

SULIT



**BAHAGIAN PEPERIKSAAN DAN PENILAIAN
JABATAN PENDIDIKAN POLITEKNIK DAN KOLEJ KOMUNITI
KEMENTERIAN PENDIDIKAN MALAYSIA**

JABATAN PERDAGANGAN

PEPERIKSAAN AKHIR

SESI JUN 2018

DPA5033: MALAYSIAN TAXATION 2

TARIKH : 31 OKTOBER 2018

MASA : 11.15 PAGI - 1.15 TENGAHARI (2 JAM)

Kertas ini mengandungi **LIMA BELAS (15)** halaman bercetak.

Struktur (4 soalan)

Dokumen sokongan yang disertakan : Jadual Cukai

JANGAN BUKA KERTAS SOALAN INI SEHINGGA DIARAHKAN

(CLO yang tertera hanya sebagai rujukan)

SULIT

INSTRUCTION:

This section consists of **FOUR (4)** structured questions. Answer **ALL** the questions.

ARAHAN:

Bahagian ini mengandungi EMPAT (4) soalan berstruktur. Jawab SEMUA soalan.

QUESTION 1

CLO1
C1

- (a) State **FIVE (5)** types of partners in a partnership.

[5 marks]

CLO1
C2

- (b) (i) Explain the tax treatment on capital allowance in partnership.

[5 marks]

- (ii) Explain the tax treatment on donation made by the partnership business.

[5 marks]

- (c) Hani, Tini and Yati who are partners and operate a fast food business since 2012. Their partnership known as Hatiya Enterprise. The term of the partnership for the year of assessment 2017 are as follows.

	Hani	Tini	Yati
Partners Salary (monthly)	RM4,000	RM3,000	RM3,000
Profit sharing Ratio	4/10	3/10	3/10
Interest on capital (yearly)	8%	8%	8%
Capital Contribution	RM40,000	RM30,000	RM30,000

On 1 October 2017, Yati quit from the partnership and withdraw all of her capital. The partnership invited Yana to become a partner on 1 November 2017. Commencing from that date, the new terms of agreement are as follows:

	Hani	Tini	Yana
Partners Salary (monthly)	RM4,000	RM3,000	RM2,000
Profit Sharing Ratio	4/10	4/10	2/10
Interest on Capital (yearly)	8%	8%	8%
Capital Contribution	RM40,000	RM40,000	RM20,000

Additional information:

- The provisional adjusted income for the partnership for the year of assessment 2017 is RM346,800.
- Miscellaneous expenses also included repair expenses of Hani's car for RM400, and for medical bill of Tini worth RM500.

CLO1
C3

You are required:

Compute the Divisible Income of the partnership for the year of assessment 2017. (Round up your calculation)

[10 marks]

SOALAN 1CLO1
C1

- (a) Nyatakan **LIMA (5)** jenis pekongsi dalam perkongsian

[5 markah]

CLO1
C2

- (b) (i) Terangkan layanan percukaian ke atas elaun modal dalam perkongsian

[5 markah]

- (ii) Terangkan layanan percukaian ke atas derma yang dibuat oleh perniagaan perkongsian.

[5 markah]

CLO1
C3

- (c) *Hani, Tini and Yati* merupakan pekongsi telah menjalankan perniagaan makanan segera semenjak tahun 2012 .Perkongsian mereka dikenali sebagai *Hatiya Enterprise*. Terma perkongsian bagi tahun 2017 adalah seperti berikut:

	<i>Hani</i>	<i>Tini</i>	<i>Yati</i>
<i>Gaji pekongsi (bulanan)</i>	RM4,000	RM3,000	RM3,000
<i>Nisbah pembahagian untung</i>	4/10	3/10	3/10
<i>Faedah atas modal (tahunan)</i>	8%	8%	8%
<i>Sumbangan modal</i>	RM40,000	RM30,000	RM30,000

