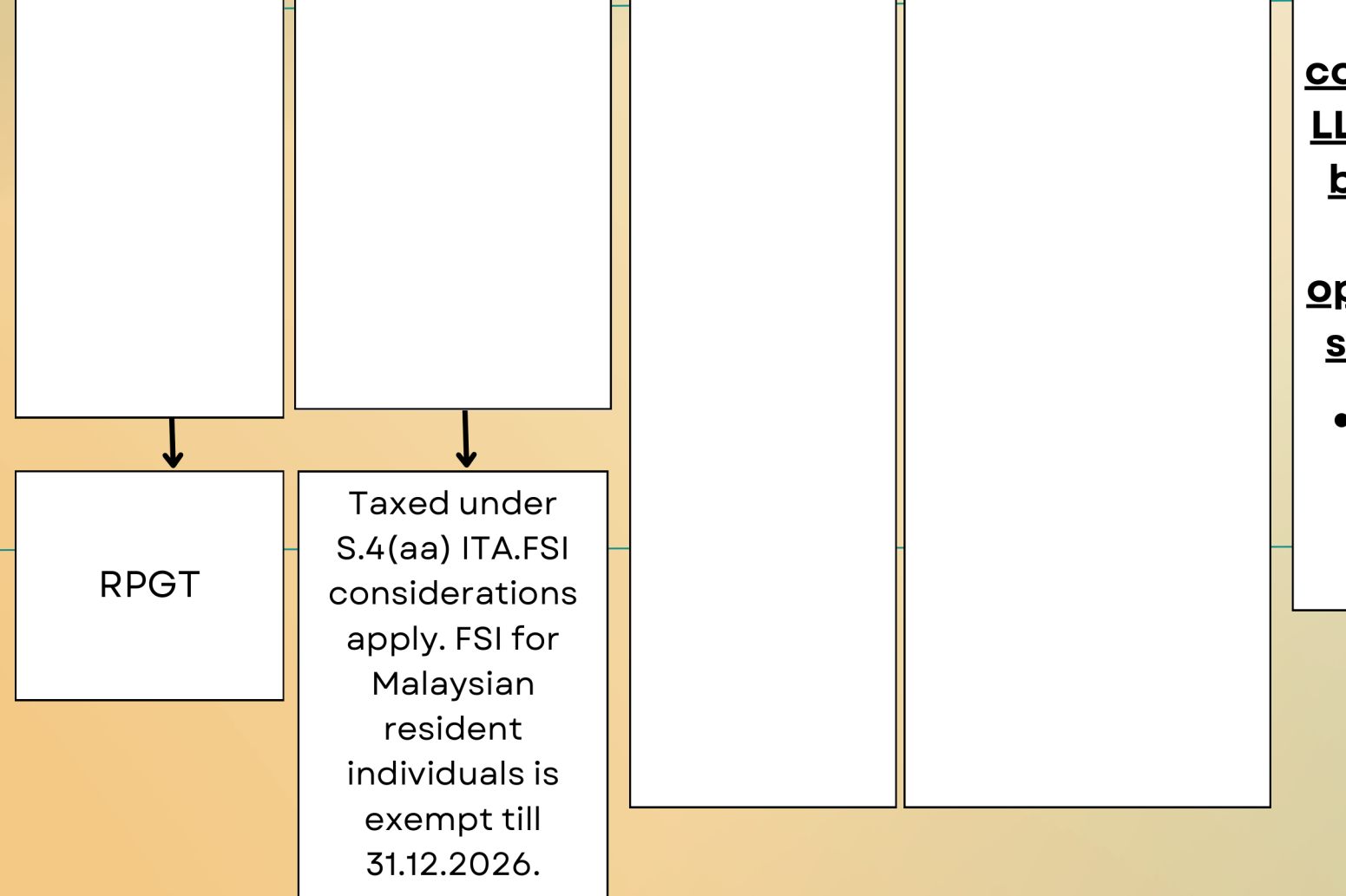
