

SULIT



**BAHAGIAN PEPERIKSAAN DAN PENILAIAN
JABATAN PENDIDIKAN POLITEKNIK
KEMENTERIAN PENDIDIKAN TINGGI**

JABATAN PERDAGANGAN

PEPERIKSAAN AKHIR

SESI JUN 2017

DPA5033 : MALAYSIAN TAXATION 2

TARIKH : 21 OKTOBER 2017

MASA : 11.15 PAGI - 1.15 PETANG (2 JAM)

Kertas ini mengandungi **EMPAT BELAS (14)** 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) Indicate **FIVE (5)** exemptions of Real Property Gains Tax.

[10 marks]

CLO1
C2

- (b) Daniel, a Malaysian citizen, acquired a bungalow on 1st October 2012 for RM550,000 in Melaka. The legal fees incurred for the acquisition was RM50,000. On 30th June 2013, the bungalow was cracked and Daniel managed to claim damages from the developer for RM120,000. The bungalow was put on sale on 1st December 2015 and received RM80,000 deposit, but the sales was not successful and the deposit was forfeited.

On 30th January 2016, Daniel sold the bungalow to Maria for RM800,000. Daniel also incurred RM12,300 for valuation fee, RM3,000 for advertising cost, and RM15,000 for brokerage fee.

Based on the above statement, calculate the Real Property Gains Tax for Daniel.

[15 marks]

SOALAN 1

CLO1
C1

- (a) Nyatakan **LIMA (5)** pengecualian cukai dalam Cukai Keuntungan Harta Tanah.

[10 markah]

CLO1
C2

- (b) Daniel, warganegara Malaysia, membeli sebuah banglo pada 1 Oktober 2012 pada harga RM550,000 di Melaka. Yuran guaman dibayar semasa pembelian ialah RM50,000. Pada 30 Jun 2013, banglo itu telah retak dan Daniel berjaya mendapat pampasan daripada pemaaju sebanyak RM120,000. Banglo itu telah diiklankan untuk dijual pada 1 December 2015 dan telah menerima deposit

RM80,000, tetapi jualan itu tidak berjaya dan deposit itu telah dibatalkan.

Pada 30 Januari 2016, Daniel telah menjual banglo itu kepada Maria pada harga RM800,000. Daniel juga telah membayar RM12,300 untuk yuran penilaian, RM3,000 untuk kos pengiklanan dan RM15,000 untuk kos broker.

Berdasarkan pernyataan di atas, kirakan Cukai Keuntungan Harta Tanah bagi Daniel.

[15 markah]

QUESTION 2

CLO1
C3

- (a) Tip Top Sdn Bhd is engaged in the manufacture of tyres with paid-up capital RM 3.0 million. The company's profit & loss account for the year ended 31 December 2016 shows the following:

	Note	RM	RM
Sales			1 450 550
(-) Cost of sales	1		(614 400)
Gross Profit			836 150
<u>(-) Expenses</u>			
Salaries, wages & EPF	2	78 000	
Legal expenses	3	14 000	
Repairs & maintenance	4	32 000	
Depreciation		80 000	
Annual General Meeting Expenses	5	19 000	
Donations	6	60 000	
Export Credit Insurance Premiums	7	17 000	
Penalty of late submission of tax return		10 000	
Provision for doubtful debts (specific)		5 000	(315 000)
Profit before taxation			521 150

Notes:

1. Included in cost of sales is provision of warranty claims for faulty tyres in respect of claims not yet settled RM 27 000.
2. Salaries, wages and Employee Provident Fund (EPF) includes the sum of RM 12 000 paid to a manager (disable) to secure his early retirement on account of misconduct.
3. Legal expenses comprise:

Legal cost on trading goods lost in transit	RM 6 000
Legal expenses to obtain a new trading license	RM 8 000
4. Repair and maintenance consists of an extension to the company existing factory amounting RM 32 000.
5. Annual general meeting (AGM) expenses were in respect of postage notice of meeting and cost of printing directors' report and accounts.
6. The following donations were made:

To an approved institution	RM 53 000
Sport equipment for an activity approved by the Minister	RM 1 600
Project of national interest by the minister	RM 4 800
Cash for inmates of an old folks home approved by Minister	RM 600
7. The export credit insurance is provided by a company approved by the Minister of Finance.

