

3分钟让你知道马来西亚内陆税收局（LHDN）
是怎么区分外汇损益需不需要缴税！



外汇损益

(Foreign Exchange gain/loss)

到底会不会课税？

Tax Treatment of Foreign Exchange Gains & Losses

“ All these information are obtainable from **TAX TREATMENT OF FOREIGN EXCHANGE GAINS AND LOSSES [PUBLIC RULING NO. 12/2019]** at LHDN’s Official Portal “

Understanding the Nature of a Cross-Border Transaction

In order to know the tax implications, we must first understand the cross-border transaction that resulted in the foreign exchange (forex) gain/loss and categorise them according to the following 3 criteria:

我们必须先了解造成这笔外汇损益的跨境交易，然后把它区分成以下3种：

1



Trade or Non-Trade
是否是贸易交易

2



Revenue or Capital
收益交易或资本交易

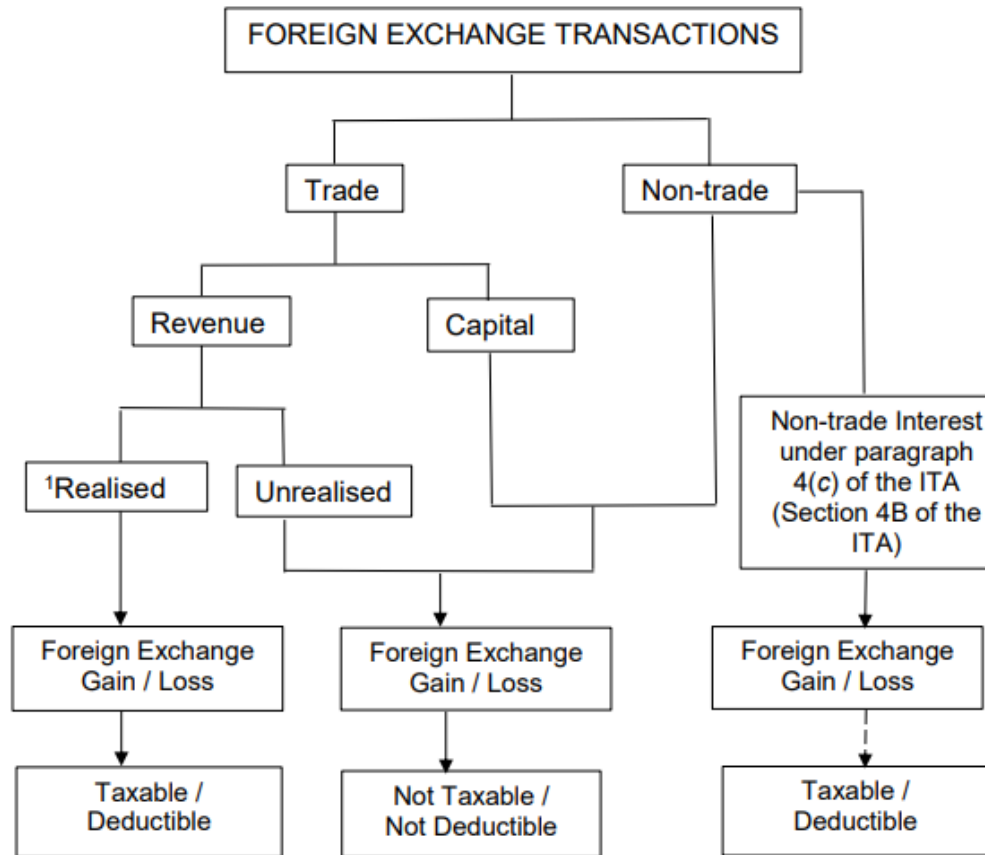
3



Realised or Unrealised
是否已经付款了



图表区分方法



Source: Inland Revenue Board of Malaysia - Tax Treatment of Foreign Exchange Gains and Losses [Public Ruling no. 12/2019]



If a transaction is found to be:

1. A **Trade** transaction
2. **Revenue** in nature
3. **Realised**

假设有一笔跨界交易:

1. 它是**贸易**交易
(i.e. 有关生意上的买卖)
2. 属于**营收**交易
(i.e. 买卖货物)
3. **已付款**
(i.e. 付款后所产生的外汇收益)



Taxable / Deductible
(需缴税/能扣税)



Non-Trade Transaction 非贸易交易

Foreign exchange gains/losses arising from a non-trade transaction is **not taxable/deductible**.

For example: **Interest income** from overseas investments.

Exception: In the case of a financing company, interest income collected from the borrower is **revenue income** to the company hence, is subject to tax.

所有非贸易交易所产生的外汇损益都**不需缴税**。

例如：**利息收入**不需缴税

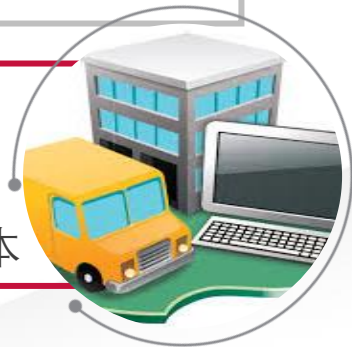
例外：如果是借贷公司，从借贷者收取的利息收入属于**营收收入**，需缴税



Capital Transaction 资本交易

- Capital transactions are those that involve assets with long-term value *i.e. fixed capital, investments and speculations outside the normal income earning activities of a person.*
- If the expense is a one-off payment that brings into existence, an asset or advantage for the long-term benefit of the trade, the expenditure is likely to be capital in nature.
- If a transaction is capital in nature, the foreign exchange gain / loss attributed to this transaction is **neither taxable nor deductible**.
- The foreign exchange gain / loss should be included as part of the **cost of asset**.

- 资本交易通常是指 - 买卖资产
- 所有资本交易产生的外汇收益 都“不需缴税”
- 这是因为这笔外汇收益必须算进买卖该资产的成本



Realised vs Unrealised Transaction 是否已付款的交易

- When a person has already settled a payment as per an invoice prior to the account closing, a realized gain / loss would arise.
- When a sales invoice was issued for a cross-border transaction denominated in foreign currency, and the purchaser overseas fails to settle the payment by the end of the accounting period, an unrealized gain / loss would arise. The amount of unrealized gain / loss should be calculated as:

“ $\text{Unrealised gain / loss} = \text{Amount in RM (year end)} - \text{Amount in RM (date of invoice issued)}$ ”

- 当外国顾客在你关账前付款，”实际收到的款项”与“开单那天换算成RM”的差别，我们称之为“Realised Forex gain / loss”
- 当外国顾客在你关账时还没付款，由于关账时与开单时的兑换率不同，拖欠款项换算成RM时所产生的差别，我们称之为“Unrealised Forex gain / loss”

REMEMBER! Unrealized Gain / Loss is not taxable / deductible



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We are pleased to help!

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