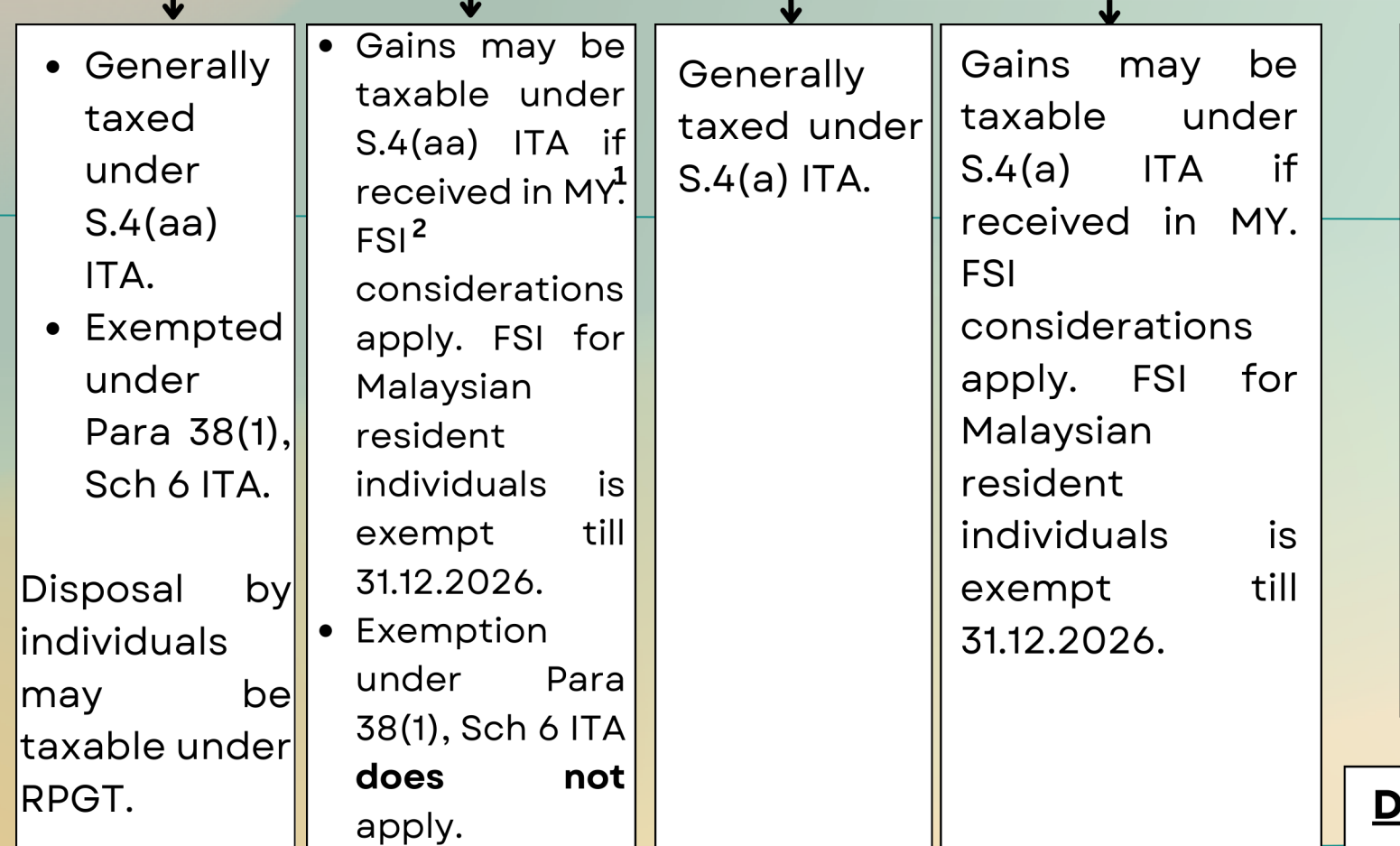
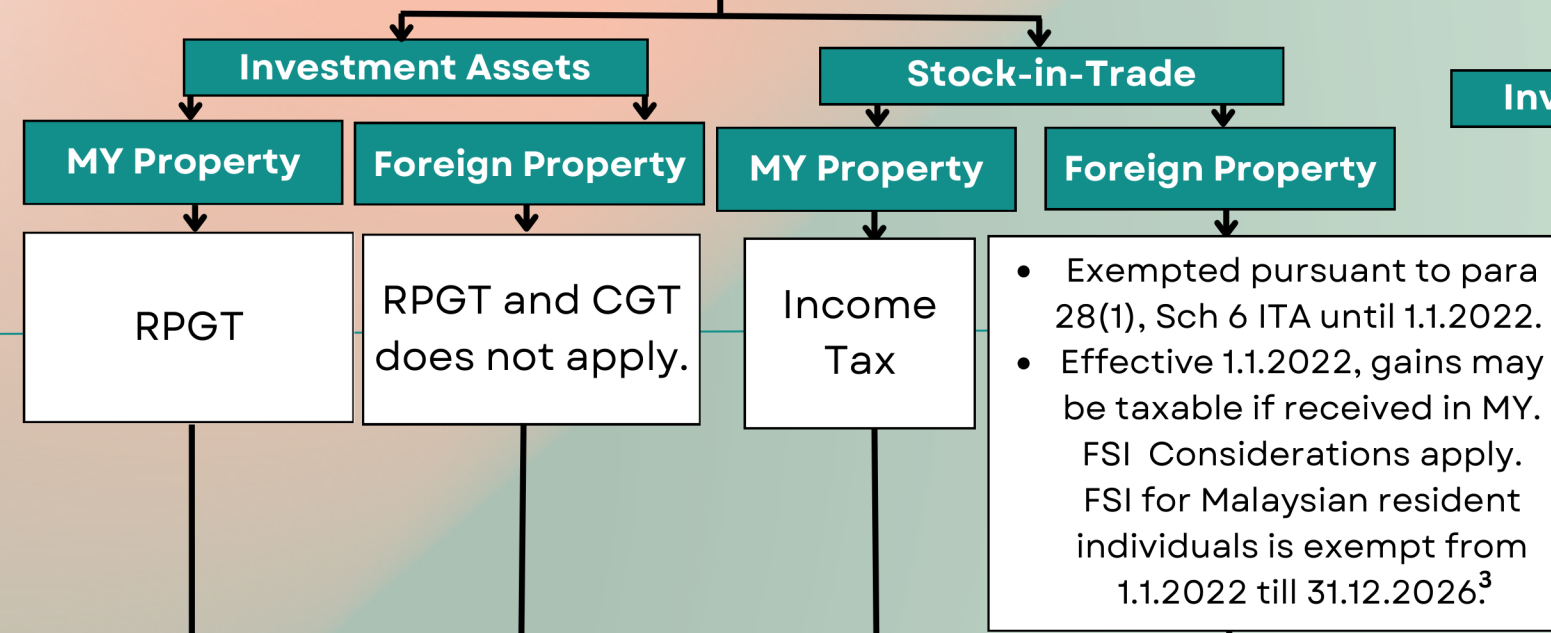