Additional information:

For the year 2016, capital allowances in respect of a business fixed assets were RM 84 500.

You are required to:

Calculate the tax payable for Tip Top Sdn Bhd for the Year of Assessment 2016

[15 marks]

CLO1
C4

(b) Identify whether the following items of expenses are deductible or non-deductible for company tax purposes.

- i. Unrealized loss on settlement of trade debts
- ii. Installment cost of new generator
- iii. Practical training in relation to the business was given to non-employees who resident in Malaysia
- iv. Remunerations for managers
- v. Cost of developing company's website

[5 marks]

CLO1
C6

As an expertise in taxation, proposed **TWO (2)** double deduction expenses that can be claimed by company.

[5 marks]

SOALAN 2CLO1
C3

(a) *Tip Top Sdn Bhd merupakan perniagaan dalam bidang perkilangan tayar dengan modal berbayar RM 3.0 juta. Berikut adalah akaun untung dan rugi syarikat bagi tahun berakhir 31 Disember 2016 :*

	<i>Nota</i>	<i>RM</i>	<i>RM</i>
<i>Jualan</i>			1 450 550
<i>(-) Kos Jualan</i>	1		(614 400)
<i>Untung Kasar</i>			836 150
<i>(-) Perbelanjaan</i>			
<i>Gaji, upah & KWSP</i>	2	78 000	
<i>Belanja perundangan</i>	3	14 000	
<i>Pembaikan & penyelenggaraan</i>	4	32 000	
<i>Susutnilai</i>		80 000	
<i>Belanja mesyuarat agong tahunan</i>	5	19 000	
<i>Derma</i>	6	60 000	
<i>Premium insurans eksport kredit</i>	7	17 000	
<i>Penalti kelewatan borang cukai</i>		10 000	
<i>Peruntukan hutang ragu (khusus)</i>		5 000	(315 000)
<i>Untung sebelum cukai</i>			521 150

Nota:

1. Kos jualan termasuk peruntukan tuntutan jaminan tayar rosak yang belum dituntut berjumlah RM 27 000.
2. Gaji, upah dan Kumpulan Wang Simpanan Pekerja (KWSP) termasuk sejumlah RM 12 000 yang dibayar kepada pengurus (kurang upaya) atas persaraan awal disebabkan kes salah laku.
3. Perbelanjaan perundangan terdiri daripada:
 - Kos guaman kehilangan barang dagangan dalam perjalanan RM 6 000
 - Kos guaman untuk mendapatkan lesen dagangan baru RM 8000
4. Pembaikan dan penyelenggaraan terdiri daripada kos pembesaran kilang sedia ada berjumlah RM 32 000.
5. Belanja mesyuarat agong tahunan adalah berkenaan kos pengesahan notis mesyuarat dan kos percetakan laporan dan akaun pengarah.
6. Berikut merupakan sumbangan yang telah dibuat kepada:
 - Institusi yang diluluskan RM 53 000
 - Peralatan sukan untuk aktiviti yang telah diluluskan oleh menteri RM 1 600
 - Projek berkepentingan negara yang telah diluluskan oleh menteri RM 4 800
 - Tunai kepada penghuni rumah orang-orang tua yang diluluskan oleh menteri RM 600
7. Insurans kredit eksport yang disediakan oleh syarikat yang diluluskan oleh Kementerian Kewangan

Maklumat tambahan:

Elaun modal berkenaan aset tetap perniagaan berjumlah RM 84 500 untuk tahun 2016.