Pada 1 Oktober 2017, *Yati* telah keluar dari perkongsian dan mengeluarkan Semua modal beliau. Kemudian perkongsian telah menjemput *Yana* untuk menjadi pekongsi baru pada 1 November 2017. Bermula pada tarikh tersebut , terma perjanjian baru adalah seperti berikut:

	<i>Hani</i>	<i>Tini</i>	<i>Yana</i>
<i>Gaji Pekongsi (bulanan)</i>	RM4,000	RM3,000	RM2,000
<i>Nisbah pembahagian untung</i>	4/10	4/10	2/10
<i>Faedah atas modal (tahunan)</i>	8%	8%	8%
<i>Sumbangan Modal</i>	RM40,000	RM40,000	RM20,000

Maklumat tambahan:

- Pendapatan terlaras sementara bagi perkongsian bagi tahun taksiran 2017 adalah RM346,800.*
- Belanja pelbagai termasuk belanja baiki kereta Hani RM400 dan bil perubatan Tini bernilai RM500.*

Anda dikehendaki:

Mengira Pendapatan Boleh diBahagikan untuk perkongsian bagi tahun taksiran 2017. (Bundarkan jawapan anda)

[10 markah]

QUESTION 2CLO1
C2

- (a) State whether each expenses given below is 'Allowable', 'Non Allowable' or 'Double Deduction' expenses.

- i. Statutory audit and tax compliance fees
- ii. Repair on the roof of a factory building which was damaged
- iii. International trade fair held in Malaysia for the promotion of exports approved by MITI
- iv. Legal expenses for renewal of loan
- v. Rental and other related expenses to rental but not exclusively for business premises

[5 marks]

CLO1
C3

- (b) Syukur Tech Sdn Bhd (Syukur), a company with a paid up share capital of RM1.9 million on 1 July 2016 closed its accounts annually to 30 June. Syukur manufactures high technology equipment.

Syukur's statement of comprehensive income for the financial year ended 30 June 2017 is as follows:

Syukur Tech Sdn. Bhd**Statement of Comprehensive Income for the Year ended 30 June 2017**

	Note	RM'000s	RM'000s
Sales			42,000
Less: Cost of sales	1		(33,000)
Gross profit			<u>9,000</u>
Add: Other income			
Dividend income		12	
Compensation received in breach of business contract		75	87
			<u>9,087</u>
Less: Expenses			
Company secretarial fees		10	
Finance charges	2	10	

Marketing expenses	3	220	
Salaries	4	6,016	
Tax filling fees (paid to approved tax agent)		19	(6,275)
Profit before tax			<u>2,812</u>

Notes to the account:

1. Cost of sales includes

RM'000

- Depreciation of plant, property and equipment 12,000
- Payment to approved research and development (R&D)
company comprise of:
 - i. Materials for research project 150
 - ii. Research staff salaries 1,000
 - iii. Cost of plant and machinery for R&D 50

2. Finance charges:

Interest expense arising from the bank loan for investment to earn the dividend income.

3. Marketing expenses comprise:

- Souvenir with company's logo for a customer's annual dinner amounted RM87,000
- Sponsorship of local football league entitling Syukur to have free advertisement showcasing the company logo and products amounted RM33,000
- Cash donation to unapproved institution amounted RM100,000

4. Salaries include remuneration of RM12,000 for a certified disabled staffs by the relevant authority.

5. The capital allowances for the year of assessment 2017 have been computed at RM137,000.

You are required to:

Calculate aggregate income for Syukur Tech Sdn Bhd for the year assessment 2017.

[15 marks]

CLO1
C4

(c) Distinguish the expenditure below whether capital expenditure or revenue expenditure.

- i) Any expenditure incurred to acquire a fixed assets or in connection with installation of Fixed Assets.
- ii) Any expenditure incurred an earning profits
- iii) Expenditure is incurred to acquire a source of income
- iv) Its benefits extend to only one accounting year.
- v) A payment made by a person to discharged a capital liability

[5 marks]

CLO1
C6

(d) Polaroid Sdn Bhd intends to acquire a second hand machine for RM12,000 from a company which is ceasing operations. The machine cannot be used in Polaroid's business without significant repair costs being incurred which are estimated to be RM5,000.