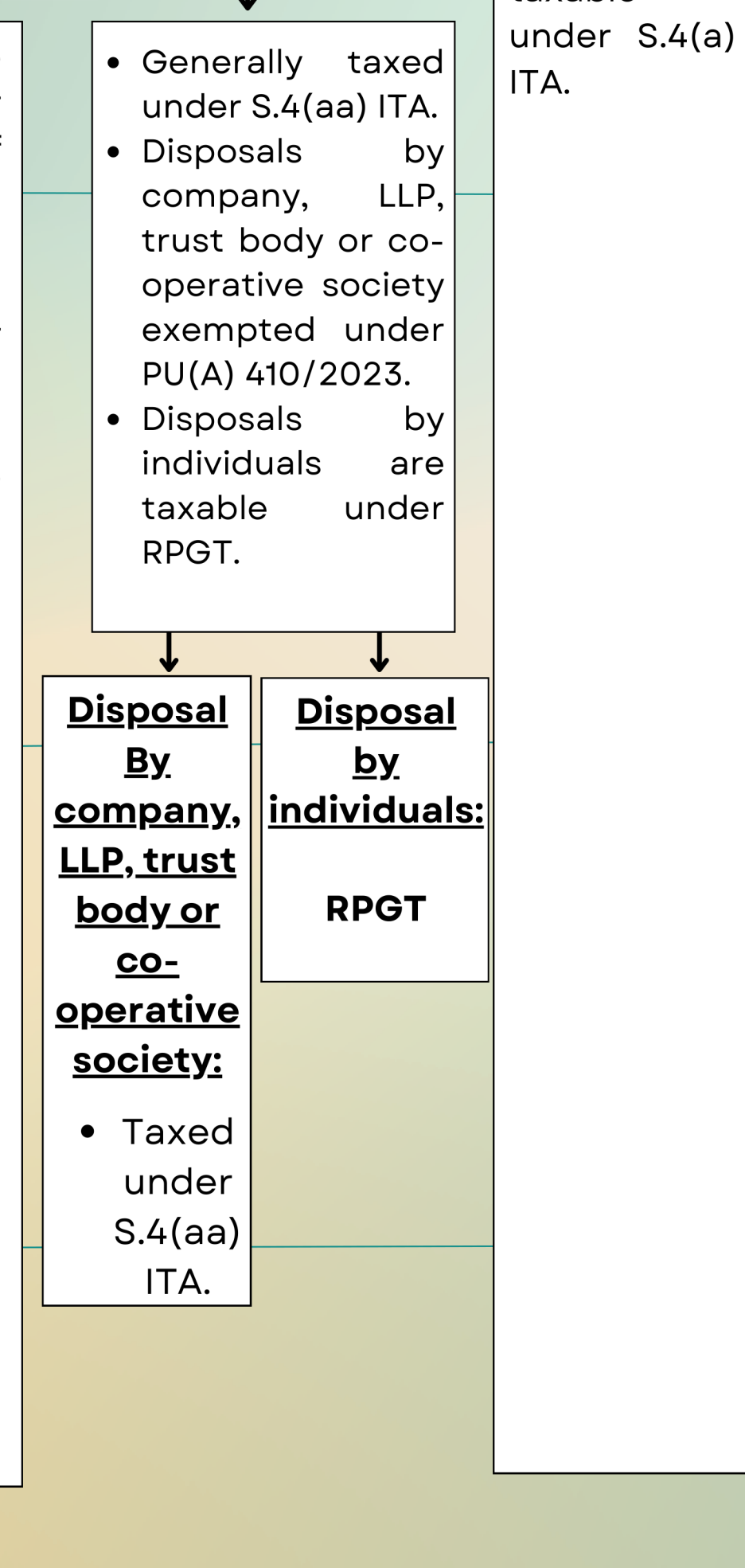
