

# **GREEN TECHNOLOGY TAX INCENTIVE GUIDELINES**

# Green Investment Tax Allowance (GITA) and Green Income Tax Exemption (GITE)

Malaysian Green Technology and Climate Change Corporation

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#### ABBREVIATIONS AND DEFINITIONS

The abbreviations that are used throughout this Guideline are defined as below:

ABBREVIATION	DEFINITION
FiT	Feed-in Tariff
GITA	Green Investment Tax Allowance
GITE	Green Income Tax Exemption
IRBM	Inland Revenue Board Malaysia
ITA	Investment Tax Allowance
ITE	Income Tax Exemption
KASA	Ministry of Environment and Water
KETSA	Ministry of Energy and Natural Resources
MGTC	Malaysian Green Technology and Climate Change Corporation
MIDA	Malaysian Investment Development Authority
MOF	Ministry of Finance
NCI	National Committee on Investment
NEM	Net Energy Metering
RPVI	Registered Photovoltaic Investor
SEDA	Sustainable Energy Development Authority, Malaysia

## 1.0 INTRODUCTION

- 1.1 Green Technology Tax Incentive for purchase and use of green technology were announced by the Prime Minister of Malaysia on 25 October 2013 during the Budget 2014. The Government provides Investment Tax Allowance (ITA) for the purchase of green technology equipment/assets and Income Tax Exemption (ITE) for green technology service providers.
- 1.2 In Budget 2020, the Government had announced the extension of Investment Tax Allowance (ITA) for the purchase of green technology assets and Income Tax Exemption (ITE) on the use of green technology services. The ITE is also been extended for company which undertakes solar leasing activity.
- 1.3 This is to further boost the Malaysian green economy and to attain the nation's goal to generate 20% of energy consumption from renewable sources by 2025. This is also in-line with the Malaysia's commitment to reduce 45% of Green House Gas (GHG) emission intensity by 2030.
- 1.4 The objectives of the tax incentives are:-
  - (a) To encourage investment in green technology on project basis either for business purposes or own consumption;
  - (b) To motivate companies in acquiring green technology assets; and
  - (c) To enhance the number of green technology service providers.

1.5 There are three (4) groups of activities under the Green Technology Tax Incentive as follows:-

Green Investment Tax Allowance (GITA) Assets	Applicable for companies that acquire qualifying green technology assets and listed under MyHIJAU Directory for their own use/consumption.	
Green Investment Tax Allowance (GITA) Project	Applicable for companies that undertake qualifying green technology projects for business or own consumption.	
Green Income Tax Exemption (GITE) Services	Applicable for qualifying green technology service provider companies that are listed under the MyHIJAU Directory.	
Green Income Tax Exemption (GITE) Leasing	Applicable for qualifying green technology service provider companies that are listed under the RPVI Directory.	

# 2.0 **DEFINITIONS**

2.1 In this Guideline, the following terms are defined and set out as below	W:
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TERM	DEFINITION	
Applicant	a Malaysian Incorporated Company that makes a formal application for Green Technology Tax Incentive.	
Green Technology	the development and application of products, equipment and systems used to conserve the natural environment and resources, which minimises and reduces the negative impact of human activities.	
MGTC	Malaysian Green Technology and Climate Change Corporation, a company limited by guarantee without share capital incorporated under the Companies Act 1965 (Laws of Malaysia Act 125) under the purview of the Ministry of Environment and Water.	
SEDA Malaysia	Sustainable Energy Development Authority, a statutory body under the purview of the Ministry of Energy and Natural Resources.	
Malaysian Incorporated Company	a company incorporated in Malaysia pursuant to the Companies Act 1965 (Laws of Malaysia Act 125) and duly registered with the Companies Commission of Malaysia but does not include a branch office of a company, corporation, society, association or other body incorporated outside Malaysia.	

	a recognition of cortified products, equipment and	
MyHIJAU Mark	a recognition of certified products, equipment and	
	systems, and approved service providers that	
	have been verified by MGTC to meet local and	
	international environmental standards.	
MyHIJAU Mark	a certificate certifying that a particular product or	
Certificate	service provider has been successfully awarded	
	with the MyHIJAU Mark which have been verified	
	and approved by MGTC.	
MyHIJAU Mark Product	a product (including equipment and systems) that	
	has been verified and approved by MGTC as	
	having complied with the requirements of the	
	MyHIJAU Mark recognition programme.	
MyHIJAU Mark Service	the name of this green technology service	
	provider registration service; or a green	
	technology service provider that has been	
	verified and approved by MGTC as having	
	complied with the criteria to be registered as	
	MyHIJAU Mark Service and that has been	
	awarded with the MyHIJAU Mark Label by	
	MGTC.	
MyHIJAU Directory	a listing of green products and service providers	
	accessible at <u>www.myhijau.my</u> which have been	
	verified and approved by MGTC and awarded	
	with the MyHIJAU Mark.	
Commercial Operation	a date after which all testing and commissioning	
Date	has been completed and is the initiation date to	
	which the power producer / project can start	
	producing electricity and export to grid.	
Lease	a contractual arrangement for the lessee to pay	
	the lessor for the use of lease asset and type of	
L		

	lease allowable under this guideline only limited	
	to Operational Lease.	
Lessee	a company / individual also known as the "tenant"	
	and must uphold specific obligations as defined	
	in the lease agreement and under this guideline	
	is refers as NEM applicant.	
Lessor	a company who leases asset to another and must	
	uphold specific obligations as defined in the lease	
	agreement and under this guideline is referred to	
	RPVI.	
Lease asset	the solar PV system including the PV electric	
	power generators equipment, inverters, controls,	
	meters, switches, connections, interconnection	
	facilities, cables, conduit and all associated	
	facilities.	
Leasing services	services provided by lessor collectively the	
	financing, design, engineering, procurement,	
	construction, installation, testing, commissioning	
	and operation and maintenance.	
Not Enormy Matering	a program launched by government in 2016	
Net Energy Metering	a program launched by government in 2016,	
(NEM) Scheme	pursuant to which the NEM applicant installs the	
	PV system for his own use and exports the	
	excess energy back to the grid.	
Net Energy Metering	a certificate issued by SEDA Malaysia	
Certificate	designated by the Energy Commission to	
	participate under the NEM scheme.	
NEM Quota	The quota allocated by SEDA Malaysia under the	
	NEM Scheme of maximum 500MW.	

