

Capital Gains Tax Return Form (CGTRF) Filing Programme

CAPITAL GAINS TAX RETURN FORM (CGTRF) FILING PROGRAMME WITH EFFECT FROM 1st MARCH 2024

- Effective from 1st January 2024, company, limited liability partnership, trust body and co-operative society which receives gains or profits from the disposal of capital asset consisting of:
 - share of a company incorporated in Malaysia not listed on the stock exchange; or
 - share of a controlled company incorporated outside Malaysia which owns real property situated in Malaysia or shares of another controlled company or both,
 are subjected to capital gains tax under the Income Tax Act 1967.

Labuan entity (Labuan Company, Labuan Limited Liability Partnership, Labuan Foundation and Trust) that are or subject to taxation under the ITA 1967 are subject to the imposition of Capital Gains Tax. Refer to Guide I for further info.
- Taxpayers are required to submit CGTRF through e-Filing (e-CKM Form). Kindly visit MyTax portal at <https://mytax.hasil.gov.my> (<https://mytax.hasil.gov.my>).
- Tax agents are required to submit CGTRF through Tax Agent e-Filing System (TAeF) version 2.0. Kindly visit MyTax portal at <https://mytax.hasil.gov.my> (<https://mytax.hasil.gov.my>).

COMPANY, LIMITED LIABILITY PARTNERSHIP, TRUST BODY AND CO-OPERATIVE SOCIETY - For disposal effective from 1st March 2024

No.	File Type	Category of Taxpayer	Due Date for Submission of CGTRF according to ITA 1967	Availability of e-Filing System for:		Guide Notes on CGTRF Submission
				Taxpayers	Tax Agents (TAeF)	

COMPANY, LIMITED LIABILITY PARTNERSHIP, TRUST BODY AND CO-OPERATIVE SOCIETY - For disposal effective from 1st March 2024

1.	C	Company	Within 60 days from the date of disposal of capital asset	1st March 2024	Refer to Guide Notes
2.	PT	Limited Liability Partnership			
3.	TC	Unit Trust / Property Trust			

4.	CS	Co-operative Society
5.	TA	Trust Body
6.	TR	Real Estate Investment Trust
7.	TN	Business Trust

CGTRF SUBMISSION GUIDE NOTES

CGTRF SUBMISSION GUIDE NOTES

No.	Items	Guidance Notes
1.	CGTRF Submission	<p>i. Tax Imposition On Gains Capital Asset Disposal</p> <p>Effective from 1st January 2024, a company, limited liability partnership, trust body and cooperative society which receives gains or profits from the disposal of a capital asset consisting of:</p> <ol style="list-style-type: none"> share of a company incorporated in Malaysia not listed on exchange; or share of a controlled company incorporated outside Malaysia which owns real property in Malaysia or shares in a controlled company or body <p>are subjected to Capital Gains Tax under the Income Tax Act 1967.</p> <p>A Labuan entity (Labuan Company, Labuan Limited Liability Partnership, Labuan Foundation and Trust) that elect or subject to taxation under the ITA 1967 is not subject to the imposition of Capital Gains Tax.</p>

Submission of CGTRF payment of Capital Gains shall be made within 60 from the date of disposal of capital asset.

ii. Exemption Period

Company, limited liability partnership, trust body and operative society who dispose

- a. share of a company incorporated in Malaysia not listed on exchange; or
- b. share of a controlled company incorporated outside Malaysia which owns real property in Malaysia or shares in a controlled company or business

are **exempt** from Capital Gain tax **for the period of 1st January 2024 to 29th February 2024.**

Taxpayer is **not** required to submit CGTRF for the disposal of capital assets within the exemption period.

iii. CGTRF For Reference Purpose

For reference, CGTRF Explanatory Notes can be downloaded from the HASiL portal from 31st January 2024.

iv. Responsibility for CGTRF Submission

Chargeable person according to the provisions of section 6 and section 75B are responsible to submit CGTRF.

The appointed representative is responsible to submit CGTRF on behalf of the taxpayer. Appointed representatives are assessable and chargeable to tax and the payment of tax charged.

A licensed tax agent under section 153 of the ITA 1967 can be appointed for the purpose of submitting CGTRF

v. Tax Reporting

Taxpayers are required to submit CGTRF through e-Filing (e-Form). Kindly visit MyTax portal <https://mytax.hasil.gov.my> (<https://mytax.hasil.gov.my>) to access e-CKM Form from March 2024.

Taxpayers shall have a MyTax Identification Number (TIN) and a Digital Certificate to access e-CKM

2.

Working Sheets / Supporting Documents

Working Sheets / Supporting Documents

Working sheets / Supporting Documents used for computation need not be submitted together with the CGTRF. Worksheets / Supporting Documents shall be kept for a period of 7 years after the end of the year in which the CGTRF is furnished to the Director General of Inland Revenue.

All documents including documents related to tax relief claims under section 132 and 133 of the Income Tax Act 1967 have to be furnished only if requested for the purpose of audit.

3.

Concession for the Payment of Tax under Subsection 103(2) of ITA 1967

Grace Period for the Payment of Tax

For assessments raised under sections 91, 96A and subsections 90(3), 101(2) of ITA 1967, the tax / balance of tax shall be paid within 30 days from the date of assessment. Nevertheless, a grace period of 7 days is given.

Published on 15 January 2024

Hit(s) : 3704

Updated : 15 / 01 / 2024 19: 06: 04