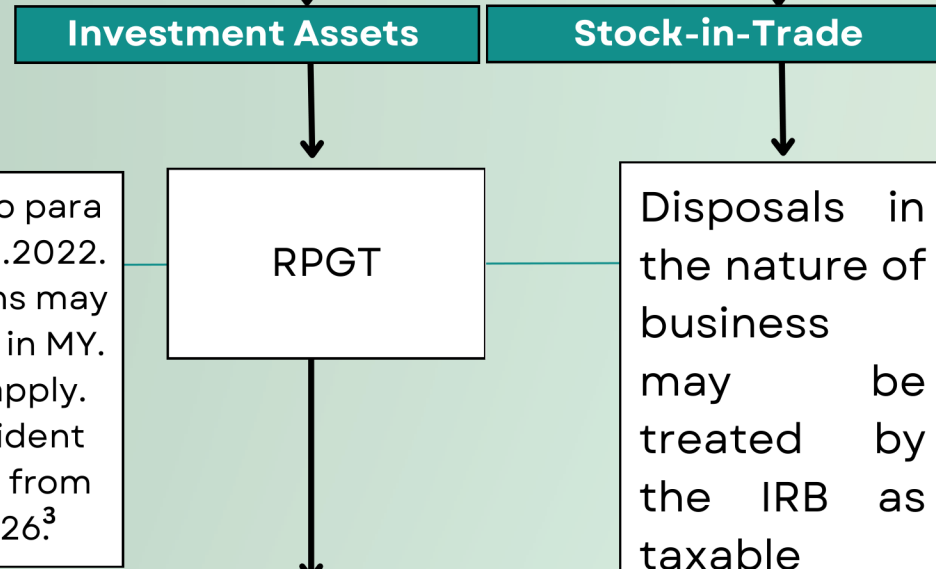


