

Stamp Act 1949 (Act No. 378)
PU (A) 476
STAMP DUTY (REMISSION) (NO. 4) ORDER 2010

PU (A) 476 - 30 December 2010

STAMP ACT 1949

STAMP DUTY (REMISSION) (NO. 4) ORDER 2010

IN exercise of the powers conferred by subsection 80(2) of the Stamp Act 1949 [*Act 378*], the Minister makes the following order:

PARAGRAPH 1 CITATION AND COMMENCEMENT

1(1) This order may be cited as the Stamp Duty (Remission) (No. 4) Order 2010.

1(2) This Order comes into operation on 1 January 2011.

PARAGRAPH 2 REMISSION

2(1) The amount of stamp duty that is chargeable under subsubitem 22(1)(b) of the First Schedule to the Act which is in excess of zero point one per center (0.1%) of any or sums of money relating to any instrument of service agreement chargeable to duty under that subsubitem executed on or after 1 January 2011 is remitted.

2(2) For the purpose of subparagraph (1), the instrument of service agreement shall be an agreement executed by—

(a) a main service provider with a person other than a Ruler of a State or the Government of Malaysia or of any State or local authority awarding the undertaking; or

(b) a sub-provider of service with the main service provider where the main service provider has entered into an undertaking with a Ruler of a State or the Government of Malaysia or of any State or local authority awarding the undertaking.

2(3) Notwithstanding subparagraphs (1) and (2), where the main service provider under subparagraph 2(a) or the sub-provider of service under subparagraph (2)(b) further executes an instrument of service agreement with another sub-provider of service and so on, the amount of stamp duty that is chargeable upon that instrument under subsubitem 22(1)(b) of the First Schedule to the Act which is in excess of RM50.00 is remitted.

PARAGRAPH 3 MATTERS TO BE STATED IN THE SERVICE AGREEMENT

3 For the purpose of subparagraph 2(3), the agreement by the sub-provider of service or subsequent sub-provider of service shall state—

(a) the names of the parties and the date of execution of the agreement referred to in subparagraph 2(2)(a) or (b);

(b) the subject matter of the agreement; and

(c) that such agreement referred to in subparagraph 2(2)(a) or (b) had been duly stamped at a rate specified under subparagraph 2(1).