately before 1 September 2018, on or after 1 September 2018.

GST Tax Agent

171. A GST tax agent registered under section 170 of the Repealed GST Act 2014 is allowed to represent a GST registered person until the expiry of his license and is not allowed to represent a taxable person with regards to sales tax.

Invoices

172. A registered manufacturer may continue to issue invoices which were pre-printed during the implementation of GST as invoices required to be issued under section 21 of Sales Tax Act 2018 until such invoices are disposed of or within the period of three (3) months from 1 September 2018, whichever is the earlier.

INQUIRY

For any inquiries for this guide please contact:

Internal Tax Division (SST)
Royal Malaysian Customs Department
Level 3 - 7, Block A, Menara Tulus,
No. 22, Persiaran Perdana, Presint 3,
62100 Putrajaya.

FURTHER ASSISTANCE AND INFORMATION ON SST

Further information on SST can be obtained from :

- (i) SST website : <https://mysst.customs.gov.my>
- (ii) Customs Call Center:
 - Tel : 03-7806 7200 / 1-300-888-500
 - Fax : 03-7806 7599
 - Email: ccc@customs.gov.my