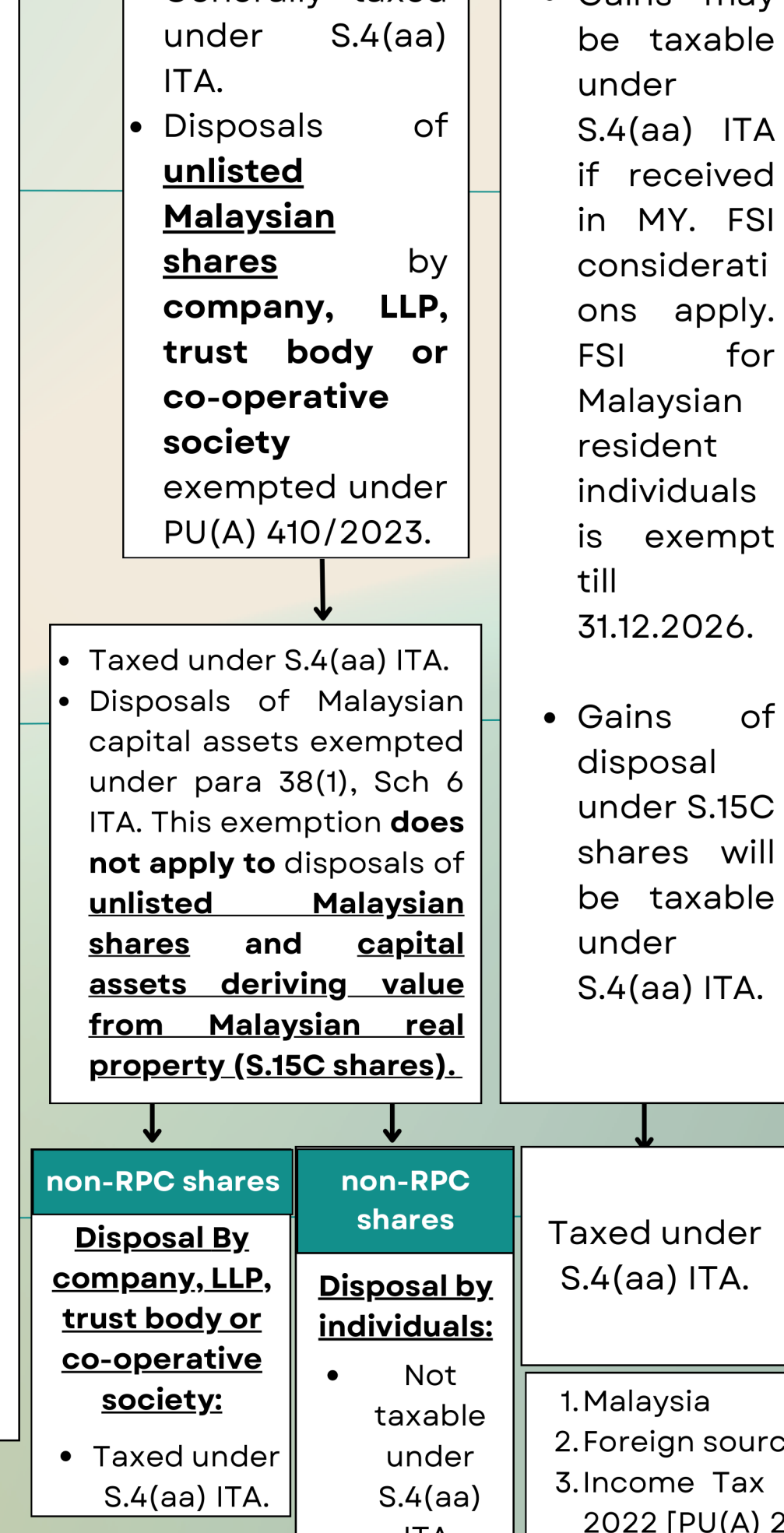
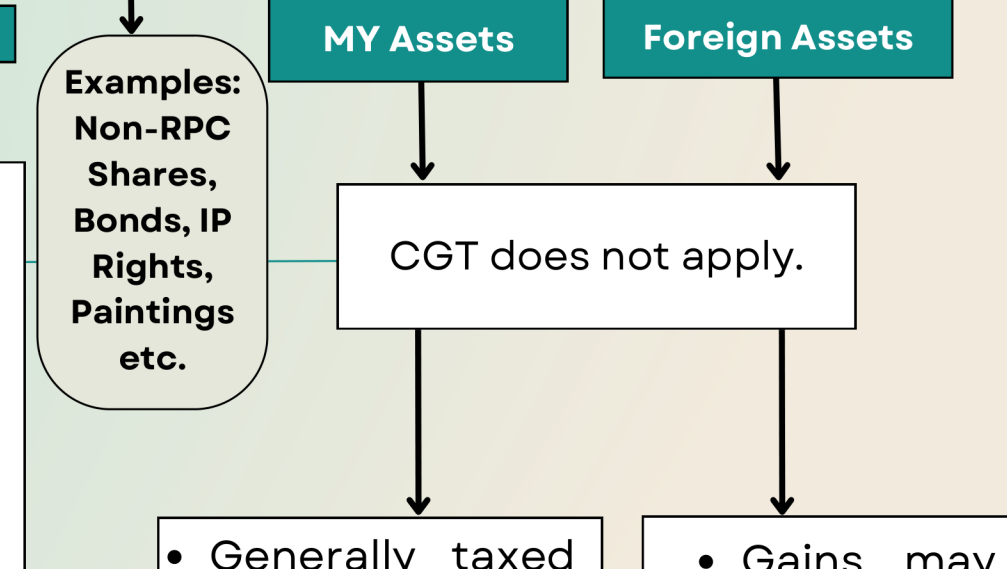
Real Property