You are required:

Judge with reasons whether the repair costs should be treated as revenue or capital expenditure for tax purposes for Polaroid Sdn Bhd.

[5 marks]

SOALAN 2CLO1
C2

(a) Nyatakan perbelanjaan berikut sama ada **Belanja Dibenarkan**, **Belanja Tidak Dibenarkan** atau **Potongan Dua Kali**.

- i. Belanja audit statutori dan yuran cukai pematuhan
- ii. Pembaikan bumbung bangunan kilang yang rosak
- iii. Pameran Perdagangan Antarabangsa yang diadakan di Malaysia untuk mempromosikan Export yang diluluskan oleh MITI
- iv. Belanja Perundangan untuk memperbaharui pinjaman
- v. Belanja Sewa dan belanja yang berkaitan dengan sewa tetapi tiada kaitan dengan premis perniagaan.

[5 markah]

CLO1
C3

(b) Syukur Tech Sdn Bhd (Syukur), sebuah syarikat yang mempunyai modal saham berbayar berjumlah RM1.9 million pada 1 Julai 2016, menutup akaunnya setiap 30 Jun. Syukur mengeluarkan peralatan berteknologi tinggi.

Penyata Pendapatan Untung Rugi Syukur bagi tahun kewangan berakhir 30 Jun 2017 seperti berikut:

Syukur Tech Sdn. Bhd**Penyata Pendapatan dan Untung Rugi bagi tahun berakhir 30 Jun 2017**

	Nota	RM'000	RM'000
Jualan			42,000
Tolak: Kos Jualan	1		(33,000)
Untung Kasar			9,000
Tambah: Pendapatan Lain			
Pendapatan dividen		12	
Pampasan diterima atas pembatalan kontrak perniagaan		75	87
			9,087
Less: Expenses			
Yuran setiausaha syarikat		10	
Caj kewangan	3	10	
Belanja pemasaran	4	220	
Gaji	5	6016	

<i>Cukai pendapatan (bayar kepada ejen cukai yang sah)</i>	19	6,275
<i>Untung sebelum cukai</i>		<u>2,812</u>

Nota kepada akaun:

1. Kos jualan adalah termasuk

RM'000

- *Susutnilai loji, hartanah dan peralatan* 12,000
- *Bayaran kepada syarikat penyelidikan dan pembangunan yang diluluskan terdiri daripada :*
 - i. *Bahan untuk projek penyelidikan* 150
 - ii. *Gaji kakitangan penyelidikan* 1,000
 - iii. *Kos loji dan mesin untuk penyelidikan dan Pembangunan* 50

2. Caj kewangan terdiri daripada perbelanjaan faedah ke atas pinjaman bank untuk membiayai pelaburan bagi memperolehi pendapatan dividen.

3. Perbelanjaan pemasaran adalah termasuk:

- *Cenderahati berserta logo syarikat kepada pelanggan pada majlis makan malam tahunan berjumlah RM87,000*
- *Menaja perlawanan liga bolasepak tempatan yang melayakkan Syukur untuk iklan produk dan syarikat secara percuma sepanjang perlawanan liga berlangsung berjumlah RM33,000*
- *Derma tunai kepada institusi yang tidak diluluskan berjumlah RM100,000*

4. Gaji adalah termasuk saraan kakitangan kelainan upaya sebanyak RM12,000 yang disahkan oleh pihak berkenaan.

5. Elaun modal bagi tahun taksiran 2017 berjumlah RM137,000

Anda dikehendaki:

Mengira pendapatan terkumpul Tech Sdn Bhd untuk tahun taksiran 2017.

