

# TAX AUDITS AND INVESTIGATIONS

Date	Venue	Workshop Code	Time
4 May 2017	Weil Hotel, Ipoh	17WS/O26	9.00am to 5.00pm
18 May 2017	Mutiara Hotel, Johor Bahru	17WS/O27	
25 May 2017	Seri Pacific Hotel, Kuala Lumpur	17WS/O28	
8 June 2017	G Hotel, Penang	17WS/O29	
14 June 2017	Ramada Plaza Melaka	17WS/O30	
19 June 2017	Grandis Hotel, Kota Kinabalu	17WS/O31	
20 June 2017	Waterfront Hotel, Kuching	17WS/O32	

## INTRODUCTION

THE MALAYSIAN TAX ENVIRONMENT TODAY IS SUCH THAT THERE ARE MANY TAX AUDITS THAT ARE BEING CONDUCTED BY THE MIRB. IT IS IMPORTANT FOR TAXPAYERS AND TAX AGENTS TO BE FULLY AWARE OF THE LEGISLATIVE AND OTHER REQUIREMENTS IN ORDER TO AVOID HEAVY PENALTIES.

## TAX AUDITS

A fair, transparent and equitable tax administration system will enhance public confidence in the tax system. From the Malaysian Inland Revenue Board's (MIRB) perspective, compliance with tax laws must be strictly enforced and tax offences such as non-compliance and tax evasion should be penalized in accordance with the provisions of the Income Tax Act 1967.

Under the Self-Assessment System, tax audit is a primary activity of the MIRB. It is aimed at enhancing voluntary compliance with the tax laws and regulations. A taxpayer can be selected for an audit at any time. However, it does not necessarily mean that a taxpayer who is selected for an audit has committed an offence. The MIRB has issued an audit framework to ensure that tax audits are carried out in a fair, transparent and impartial manner. The framework outlines the rights and responsibilities of audit officers, taxpayers and tax agents in respect of a tax audit.

A tax audit is an examination of a taxpayer's business records and financial affairs to ascertain that the right amount of income should be declared and the right amount of tax should be calculated and paid are in accordance with tax laws and regulations.

## OBJECTIVE OF TAX AUDITS

The main objective of tax audits is to encourage voluntary compliance with the tax laws and regulations and to ensure that a higher tax compliance rate is achieved under the Self Assessment System.

## MDTD Programme

The Monitoring Deliberate Tax Defaulters Programme (MDTD Programme) has been introduced to strengthen and enhance the effectiveness of existing tax audit activities. This programme is designed to monitor taxpayers identified as noncompliant in accordance with the existing rules and income tax laws.

## SPEAKER'S PROFILE

Harvinder Singh is a Fellow of the Chartered Association of Certified Accountants and is a member of the Malaysian Institute of Accountants (MIA) as well as the Chartered Tax Institute of Malaysia (CTIM). Harvinder was attached to the firms of PricewaterhouseCoopers and Ernst & Young as a tax consultant and is currently the Managing Partner of Harvey & Associates, a boutique firm that specialises in taxation consulting services as well as a Partner in SCS Global Consulting (M) Sdn Bhd. He has more than 20 years of experience in the field of taxation. He is currently serving as the Chairman of the Editorial Board of the Budget Commentary and Tax Information Booklet which is produced jointly by MIA, CTIM and the Malaysian Institute of Certified Public Accountants. Harvinder has extensive experience in taxation advisory, transfer pricing documentation preparation, tax planning as well as tax audits and investigations and he serves as a tax consultant to various MNEs and other organisations.

## TAX INVESTIGATIONS

Tax investigation is the examination of books, documents, objects, articles, materials and things relating to a taxpayer's business and financial matters including personal documents. This examination is carried out to determine that the correct amount of income is reported and the tax thereon is charged and paid in accordance with the tax laws and regulations. Investigation is conducted to gather admissible evidence with a view towards prosecution and conviction of tax offences in court in accordance with the provisions of ITA (or other acts in paragraph 2.2), Penal Code [Act 574], Criminal Procedure Code [Act 593], Evidence Act 1950 [Act 56], Whistleblower Protection Act 2010 [Act 711] and other relevant acts.

MIRB officers may also conduct investigation in accordance with the provisions of AMLATFA as the offences under sections 112, 113 and 114 of the ITA are listed as serious offences under Schedule 2 of AMLATFA. Action may be taken by IRBM to freeze, seize and forfeit movable and immovable properties obtained using proceeds from tax offences.

