

**ROYAL MALAYSIAN CUSTOMS DEPARTMENT
DIRECTOR GENERAL'S DECISION
7 SEPTEMBER 2018**

DG'S DECISION ON SST 1/2018

ITEM : 1

ISSUANCE OF TAX INVOICE ON OR AFTER 1/9/2018

Is a business registered for GST allowed to issue a tax invoice on or after 1/9/2018 if the tax invoice relates to:

- (i) services performed or goods delivered or made available before 1/9/2018?**

The business is not allowed to issues a tax invoice with the repeal of the GST Act 2014 but may issue an invoice for the supply of such goods or services. However, the business is required to account and pay for GST on the supply in his return for the last taxable period which is not later than 120 days from 1/9/2018.

- (ii) a contract signed before 1/6/2018 and the sale of goods or the provision of the services made on or after 1/9/2018.**

If the provision of the services is a taxable service or the sale of goods is a sale of taxable goods then the business is required to issues an invoice and charge service tax or sales tax accordingly.

- (iii) a contract signed between 1/6/2018 and 31/8/2018 and the sale of goods or the provision of the services made on or after 1/9/2018.**

A business is not allowed to issue a tax invoice with the repeal of the GST Act 2014. However if the provision of the services is a taxable service or the sale of goods is a sale of taxable goods then the business is required to issues an invoice and charge service tax or sales tax accordingly.

This is in accordance with subsections 11(2) of the Sales Tax Act 2018 and 11(3) of the Service Tax Act 2018, which deems the sale of taxable goods and the contract for provision of taxable services has been made on the date such taxable goods are delivered or such taxable services are provided or performed respectively although payment is received or invoice is issued in the period the contract was signed.

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(iv) supply of goods or services spanning over on or after 1/9/2018

A business is not allowed to issue a tax invoice with the repeal of the GST Act 2014 but may issue an invoice for such supply. The business is required to account and pay GST on the supply for the period before 1/9/2018 in his return for the last taxable period which is not later than 120 days from 1/9/2018.

Under subsections 108(1) of the Sales Tax Act 2018 and 93(1) of the Service Tax Act 2018, any sale of taxable goods or provision of taxable service under an agreement for a period or progressively over a period whether or not at regular intervals and that period begins before 1/6/2018 and ends after 1/9/2018, the proportion of the sale of taxable goods or service which is attributable to the part of the period after 1/9/2018 shall be chargeable to service tax or sales tax accordingly. Hence, the business is required to issue an invoice and charge service tax or sales tax for such period.