[15 markah]

CLO1
C4

(c) *Bezakan perbelanjaan di bawah samada ianya perbelanjaan modal atau perbelanjaan hasil.*

- i) Sebarang perbelanjaan yang dilibatkan untuk memperolehi aset tetap atau berkaitan dengan pemasangan aset tetap*
- ii) Sebarang perbelanjaan yang dilibatkan untuk menghasilkan untung*
- iii) Perbelanjaan yang dilibatkan untuk memperolehi punca pendapatan*
- iv) Manfaatnya untuk digunakan dalam tempoh setahun sahaja*
- v) Sebarang bayaran kepada sesorang untuk melepaskan liability modal*

[5 markah]

(d) *Polaroid Sdn Bhd bercadang untuk membeli mesin terpakai berharga RM12,000 daripada sebuah syarikat yang menghentikan operasi. Mesin ini tidak boleh digunakan dalam perniagaan Polaroid tanpa kos pembaikan yang ketara yang dianggarkan RM5,000.*

Anda dikehendaki:

Tetapkan dengan sebab sama ada kos pembaikan harus dianggap sebagai perbelanjaan modal atau perbelanjaan hasil bagi tujuan cukai untuk Polaroid Sdn Bhd.

[5 markah]

CLO1
C6

QUESTION 3

- (a) Red Velvet Sdn Bhd, a resident company in Malaysia, commenced its manufacturing business in 2012 with a paid up share capital of RM2,000,000. The company produces a product which has potential market outside Malaysia. In 2016, the company had applied for pioneer status incentive under the Promotion of Investment Act 1986. The approval was given by relevant authority to the company effective from 1 January 2016.

The project income for the period of two years from 2016 to 2017 were as follow:

Year of Assessment	2016 RM	2017 RM
Income from promoted product :		
Adjusted income	360,000	470,000
Capital Allowances	75,000	120,000
Other Income : Interest	10,800	-

Notes:

1. The business operates in Selangor.
2. The financial year of the company ends 31 December each year.
3. Capital Allowance stated above are in respect of qualifying capital expenditure incurred for the promoted product.
4. The company has been classified as a small medium Industry (SMI).

You are required to:

Compute the income tax payable for Red Velvet Sdn Bhd by showing the exemption amount for the years of assessment 2016 to 2017

[15 marks]

CLO2
C3

CLO2
C5

- (b) Compare the difference between Pioneer Status and Investment Tax Allowance

[5 marks]

SOALAN 3

- a) *Red Velvet Sdn Bhd* adalah syarikat mastautin di Malaysia, memulakan perniagaan pada tahun 2012 dengan modal berbayar RM2,000,000. Syarikat mengeluarkan produk yang mempunyai potensi pasaran di luar negara. Pada tahun 2016, syarikat telah memohon insentif taraf perintis di bawah Akta Galakan Pelaburan 1986. Kelulusan telah diberikan oleh pihak berkuasa berkuatkuasa pada 1 Januari 2016.

Anggaran pendapatan syarikat bagi tempoh dua tahun mulai pada tahun 2016 dan 2017 adalah seperti berikut:

Tahun Taksiran	2016 RM	2017 RM
Pendapatan daripada produk digalakan :		
Pendapatan larian	360,000	470,000
Elaun modal	75,000	120,000
Pendapatan lain : Faedah	10,800	-

Nota:

1. *Perniagaan beroperasi di Selangor.*
2. *Tahun kewangan syarikat berakhir pada 31 Disember setiap tahun.*
3. *Elaun modal yang terlibat adalah elaun modal atas produk digalakan.*
4. *Syarikat diklasifikasikan sebagai Industri berskala Kecil dan Sederhana (IKS).*

CLO2
C3*Anda dikehendaki:**Mengira cukai yang kena dibayar bagi Red Velvet Sdn Bhd dengan menunjukkan amaun pengecualian bagi tahun taksiran 2016 dan 2017.**[15 markah]*CLO2
C5*b) Bandingkan perbezaan di antara Taraf Perintis dan Elaun Cukai Pelaburan.**[5 markah]***QUESTION 4**

Puan Khalida, 52 years old currently is working as an account executive at Syarikat Jaya Holding with the following detail of her remuneration for year assessment 2017:

Salary	RM36 000
Entertainment allowance	RM 3 000
Meal Allowance	RM 1 500

She is a single mother with two children that are furthering their degree at local universities. She was thinking to quit from her job and involve in frozen food business. From this business, she estimate to generate revenue and expenses for a year are as follows:

Sales	RM100,000
Allowable expenses	RM 50,000
Capital Allowance	RM 10,000

You are required:

CLO3
C3

a) (i) Calculate chargeable income under Employment income of Pn Khalida for year assessment 2017.