## OBJECTIVES OF TAX INVESTIGATIONS

The main objectives of investigation are to deter tax evasion, identify and prosecute tax evaders, enhance voluntary tax compliance, to be fair to compliant taxpayers and to collect the correct amount of tax.

In this workshop, the Speaker will share his experience and provide key insights into the following areas of discussion:

- What triggers an audit / investigation
- Risk areas for taxpayers
- Typical issues identified
- The Malaysian Penalty Regime
- Taxpayers' Responsibilities
- Preparing for a tax audit / investigation
- Computation of understated income
- The negotiation process and reaching a settlement

## TAX AUDITS AND INVESTIGATIONS

### \*Registration Fees


	Klang Valley	Outstation
<input type="checkbox"/> CTIM/ACCA Member	RM424.00	RM371.00
<input type="checkbox"/> Member's Firm Staff	RM530.00	RM477.00
<input type="checkbox"/> Non-Member	RM636.00	RM530.00

\* The above registration fees are inclusive of 6% GST

- \* Seats are limited and based on first-come, first-served basis
- \* Registration of participants will be confirmed upon registration, receipt of full payment or an acceptable employers guarantee and settlement of previous outstanding dues.
- \* All outstanding payment must be received on or prior to the date of the event for participants to be allowed to attend. The institute reserves the right to cancel the registration if no payment is received prior to or on the date of the event.
- \* Walk-in participant registration and attendance is subject to availability of seats and full payment.
- \* Certificate of attendance will only be released upon participant signing the attendance register before 10.30am, full attendance and after completion of the event.

### Enquiries

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 Fax: 03-2161 3207  
 03-2162 8990  
 Email: cpd@ctim.org.my

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### Contact Person:

*For Klang Valley events:*  
 Ms Yus (ext 121 / yusfariza@ctim.org.my)  
 Ms Jaslina (ext 131 / jaslina@ctim.org.my)  
*For Outstation events:*  
 Mr Jason (ext 108/ jason@ctim.org.my)  
 Ms Ramya (ext 119 / ramya@ctim.org.my)  
*General enquiries:*  
 Ms Ally (ext 123 / ally@ctim.org.my)

Please tick the relevant boxes

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<input type="checkbox"/> 8 June 2017	G Hotel, Penang		

### Participant's Contact Details

Full Name : \_\_\_\_\_ Company : \_\_\_\_\_  
 I/C Number : \_\_\_\_\_ Designation : \_\_\_\_\_  
 CTIM/ACCA Membership No : \_\_\_\_\_ Tel : \_\_\_\_\_  
 Company Address : \_\_\_\_\_ Fax : \_\_\_\_\_  
 \_\_\_\_\_ Email : \_\_\_\_\_  
 Vegetarian Mobile : \_\_\_\_\_

### Payment Method

I / we hereby enclose

- Cash** for Amount of RM \_\_\_\_\_
- Cheque** No. \_\_\_\_\_  
 For Amount of RM \_\_\_\_\_  
 (Non-refundable and made payable to "CTIM-CPE")
- Online Payment** via CIMB Clicks  
 (Please attach together the transaction slip)
- MASTER / VISA Credit Card**  
 For amount of RM \_\_\_\_\_  
 Please complete the credit card details

### Credit Card details

Card No \_\_\_\_\_ Expiry Date \_\_\_\_\_

Cardholder's Name ( as per credit card ) \_\_\_\_\_

\_\_\_\_\_ Cardholder's Signature  
 \_\_\_\_\_  
 Company Stamp & Signature \_\_\_\_\_ Date \_\_\_\_\_

### Replacements

Please note registrations for the event are not interchangeable but replacements are acceptable. Please notify us at least three days prior to the event if you intend to send a replacement. CPD points will be allocated to the designated attendee. If the replacement is not a Member but a Member's Firm Staff or Non-Member, the appropriate fees will apply.

### Cancellations

The Chartered Tax Institute of Malaysia must receive cancellations in writing five working days prior to the event. Refund amount is subject to deduction of administration and finance charges. No refund will be given for cancellations received within less than five working days of the event.

### Confirmation of Registration

The confirmation letter will be emailed 5 days before the commencement of the event upon receipt of full payment. In the event you do not receive the confirmation letter 5 days before the event, please contact us immediately.

### Disclaimer

The Organiser reserves the right to change the speaker, date, venue or to cancel the event if the number of participants is less than 20. A minimum of 3 days notice will be given.

### Recording

Video / Sound recording is strictly prohibited.