Anda dikehendaki:

Mengira cukai yang perlu dibayar bagi Tip Top Sdn Bhd bagi tahun taksiran 2016

[15 markah]

CLO1
C4

(b) *Kenalpasti perkara perbelanjaan berikut sama ada dibenarkan atau tidak dibenarkan untuk tujuan percukaian syarikat.*

- i. *Kerugian belum direalisasikan atas penyelesaian hutang perniagaan*
- ii. *Kos pemasangan mesin penjana baharu*
- iii. *Latihan amali berkaitan dengan perniagaan untuk bukan pekerja yang bermastautin di Malaysia*
- iv. *Ganjaran saraan untuk pengurus*
- v. *Kos membangunkan laman sesawang syarikat*

[5 markah]

CLO1
C6

(c) *Sebagai seorang yang arif dalam percukaian, cadangkan **DUA (2)** perbelanjaan potongan cukai dua kali yang boleh dituntut oleh syarikat.*

[5 markah]

QUESTION 3CLO2
C1

- a) List **FIVE (5)** types of investment incentives under the Promotion of Investment Act 1986.

[5 marks]

CLO2
C2

- b) SAMOZA Sdn Bhd, a resident company located in Tanjung Malim, Perak, manufactures and sells Product Alpha which is a promoted product. SAMOZA Sdn Bhd is deciding whether to apply Pioneer Status or Investment Tax Allowance. Below is the forecasted information pertaining to Product Alpha:

Year of Assessment	Capital Allowance	Qualifying Capital Expenditure	Adjusted Income/(Loss)
	RM'000	RM'000	RM'000
2014	400	1,000	(700)
2015	2400	3,000	5,000
2016	800	NIL	10,300

You are required to:

Compute the exempt income and total income under the Pioneer Status and Investment Tax Allowance incentives.

[15 marks]

CLO2
C5

- c) Based on your calculation above, explain which incentive should SAMOZA Sdn Bhd apply for this project.

[5 marks]

SOALAN 3CLO2
C1

- a) Senaraikan **LIMA (5)** jenis insentif pelaburan di bawah Akta Galakan Pelaburan 1986.

[5 markah]

CLO2
C2

- b) SAMOZA Sdn Bhd, sebuah syarikat mastautin terletak di Tanjung Malim, Perak, mengeluarkan dan menjual Produk Alpha yang merupakan produk yang dipromosikan. SAMOZA Sdn Bhd sedang mempertimbangkan samada untuk memohon Taraf Perintis atau Elaun Cukai Pelaburan. Di bawah adalah ramalan maklumat yang berkaitan dengan Produk Alpha:

<i>Tahun Taksiran</i>	<i>Elaun Modal</i>	<i>Belanja Modal Dibenarkan</i>	<i>Pendapatan/ (Rugi) dilaraskan</i>
	<i>RM'000</i>	<i>RM'000</i>	<i>RM'000</i>
2014	400	1,000	(700)
2015	2400	3,000	5,000
2016	800	NIL	10,300

Anda dikehendaki untuk:

Mengira pendapatan dikecualikan dan jumlah pendapatan bagi Taraf Perintis dan Elaun Cukai Pelaburan.

[15 markah]

- c) Berdasarkan maklumat anda di atas, terangkan insentif yang manakah patut SAMOZA Sdn Bhd pilih untuk projek ini.

[5 markah]

CLO2
C5

QUESTION 4

CLO3
C1

- a) State **FIVE (5)** benefits of tax planning for individual.

[5 marks]

- b) Harun is a dedicated engineer works in an established firm in Kuala Lumpur. He is married to Shila, a fulltime housewife and they have two children who still in primary school. Last year, he was being promoted as chief engineer. The estimated tax payable is RM12,809.