[7 marks]

- (ii) Estimate chargeable for Pn Khalida if she venture in the business and quit from her current job.

[8 marks]

CLO3
C4

- b) Analyze your answer in 4(a)(i) and 4(a)(ii) and advise Pn Khalida whether or not she should quit from her current job and venture with her intended business by considering her tax payable compared to extra money she might earn by doing so.

[10 marks]

SOALAN 4

Puan Khalida, 52 tahun sedang berkerja sebagai akaun eksekutif di Syarikat Jaya Holding dan maklumat penggajiannya bagi tahun taksiran 2017 adalah seperti berikut:

<i>Gaji</i>	<i>RM36 000</i>
<i>Elaun keraian</i>	<i>RM 3 000</i>
<i>Elaun makan</i>	<i>RM 1 500</i>

Dia seorang ibu tunggal dan mempunyai dua orang anak yang sedang melanjutkan pengajian ijazah di universiti tempatan. Dia sedang berfikir untuk berhenti kerja dan melibatkan diri dalam perniagaan sejuk beku. Hasil kajiannya terhadap perniagaan ini, dia dijangkakan dapat memperolehi pendapatan seperti dibawah untuk setahun :

<i>Jualan</i>	<i>RM100 000</i>
<i>Perbelanjaan dibenarkan</i>	<i>RM 50 000</i>
<i>Elaun modal</i>	<i>RM 10 000</i>

Anda dikehendaki:

CLO3
C3

- a) i) *Mengira pendapatan bercukai bagi pendapatan penggajian untuk tahun taksiran 2017.*

[7 markah]

CLO3
C4

ii) *Menganggarkan pendapatan bercukai bagi Pn Khalid jika dia menceburi perniagaan dan berhenti dari perkerjaannya sekarang ini.*

[8 markah]

b) *Analisa jawapan anda di 4(a)(i) dan 4(a)(ii) dan nasihatkan Pn Khalida samada beliau patut berhenti dari perkerjaan beliau sekarang dan menceburi perniagaan yang dihayatkan dengan mengambil kira cukai kena bayar dibandingkan dengan lebihan kewangan yang mungkin diperolehi dengan tindakannya itu.*

[10 markah]

SOALAN TAMAT

LAMPIRAN

INCOME TAX RATES

KADAR CUKAI PENDAPATAN

<i>Resident Individual / Individu Pemastautin</i>			
Chargeable Income (RM) <i>Pendapatan Bercukai (RM)</i>		Tax Rate (%) <i>Kadar Cukai (%)</i>	Tax (RM) <i>Cukai (RM)</i>
5,001 – 20,000	5,000		0
	15,000	1	150
20,001 – 35,000	20,000		150
	15,000	5	750
35,001 – 50,000	35,000		900
	15,000	10	1,500
50,001 – 70,000	50,000		2,400
	20,000	16	3,200
70,001 – 100,000	70,000		5,600
	30,000	21	6,300
100,001 – 250,000	100,000		11,900
	150,000	24	36,000
250,001 – 400,000	250,000		47,900
	150,000	24.5	36,750
400,001 – 600,000	400,000		84,650
	200,000	25	50,000
600,001 – 1,000,000	600,000		134,650
	400,000	26	104,000
Exceeding / <i>Melebihi</i> 1,000,000	1,000,000		238,650
	Above 1,000,000	28	

CAPITAL ALLOWANCES

	Initial Allowance Rate (%)	Annual Allowance Rate (%)
Plant and machinery – General	20	14
Motor vehicles and heavy machinery	20	20
Office equipment, furniture and fittings	20	10

