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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERATURAN-PERATURAN CUKAI PELANCONGAN (PEMBERI PERKHIDMATAN PLATFORM DIGITAL) (PINDAAN) 2023

TOURISM TAX (DIGITAL PLATFORM SERVICE PROVIDER) (AMENDMENT) REGULATIONS 2023

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AKTA CUKAI PELANCONGAN 2017

PERATURAN-PERATURAN CUKAI PELANCONGAN
(PEMBERI PERKHIDMATAN PLATFORM DIGITAL) (PINDAAN) 2023

PADA menjalankan kuasa yang diberikan oleh perenggan 70(2)(f) Akta Cukai Pelancongan 2017 [*Akta 791*], Menteri membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Cukai Pelancongan (Pemberi Perkhidmatan Platform Digital) (Pindaan) 2023**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 2 Mac 2023.

Bahagian Baharu IIA

2. Peraturan-Peraturan Cukai Pelancongan (Pemberi Perkhidmatan Platform Digital) 2021 [*P.U. (A) 153/2021*], yang disebut “Peraturan-Peraturan ibu” dalam Peraturan-Peraturan ini, dipinda dengan memasukkan selepas Bahagian II bahagian yang berikut:

“BAHAGIAN IIA
INVOIS ATAU RESIT

Butir-butir dalam invoice atau resit

4A. Tiap-tiap pemberi perkhidmatan platform digital yang mengeluarkan suatu invoice atau resit berhubung dengan premis penginapan yang disediakan melalui perkhidmatan yang berhubung dengan tempahan premis penginapan dalam talian kepada pelancong hendaklah menyatakan ke atasnya butir-butir yang berikut:

(a) nombor siri invoice atau resit;

(b) tarikh invoice atau resit;

- (c) nama, alamat dan nombor pendaftaran pemberi perkhidmatan platform digital itu; dan
- (d) bilangan penginapan dan malam bagi setiap penginapan yang disediakan.”.

Pindaan peraturan 5

3. Peraturan 5 Peraturan-Peraturan ibu dipinda dengan menggantikan subperaturan (3) dengan subperaturan yang berikut:

“(3) Suatu nota kredit atau nota debit hendaklah mengandungi butir-butir yang berikut:

- (a) nombor siri nota kredit atau nota debit;
- (b) tarikh nota kredit atau nota debit itu dikeluarkan;
- (c) nama, alamat dan nombor pendaftaran cukai pelancongan pemberi perkhidmatan platform digital;
- (d) nombor siri dan tarikh invois atau resit yang asal;
- (e) sebab nota kredit atau nota debit itu dikeluarkan;
- (f) bilangan penginapan dan malam bagi setiap penginapan yang disediakan; dan
- (g) kadar dan amaun cukai pelancongan yang dikenakan.”.

Pindaan peraturan 7

4. Subperaturan 7(3) Peraturan-Peraturan ibu dipinda dengan menggantikan perkataan “sebelum” dengan perkataan “tidak lewat daripada”.

Pindaan peraturan 15

5. Peraturan 15 Peraturan-Peraturan itu dipinda dengan memasukkan selepas subperaturan (2) subperaturan yang berikut:

“(3) Walau apa pun subperaturan (2), bagi maksud penerimaan penyata dan pembayaran cukai pelancongan atau penalti yang kena dibayar, jika hari terakhir yang dinyatakan di bawah subseksyen 201 (1) Akta jatuh pada hari kelepasan mingguan Persekutuan atau hari kelepasan am Persekutuan di Malaysia atau di negara yang orang berdaftar asing itu ditubuhkan, maka hari terakhir untuk menerima penyata dan pembayaran cukai pelancongan atau penalti yang kena dibayar itu adalah pada hari kelepasan mingguan Persekutuan atau hari kelepasan am Persekutuan di Malaysia atau di negara yang pemberi perkhidmatan platform digital itu berada.”.

Dibuat 28 Februari 2023
[MOF.TAX (S) 700-1/3/17; PN(PU2)745/JLD. 3]

ANWAR BIN IBRAHIM
Menteri Kewangan

TOURISM TAX ACT 2017

TOURISM TAX (DIGITAL PLATFORM SERVICE PROVIDER) (AMENDMENT)
REGULATIONS 2023

IN exercise of the powers conferred by paragraph 70(2)(f) of the Tourism Tax Act 2017 [Act 791], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Tourism Tax (Digital Platform Service Provider) (Amendment) Regulations 2023**.

(2) These Regulations come into operation on 2 March 2023.

New Part IIA

2. The Tourism Tax (Digital Platform Service Provider) Regulations 2021 [P.U. (A) 153/2021], which are referred to as the “principal Regulations” in these Regulations, are amended by inserting after Part II the following part:

“PART IIA
INVOICE OR RECEIPT

Particulars in invoice or receipt

4A. Every digital platform service provider who issues an invoice or receipt in relation to the accommodation premises made available through service relating to online booking accommodation premises to the tourist shall state thereon the following particulars:

- (a) the invoice or receipt serial number;
- (b) the date of the invoice or receipt;
- (c) the name, address and registration number of the digital platform service provider; and

- (d)* the number of accommodation and nights for each accommodation provided.”.

Amendment of regulation 5

3. Regulation 5 of the principal Regulations is amended by substituting for subregulation (3) with the following subregulation:

“(3) A credit note or debit note shall contain the following particulars:

- (a)* the serial number of the credit note or debit note;
- (b)* the date of issuance of the credit note or debit note;
- (c)* the name, address and tourism tax registration number of the digital platform service provider;
- (d)* the serial number and the date of the original invoice or receipt;
- (e)* the reason for the issuance of the credit note or debit note;
- (f)* the number of accommodation and nights for each accommodation provided; and
- (g)* the rate and amount of tourism tax chargeable.”.

Amendment of regulation 7

4. Subregulation 7(3) of the principal Regulations is amended by substituting for the word “before” the word “not later than”.

Amendment of regulation 15

5. Regulation 15 of the principal Regulations is amended by inserting after subregulation (2) the following subregulation:

“(3) Notwithstanding subregulation (2), for the purpose of receiving returns and payments of tourism tax or penalty payable, where the last date specified in subsection 20i (1) of the Act falls on the Federal weekly holiday or Federal public holiday in Malaysia or in the country where the foreign registered person established, then the last day to receive such returns and payments of tourism tax or penalty payable is on the Federal weekly holiday or Federal public holiday in Malaysia or in the country where the digital platform service provider established.”

Made 28 February 2023

[MOF.TAX (S) 700-1/3/17; PN(PU2)745/JLD. 3]

ANWAR BIN IBRAHIM
Minister of Finance