CLO3
C3

- i) You are required to show Harun how to reduce his tax payable in the following aspects:

1. Investment

2. Parents welfare

[2 marks]

3. Child education

[2 marks]

4. Self-retirement planning

[2 marks]

5. Donation

[2 marks]

[2 marks]

- ii) Provide **TWO (2)** examples for each aspect in question above.

[10 marks]

SOALAN 4CLO3
C1

- a) Senaraikan **LIMA (5)** faedah perancangan cukai bagi individu.

[5 markah]

- b) Harun merupakan seorang jurutera yang berdedikasi di sebuah firma terkemuka di Kuala Lumpur. Beliau telah berkahwin dengan Shila, seorang suri rumahtangga sepenuh masa and mempunyai dua orang anak yang masih bersekolah rendah. Beliau telah dinaikkan pangkat kepada ketua jurutera pada tahun lepas. Anggaran cukai dibayar berjumlah RM12,809.

CLO3
C3

- i. Anda dikehendaki untuk menunjukkan kepada Harun untuk mengurangkan cukai dari segi aspek berikut:

1. Pelaburan

[2 markah]

2. Kebajikan ibu bapa

[2 markah]

3. Pendidikan anak-anak

[2 markah]

4. Perancangan persaraan

[2 markah]

5. Sumbangan

[2 markah]

- ii. Berikan **DUA (2)** contoh untuk setiap aspek dalam soalan di atas

[10 markah]

SOALAN TAMAT

APPENDIX

TAX RATE FOR RESIDENT INDIVIDUAL FOR YEAR OF ASSESSMENT 2016

Chargeable Income (RM)	Calculations (RM)	Rate %	Tax (RM)
0 – 2,500	First 2,500	0	0
2,501 - 5,000	First 2,500	0	0
5,001 - 20,000	First 5,000	1	0
	Next 15,000		150
20,001 - 35,000	First 20,000	5	150
	Next 15,000		750
35,001 - 50,000	First 35,000	10	900
	Next 15,000		1,500
50,001 - 70,000	First 50,000	16	2,400
	Next 20,000		3,200
70,001 - 100,000	First 70,000	21	5,600
	Next 30,000		6,300
100,000 – 250,000	First 100,000	24	11,900
	Next RM150,000		36,000
250,001 – 400,000	First 250,000	24.5	47,900
	Next RM150,000		36,750
Exceeding 400,000	First 400,000	25	84,650
	For every next ringgit		

REBATES

Chargeable income not exceeding RM35,000.

	RM
Individual	400
Spouse	400

TAX RATE FOR RESIDENT COMPANY FOR YEAR OF ASSESSMENT 2016

Chargeable Income (RM)	Tax Rate : SMI (%)	Tax Rate : Non-SMI (%)
First 500,000	19	24
Exceeding 500,000	24	24

PERSONAL RELIEF

		RM
Personal relief and allowances		9,000
Disabled self, additional		6,000
Medical expenses expended on parents	(maximum)	5,000
Medical expenses expended on self, spouse or child with serious disease, including up to RM500 for medical examination	(maximum)	6,000
Parental care (each)		1,500
Basic supporting equipment for disabled self, spouse, child or parent	(maximum)	6,000
Purchase of sport equipment	(maximum)	300
Study course fees for skills or qualifications	(maximum)	700
Expenses on books for personal use	(maximum)	1,000
Spouse relief		4,000
Disabled spouse, additional		3,500
Child – basic rate (each)		2,000
Child – higher rate (each)		8,000
Disabled child - each		6,000
Disabled child, additional (each)		8,000
Life insurance premiums and contributions to approved funds	(maximum)	6,000
Private retirement scheme contributions, deferred annuity premiums	(maximum)	3,000

Medical and/or education insurance premiums for self, spouse or child	(maximum)	3,000
Purchase of personal computer	(maximum)	3,000
Deposit for child into the National Education Savings Scheme	(maximum)	6,000
Contribution to Social Security Organisation (SOCSO)	(maximum)	250

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 tarikh 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