PERSONAL RELIEF AND ALLOWANCES

RELIEF		RM
Self		9,000
Disable self, additional		6,000
Medical expenses for parents	maximum	5,000
Medical expenses for serious disease including RM500 for complete medical examination.	maximum	6,000
Basic supporting equipment	maximum	6,000
Parental Care	maximum	3,000
Education fees	maximum	7,000
Lifestyle	maximum	2,500
Spouse/Alimony		4,000
Disable spouse, additional		3,500
Child	each	2,000
Child – higher rate	each	8,000
Disable child	each	6,000
Disable child, additional	each	14,000
Purchase of breastfeeding equipment	maximum	1,000
Life insurance premiums and contribution to approve funds	maximum	6,000
Private retirement scheme, deferred annuity premiums	maximum	3,000
Medical and/or educational insurance premiums for self, spouse and child	maximum	3,000
Contribution to Social Security Protection Scheme (SOCSSO)	maximum	250
Deposit for a child into the National Education Saving Scheme	maximum	6,000
Child care fees to a child care center or a kindergarten	maximum	1,000

REBATES

Chargeable income not exceeding RM35,000

	RM
Individual	400
Spouse	400

THE PRESCRIBE VALUE OF MOTORCAR AND ITS RELATED BENEFITS

Cost of motorcar (new) (RM)	Annual prescribe benefit of motorcar (RM)	Annual prescribe benefit of petrol (RM)
Up to 50,000	1,200	600
50,001 – 75,000	2,400	900
75,001 – 100,000	3,600	1,200
100,001 – 150,000	5,000	1,500
150,001 – 200,000	7,000	1,800
200,001 – 250,000	9,000	2,100
250,001 – 350,000	15,000	2,400
350,001 – 500,000	21,250	2,700
500,001 and above	25,000	3,000

The value of the car benefit equal to half the prescribed annual value (above) is taken if the car provided is more than five (5) years old.

Where a driver provided by the employer, the value of the benefits is fixed at RM600 per month.

OTHER BENEFITS

	RM per month
Semi-furnished with furniture in the lounge, dining room or bedroom	70
Semi-furnished with furniture as above plus air-conditioners and/or curtains and carpets	140
Fully furnished premises	280

TAX RATE FOR RESIDENT COMPANY FOR YEAR OF ASSESSMENT 2017

Chargeable Income (RM)	Tax Rate : SME (%)	Tax Rate: Non-SME (%)
1st 500,000	18	24
Exceeding 500,000	24	24

With effect from YA 2017 and 2018, the income tax rate will be reduced based on the % of increase in chargeable income (current year) as compared to the immediate preceding year of assessment (previous year)

% of increase in chargeable income as compared to the immediate preceding year of assessment	% point of reduction on income tax rate	Reduced income tax rate on increase in chargeable income (%)
Less than 5%	Nil	24
5% - 9.99%	1	23
10% - 14.99%	2	22
15% - 19.99%	3	21
20% and above	4	20

REAL PROPERTY GAIN TAX RATES /**KADAR-KADAR CUKAI KEUNTUNGAN HARTA – TANAH**

Disposal Date / Tarikh Pelupusan	Tax Rate: Company (%) / Kadar Cukai Syarikat (%)	Tax Rate: Other Taxpayer (%) / Kadar Cukai: Pembayar Cukai Lain (%)	Tax Rate: Non-Citizen / Permanent Resident (%) / Kadar Cukai: Bukan Warganegara / Penduduk Tetap (%)
Within three years after acquisition date / <i>Dalam tahun ketiga selepas pemerolehan</i>	30	30	30
In the fourth year after acquisition date / <i>Dalam tahun keempat selepas tarikh pemerolehan</i>	20	20	30
In the fifth year after acquisition date / <i>Dalam tahun kelima selepas tarikh pemerolehan</i>	15	15	30
In the sixth year after acquisition date or thereafter / <i>Dalam tahun keenam selepas tarikh pemerolehan atau seterusnya</i>	5	0	5