



# TaXavvy

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## Movement Control Order - Frequently Asked Tax Questions (updated on 26 March 2020)



[www.pwc.com/my/tax](http://www.pwc.com/my/tax)

## Movement Control Order (MCO) - FAQs on Tax

The IRB has updated its FAQs on Tax on 26 March 2020 to take into account the extension of the MCO period to 14 April 2020.

The revised FAQs dated 26 March 2020 retains most of the extension of time given under the previous FAQs (latest version dated 25 March 2020 covering the original MCO period of 18 March to 31 March 2020). In general, there is **no change to the extended due date of 30 April 2020** for most tax obligations including the submission of returns/forms/notification and payments which are due within the extended MCO period.

Changes made to the FAQs are set out below (changes and new items are denoted in **pink bolded** fonts):

Item	FAQ reference
<b>Withholding tax</b>	
<i>How is withholding tax (WHT) paid during the MCO period?</i>	D8
<ul style="list-style-type: none"><li>Where the WHT payment due date falls within the MCO period, the payment can be made <b>from 15 April 2020</b> to 30 April 2020 (previously from 1 April 2020 to 30 April 2020).</li><li>Payment can also be made via Telegraphic Transfer and the transaction details are to be submitted to IRB via fax (03-6201 9637) or email (<a href="mailto:HelpTTPayment@hasil.gov.my">HelpTTPayment@hasil.gov.my</a>).</li></ul>	
<b>Tax audit or investigation</b>	
<i>Will an extension of time be given if taxpayers are required to provide feedback to IRB's letters within the period of 18 March 2020 until 29 April 2020*?</i>	A3
Extension of time will be given until 30 April 2020.	
<b>* The period covered was previously 18 March 2020 to 31 March 2020</b>	



Item	FAQ reference
<b>Tax appeals</b>	
<p><i>Will extension of time be given for the submission of Notice of Appeal to the Special Commissioners of Income Tax (SCIT) [Form Q] where the due date falls within this period?</i></p> <p>Extension of time will be given until 30 April 2020.</p>	C3
<p><b>Note: The FAQ is now silent on whether a Form N needs to be submitted. In the IRB's previous FAQs dated 25 March 2020, the IRB has stated that there is no need to submit the application form (i.e. Form N) for extension of time.</b></p>	
<b>Country-by-Country Reporting (CbCR)</b>	
<p><i>Is there any extension of time for the submission of CbCR which is due during the MCO Period?</i></p> <p>The deadline for submission is extended to <b>15 May 2020</b> (previously 30 April 2020) for:</p> <ul style="list-style-type: none"> <li>the Malaysian entity to file the CbCR that are originally due on 31 March 2020 <b>and 30 April 2020*</b>, and</li> <li>the constituent entity to file the notification for CbCR which are originally due on 31 March 2020 <b>and 30 April 2020*</b>.</li> </ul>	C4
<p><b>* The new grace period of up to 15 May 2020 is now extended to submissions with original deadline of 30 April 2020.</b></p>	
<b>Employer's obligations</b>	
<p><i>How does an employer submit the Forms CP21, CP22, CP22A or CP22B during the MCO Period?</i></p> <p>These forms can be submitted <b>from 15 April 2020</b> (previously from 1 April 2020).</p>	C5
<p><i>Will extension of time be given to submit data and payment of Monthly Tax Deduction (MTD) / CP38 on remuneration from employment for the month of March 2020?</i></p> <p><b>Extension of time will be given until 30 April 2020.</b></p>	<b>New D10</b>



Item	FAQ reference
<b>Stamp duty</b>	
<p><i>How can an individual's whose business is not registered with SSM submit its documents for stamping during the MCO Period?</i></p> <p>Stamping cannot be done during the MCO Period. Stamping must be done manually over the counters at any Stamp Offices / Revenue Service Centres / Johor Bahru UTC <b>after 14 April 2020</b> (previously <b>after 31 March 2020</b>). For documents which should be duly stamped during the MCO Period, no penalty shall be imposed if the instrument is duly stamped by 30 April 2020.</p>	F5
<b>Others</b>	
<p><b>Certificate of Residence</b></p> <p><i>If the application for Certificate of Residence via e-Residence is not workable due to the requirement to submit supporting documents, is there any alternative method?</i></p> <p>The application can be submitted manually <b>from 15 April 2020</b> (previously from 1 April 2020) onwards. Applications which cannot be delayed can be sent to the following e-mail address: <a href="mailto:lhdn_int@hasil.org.my">lhdn_int@hasil.org.my</a>. The IRB has provided this <a href="#">link</a> for further information.</p>	C6
<p><b>Tax Clearance Letter</b></p> <p><i>How do I apply for Tax Clearance Letter or Surat Penyelesaian Cukai (SPC) during the MCO period?</i></p> <p>The application for SPC can be made either:-</p> <ul style="list-style-type: none"> <li>• online via e-SPC any time, or</li> <li>• at IRB office <b>from 15 April 2020</b> (previously from 1 April 2020).</li> </ul> <p>The application will be processed <b>from 15 April 2020</b> onwards (previously from 1 April 2020 onwards).</p> <p>Comment: There is an Operational Guideline on Application for tax clearance letter for company, Limited Liability Partnership and Labuan entity (GPHDN 2/2019) issued by IRB on 12 November 2019.</p>	C7
<p><b>Tax deduction</b></p> <p><i>Is donation to the Covid-19 Fund allowed as tax deduction?</i></p> <p>Yes. Please refer to the IRB's <a href="#">Press Release dated 26 March 2020</a> for details.</p>	New A4

The IRB's FAQ can be downloaded from the IRB's website [www.hasil.gov.my](http://www.hasil.gov.my) (Homepage > Announcement).

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