



TAX

Understanding Withholding Tax

6 March 2018
One World Hotel,
Petaling Jaya

kpmg.com/my



Workshop Objective

The Finance Act 2017 has made some interesting changes to the Malaysian withholding tax regime, particularly with the widening of the withholding tax scope in relation to payment to non-residents in respect of services rendered offshore. Previously, only services rendered in Malaysia by non-residents were taxed. Another change sees the imposition of royalty withholding tax on any payment for the use of software to non-residents.

However, as the above amendment on taxing the payment to non-residents irrespective of whether the services were performed in or outside Malaysia was generally not well received favourably, the Ministry of Finance ("MOF") has recently released an exemption order namely the Income Tax (Exemption) (No.9) Order 2017 which reverses the law that came into force nine months ago in January 2017.

Apart from the above, the withholding tax provisions under the Income Tax Act 1967 ("the Act") place tremendous demand on the payers and hence, a good understanding of the Malaysian withholding tax regime is critical to avoid any potential of non-compliance penalties and might even reduce the cost of doing business!

Let us assist you to have a better understanding on the changes made to the withholding tax regime and support you in complying with the withholding tax obligations particularly, by taking you through the latest changes made together with the Practice Notes issued by the Malaysia Inland Revenue Board ("MIRB") which provide guidance and clarification on the implementation of the amendments to Section 15A of the Act as well as the latest tax cases on withholding taxes.

Speakers



Wan Yan Yoong, Executive Director

Having been with KPMG Tax Services Sdn Bhd for more than 24 years, Wan services public listed companies and multinational corporations in a broad range of industries, including leasing, stockbroking, mining, manufacturing, trading, property development, oil and gas, air and shipping transport services. Wan has also been involved in corporate tax compliance and advised clients on corporate tax, withholding tax, Real Property Gains Tax ("RPGT") and stamp duty as well as numerous tax diagnostic review exercises for the banking and communication industries, as well as restructuring exercises involving amalgamation and reconstruction of companies. He is an approved HRDF Certified Trainer and has been involved in conducting training courses both internally and externally.

Wan is a fellow member of the Institute of Chartered Accountants in England & Wales and the Association of Chartered Certified Accountants, United Kingdom. He is also an approved tax agent under Section 153 of the Income Tax Act 1967.



Elin Chen, Associate Director

Elin joined KPMG in 2012. Prior to that, Elin spent 12 years working for two big four accountancy firms in Malaysia. Elin has over 18 years of experience in assisting her clients on corporate income tax compliance matters. Elin's experience includes assisting clients with their corporate tax compliance matters in Malaysia and liaising regularly with the MIRB on various tax issues. Elin has been involved in tax due diligence review on companies subject to acquisition, takeovers and merger. Elin has also involved in the application of tax incentive with the Malaysian Investment Development Authority ("MIDA"), advice on group restructuring, the application of stamp duty exemption as well as involved in RPGT and Goods and Services Tax ("GST").

Elin clients' comprise of public listed and multinational companies from various industries, namely manufacturing, consumer market, trading, investment holdings, plantation, property development, construction, hospital, hotel, pharmaceutical, education and financial industry.



Gan Wei Nee, Manager

Wei Nee joined KPMG in 2010 and has a good knowledge and experience on the practical aspects of corporate taxation in Malaysia.

She has various corporate tax advisory experiences which includes conducting financial due diligence review, application of tax exemption, advising on tax implications arising from mergers and acquisitions, restructuring exercise, cross border transactions, etc. In the course of carrying these assignments, she is also required to liaise with the MIRB, MOF and other regulatory authorities regarding tax related issues on behalf of clients.

Wei Nee handles a portfolio of listed and multinational companies from various industries, namely banking, insurance, leasing, pharmaceutical, trading, manufacturing, investment holding, hotel, construction, property development, fund management and etc.

Workshop Highlights

- Overview of withholding tax regime
- Various types of withholding tax
- Consequences of non-compliance
- Double taxation agreements and OECD
- Impact of Finance Act 2017 and the Exemption Order on withholding tax
- Latest tax cases on withholding tax
- Practical issues and case studies

Workshop Details

Date : 6 March 2018
Time : 8:30 a.m. to 5:30 p.m.
Venue : One World Hotel, First Avenue,
Bandar Utama City Centre,
Petaling Jaya, Selangor

Who Should Attend?

- **Finance managers**
- **Accountants**
- **Tax Managers & Executives**



Agenda

8.30 a.m. – 9.00 a.m.

Breakfast and Registration

9.00 a.m. – 10.30 a.m.

Welcome and Introduction
Overview of withholding tax regime
Various types of withholding tax
Case studies

10.30 a.m. – 10.45 a.m.

Tea break

10.45 a.m. – 12.30 p.m.

Various types of withholding tax (Cont'd)
Consequences of non-compliance
Double taxation agreements / OECD
Case studies

12.30 p.m. – 2.00 p.m.

Lunch

2.00 p.m. – 3.30 p.m.

Impact of Finance Act 2017 & the Exemption Order on
withholding tax
Case studies

3.30 p.m. – 3.45 p.m.

Tea break

3.45 p.m. – 5.00 p.m.

Latest tax cases on withholding tax
Practical issues
Case studies


5.00 p.m. – 5.30 p.m.

Q&A

Registration Form

(Please photocopy the registration form, if necessary)

Registration: Understanding Withholding Tax– 6 March 2018

FOR ENQUIRY:		Online Registration 
nkassim@kpmg.com.my Ms. Nora Kassim at 03-7721 7122	haleenaazman@kpmg.com.my Ms. Haleena Azman at 03-7721 7273	

Delegate Details

Name: _____ Salutation: _____ Designation: _____ Organisation: _____ Tel: _____ Fax: _____ Email: _____ Postal Address: _____ _____	<input type="checkbox"/> For participants who are alumni members please indicate in the box <input type="checkbox"/> For participants who are vegetarians, please indicate in the box
Name: _____ Salutation: _____ Designation: _____ Organisation: _____ Tel: _____ Fax: _____ Email: _____ Postal Address: _____ _____	<input type="checkbox"/> For participants who are alumni members please indicate in the box <input type="checkbox"/> For participants who are vegetarians, please indicate in the box
Name: _____ Salutation: _____ Designation: _____ Organisation: _____ Tel: _____ Fax: _____ Email: _____ Postal Address: _____ _____	<input type="checkbox"/> For participants who are alumni members please indicate in the box <input type="checkbox"/> For participants who are vegetarians, please indicate in the box

CPE

Certificate of attendance will be issued for 8 CPE hours.

Fees & Payment

- RM1,060 per participant
- 10% discount for registration of two or more participants under the same company or group of companies / KPMG alumni members
- HRDF application may be made under the Skim Bantuan Latihan, subject to approval by Pembangunan Sumber Manusia Berhad.

Cheques should be crossed and made payable to **KPMG Tax Services Sdn Bhd.**

I/We enclose payment of RM _____ via Cheque/Bank Draft no. _____ payable to **KPMG Tax Services Sdn. Bhd.**

- * Registration fee is inclusive of training materials, refreshments and lunch. The fee also includes 6% GST.
- ** Please note that limited seating is available for this workshop to encourage interactive discussion. Registration is on a first-come-first-served basis.

Cancellation

- A substitute delegate is welcome at no extra charge if the registered participant is unable to attend.
- No refund will be given for cancellations received less than **14 working days** before the workshop date.