RPC Shares



Other Capital Assets



Before Income Tax (Amendment) Act 2024:

- Capital assets refer to movable or immovable property including any rights or interests thereof;
- Para 38, Sch 6 ITA (Exemption for CGT) is inserted.

After Income Tax (Amendment) Act 2024 is gazetted on 20.5.2024 :

- Capital assets under the amended S.2 ITA refer to:
 - Movable or immovable property outside Malaysia, including any rights or interests thereof.
 - Unlisted Malaysian shares owned by a company, LLP, trust body or cooperative society.
- Para 38, Sch 6 ITA (Exemption for CGT) is deleted.

Footnote

1. Malaysia
2. Foreign sourced income
3. Income Tax (Exemption) (No. 5) Order 2022 [PU(A) 234/2022]
4. Finance (No. 2) Act 2023 [Act 851].
5. Income Tax (Exemption) (No. 7) Order 2023 [PU(A) 410/2023].
6. Income Tax (Amendment) Act 2024 [Act A1706].

Before 1.1.2024

1.1.2024 - 29.2.2024

- (Law gazetted 29.12.2023)⁴
- PU(A) 410/2023⁵ (effective till 29.2.2024)

1.3.2024 - 19.5.2024

- After effective period of PU(A) 410/2023
- Before Income Tax (Amendment) Act 2024 comes into effect

20.5.2024 onwards

(Law gazetted 20.5.2024)⁶

REAL PROPERTY

Investment Assets

Stock-in-Trade

MY Property

Foreign Property

MY Property

Foreign Property

Before 1.1.2024

RPGT

RPGT and CGT does not apply.

Income Tax

- Exempted pursuant to para 28(1), Sch 6 ITA until 1.1.2022.
- Effective 1.1.2022, gains may be taxable if received in MY. FSI Considerations apply. FSI for Malaysian resident individuals is exempt from 1.1.2022 till 31.12.2026.

1.1.2024 - 19.5.2024

- Generally taxed under S.4(aa) ITA.
- Exempted under Para 38(1), Sch 6 ITA.

- Gains may be taxable under S.4(aa) ITA if received in MY. FSI considerations apply. FSI for Malaysian resident individuals is exempt till 31.12.2026.
- Exemption under Para 38(1), Sch 6 ITA **does not** apply.

