

**HASiL - Capital Gains Tax Return Form (CGTRF) Filing Programme (Published on 15 January 2024)**

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

1. 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:
  - i. share of a company incorporated in Malaysia not listed on the stock exchange; or
  - ii. 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 elect or subject to taxation under the ITA 1967 are subject to the imposition of Capital Gains Tax. Refer to Guide Notes for further info.

2. Taxpayers are required to submit CGTRF through e-Filing (e-CKM Form). Kindly visit MyTax portal at <https://mytax.hasil.gov.my>.
3. 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>.

**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.	<b>C</b>	Company	Within 60 days from the date of disposal of capital asset	1st March 2024	Refer to Guide Notes
2.	<b>PT</b>	Limited Liability Partnership			
3.	<b>TC</b>	Unit Trust / Property Trust			
4.	<b>CS</b>	Co-operative Society			
5.	<b>TA</b>	Trust Body			
6.	<b>TR</b>	Real Estate Investment Trust			
7.	<b>TN</b>	Business Trust			

## CGTRF SUBMISSION GUIDE NOTES

No.	Items	Guidance Notes
1.	CGTRF Submission	<p><b>i. Tax Imposition On Gains Of Capital Asset Disposal</b>                      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:</p> <ul style="list-style-type: none"> <li>a. share of a company incorporated in Malaysia not listed on the stock exchange; or</li> <li>b. share of a controlled company incorporated outside Malaysia which owns real property situated in Malaysia or shares of another controlled company or both,</li> </ul> <p>are subjected to Capital Gains Tax under the Income Tax Act 1967.</p> <p>Labuan entity (Labuan Company, Labuan Limited Liability Partnership, Labuan Foundation and Trust) that elect or subject to taxation under the ITA 1967 are subject to the imposition of Capital Gains Tax.</p> <p><b>Submission of CGTRF and payment of Capital Gains Tax shall be made within 60 days from the date of disposal of the capital asset.</b></p> <p><b>ii. Exemption Period</b>                      Company, limited liability partnership, trust body and co-operative society who dispose of –</p> <ul style="list-style-type: none"> <li>a. share of a company incorporated in Malaysia not listed on the stock exchange; or</li> <li>b. share of a controlled company incorporated outside Malaysia which owns real property situated in Malaysia or shares of another controlled company or both,</li> </ul> <p>are <b>exempt</b> from Capital Gains Tax <b>for the period of 1st January 2024 to 29th February 2024.</b></p> <p>Taxpayer is <b>not</b> required to submit CGTRF for the disposal of that capital assets within the above period.</p> <p><b>iii. CGTRF For Reference Purposes</b>                      For reference, CGTRF and Explanatory Notes can be downloaded from the HASiL portal from 31st January 2024.</p> <p><b>iv. Responsibility for CGTRF Submission</b>                      Chargeable person according to the provisions of section 66 to section 75B are responsible to submit CGTRF.</p> <p>The appointed representatives are responsible to submit CGTRF on behalf of the taxpayer. The representatives are assessable and chargeable to tax and the payment of tax charged.</p> <p>A licensed tax agent under section 153 of the ITA 1967 can be appointed for the purpose of submitting CGTRF</p>

		<p><b>v. Tax Reporting</b></p> <p>Taxpayers are required to submit CGTRF through e-Filing (e-CKM Form). Kindly visit MyTax portal at <a href="https://mytax.hasil.gov.my">https://mytax.hasil.gov.my</a> to access e-CKM Form from 1st March 2024.</p> <p>Taxpayers shall have a Tax Identification Number (TIN) and Digital Certificate to access e-CKM.</p>
2.	Working Sheets / Supporting Documents	<p><b>Working Sheets / Supporting Documents</b></p> <p>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.</p> <p>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.</p>
3.	Concession for the Payment of Tax under Subsection 103(2) of ITA 1967	<p><b>Grace Period for the Payment of Tax</b></p> <p>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.</p>

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