

REAL PROPERTY GAINS TAX



INTRODUCTION

- Real Property Gains Tax (RPGT) is charged on gains arising from the disposal / sale of real properties or shares in Real Property Companies (RPC)

SUBMISSION OF RPGT FORM

| ITEM | BEFORE 1 APRIL 2007 | FROM 1 JANUARY 2010 |
|--|---------------------|----------------------|
| DISPOSER/SELLER - Real Property - Shares in RPC | CKHT 1 CKHT 1 | CKHT 1 A CKHT 1 B |
| ACQUIRER/BUYER - Real Property - Shares in RPC | CKHT 2 CKHT 2 | CKHT 2 A CKHT 2 A |

- Submit the RPGT Form within 60 days after the date of disposal to the LHDNM Branch which handles the disposer's tax file

ATTACH THE FOLLOWING DOCUMENTS

- Copy of stamped Sale and Purchase Agreement (S&P) for the acquisition and disposal of the assets
- Copy of stamped Transfer of Securities Form (Form 32A) for the acquisition of RPC shares and Allotment of Shares Form (Form 24) for the acquisition of RPC shares
- Copy of the Title / Memorandum of Transfer (KTN 14A)
- Receipts and invoices for expenses / incidental costs

REMITTANCE

The acquirer is required to remit an amount equivalent to 3% of the total consideration or the whole sum of cash consideration (whichever is less) within 60 days after the disposal date to LHDNM

If the disposal is not liable to RPGT, the disposer may fill up Form CKHT 3 so that the 3% remittance need not be made

DISPOSAL NOT LIABLE TO RPGT

INCLUDES :

- Disposal made after 5 years from the date of acquisition of the property by persons other than companies, non-citizen / non-resident individuals
- Transfer of assets by way of gift between :
 - Husband and wife
 - Parent and child
 - Grandparent and grandchild
- Gains on disposal of one private residence only for a Malaysian citizen or permanent resident. Election for exemption shall be made by filling up the election form for tax exemption on disposal of private residence under Paragraph 9 Schedule 3 (Section 8), Real Property Gains Tax Act 1976.

**Borang Perakuan Pemilihan Pengecualian Cukai untuk pelupusan kediaman persendirian di bawah Perenggan 9 Jadual 3 (Seksyen 8) Akta CKHT 1976*

RPGT EFFECTIVE RATES FROM 1 JANUARY 2014

| DISPOSER DISPOSAL PERIOD | OTHER THAN COMPANY AND OTHER THAN NON-CITIZEN AND NON-PERMANENT RESIDENT INDIVIDUAL | NON-CITIZEN AND NON-PERMANENT RESIDENT INDIVIDUAL | COMPANY |
|--|---|---|---------|
| | Within 3 years after the date of acquisition | 30 % | 30 % |
| In the 4th year after the date of acquisition | 20 % | 30 % | 20 % |
| In the 5th year after the date of acquisition | 15 % | 30 % | 15 % |
| In the 6th year after the date of acquisition and subsequent years | 0 % | 5 % | 5 % |

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