Generally taxed under S.4(a) ITA.

Gains may be taxable under S.4(a) ITA if received in MY. FSI considerations apply. FSI for Malaysian resident individuals is exempt till 31.12.2026.

Disposal by individuals may be taxable under RPGT.

20.5.2024 onwards

RPGT

Taxed under S.4(aa) ITA. FSI considerations apply. FSI for Malaysian resident individuals is exempt till 31.12.2026.

(Law gazttd 20.5.2024)

RPC Shares

Investment Assets

Stock-in-Trade

Before 1.1.2024

RPGT

1.1.2024 - 29.2.2024

- Generally taxed under S.4(aa) ITA.
- Disposals by company, LLP, trust body or co-operative society exempted under PU(A) 410/2023.
- Disposals by individuals may be taxable under RPGT.

- (Law gazetted 29.12.2023)
- PU(A) 410/2023 (effective till 29.2.2024)

1.3.2024 - 19.5.2024

Disposal By company, LLP, trust body or co-operative society:

Disposal by individuals:

- After effective period of PU(A) 410/2023
- Before Income Tax (Amendment) Act 2024 comes into effect

RPGT

20.5.2024 onwards

- Taxed under S.4(aa) ITA.

(Law gazetted 20.5.2024)

Disposals in the nature of business may be treated by the IRB as taxable under S.4(a) ITA.

Other Capital Assets

MY Property

Foreign Property

Examples:
Non-RPC Shares, Bonds,
IP Rights, Paintings etc.

Before 1.1.2024

CGT does not apply.

- Generally taxed under S.4(aa) ITA.
- Disposals of **unlisted Malaysian shares** by **company, LLP, trust body or co-operative society** exempted under PU(A) 410/2023.

- Gains may be taxable under S.4(aa) ITA if received in MY. FSI considerations apply. FSI for Malaysian resident individuals is exempt till 31.12.2026.

1.1.2024 - 29.2.2024

- (Law gazetted 29.12.2023)
- PU(A) 410/2023 (effective till 29.2.2024)

- Taxed under S.4(aa) ITA.
- Disposals of Malaysian capital assets exempted under para 38(1), Sch 6 ITA. This exemption **does not apply** to disposals of **unlisted Malaysian shares and capital assets deriving value from Malaysian real property (s.15C shares).**

- Gains of disposal under s.15C shares will be taxable under S.4(aa) ITA.

1.3.2024 - 19.5.2024

- After effective period of PU(A) 410/2023
- Before Income Tax (Amendment) Act 2024 comes into effect

20.5.2024 onwards

(Law gazetted 20.5.2024)

non-RPC shares	non-RPC shares
<p><u>Disposal By company, LLP, trust body or co-operative society:</u></p> <ul style="list-style-type: none"> • Taxed under S.4(aa) ITA. 	<p><u>Disposal by individuals:</u></p> <ul style="list-style-type: none"> • Not taxable under S.4(aa) ITA.

Taxed under S.4(aa) ITA.

CGT Rates under S.4(aa) ITA for disposal by company, LLP, trust body or cooperative society

1.1.2024 - 19.5.2024

Disposal of Malaysian capital asset

Acquired	
Before 1.1.2024	<ul style="list-style-type: none"> • 10% of chargeable income; or • 2% of gross disposal price
On or after 1.1.2024	<ul style="list-style-type: none"> • 10% of chargeable income

Disposal of foreign property, when the gains are received in MY

The prevailing rate applicable to the company, LLP, trust body or co-operative society

20.5.2024 onwards

**Disposal of unlisted Malaysian shares by company, co-operative society etc.
OR
Disposal of S.15C Shares**

Acquired	
Before 1.1.2024	<ul style="list-style-type: none"> • 10% of chargeable income; or • 2% of gross disposal price
On or after 1.1.2024	<ul style="list-style-type: none"> • 10% of chargeable income

Disposal of Foreign property (other than S.15C shares), when the gains are received in MY

The prevailing rate applicable to the company, LLP, trust body or co-operative society