Registered PV Investor	a company registered under SEDA Malaysia		
(RPVI)	under the RPVI directory having the role to		
	provide the solar leasing to NEM applicant.		
"RPVI Directory"	a listing of PV investor accessible at		
	www.seda.gov.my/directory which have been		
	verified and approved by SEDA Malaysia.		
"Self-Consumption /	a system where some of the power produced is		
SelCo"	stored or used on-site and no surplus is injected		
	into the grid.		

#### 3.0 APPLICATION PROCEDURE

The overall schematics for the procedures as a whole are as follows:



#### 3.1 **Pre-application**

3.1.1 Applicants must check on eligibility and qualifying activities including:

- a) Criteria for the applicants.
- b) Business activities of the incentive.
- c) Period for the year of assessment.
- d) Technical or certification requirements pertaining to the application.
- e) Rate of the incentive.
- f) Any requirement related to the incentive application.

#### 3.2 Application

3.2.1 Regarding to the Green Technology Tax Incentive, applicants must refer to the specific type of tax incentives through the application process and fulfilling the requirements of the application.

Type of Tax Incentives	Application Form	Submission of the Form	Submission for Technical Evaluation
GITA Assets	MGTC GITA/A	MGTC	MGTC
(refer to item 4.0	(one set of the		
below)	Form)		
GITA Project	MIDA GT/JA	MIDA	MGTC
(refer to item 5.0	(three sets of the		
below)	Form)		
GITE Services	MIDA GT/JA	MIDA	MGTC
(refer to item 6.0	(three sets of the		
below)	Form)		

GITE Leasing	MIDA GT/JA	MIDA	SEDA
(refer to item 7.0	(three sets of the		
below)	Form)		

3.2.2 Processing fee to be charged to the applicants is based on the following table:-

Type of Tax Incentives	Description	Processing Fee (RM)
GITA Assets*	For each green technology asset (refer to item 4.2 below)	1,000
GITA Project	Less than 500,000	2,500
- Total Cost for	500,000 - 1,000,000	4,000
Equipment/Machinery**	1,000,001 – 5,000,000	7,000
	More than 5,000,000	10,000
GITE Services	For each application	2,000
GITE Leasing	For each application	TBC

- **Note\*-** Application with more than one equipment/assets with different MyHIJAU Mark registration must be applied separately.
- **Note\*\*-** The determination of the total cost for equipment/machinery shall be as stated in Section C, Column I. Investment; item no. (iii) and (iv) in the MIDA GT/JA Form.

# 3.3 Verification/Evaluation

- 3.3.1 Upon receiving the completed documents from the applicants (i.e. Application Form & the Conditional Approval Letter), MGTC/SEDA will verify or evaluate the application according to the eligible tax incentive.
- 3.3.2 The type of applications under the eligible tax incentive as follows:-

## (1) Verification for GITA Assets

- MGTC's role is to verify on the approved green technology asset and green impact from the acquisition.
- The verification for GITA Assets will be based on assets that are registered under MyHIJAU Mark and listed under the MyHIJAU Directory.

# (2) Verification for GITA Project

- MGTC's role is to verify the technical requirement including the main equipment/assets as major components for the performance and green impact from the project.
- The verification for GITA Project will be based on the following requirement:
  - a. 60% of main equipment/assets in the GITA Project must be recognised and registered under the MyHIJAU Mark or have product certification that is recognised and accepted by MGTC.
  - b. Project's impacts to the environment i.e. GHG emission reduction, waste reduction, fuel savings, environmental improvement, energy consumption savings and water consumption savings.
- MGTC will determine the effective date for the GITA Project for any application made to MIDA from 1 January 2020.

## (3) Verification for GITE Services

- MGTC's role is to verify the service provided by the applicant.
- The verification for GITA Services would be based on green services that are registered under the MyHIJAU Mark and listed under the MyHIJAU Directory with 100% income derived from green technology activities.
- MGTC will determine the effective date for the GITE Services for any

application made to MIDA from 1 January 2020.

## (4) Verification for GITE Leasing

- Registered PV Investor listed under the RPVI Directory and 100% income that qualifies for exemption must be derived from solar leasing activities / sales of electricity
- During incentive application, RPVI must have minimum installed capacity of 3MW aggregated under NEM scheme or SelCo which have achieved Commercial Operation Date (COD)
- Total aggregated maximum capacity allowable under the GITE Leasing is 30MW per RPVI or until NEM quota fully taken (500MW).
- SEDA will determine the effective date for GITE Leasing for any application made to MIDA from 1st January 2020.

## 3.4 Approval

- 3.4.1 All GITA Project and GITE Services including GITE Leasing applications will be approved by the National Committee on Investment (NCI) MIDA before submission to MGTC/SEDA. Once approved, a Conditional Approval Letter will be issued by MIDA. Applicants then submit their application together with the Conditional Approval Letter to MGTC/SEDA for verification on the green criteria. MGTC/SEDA will issue a Validation Letter to the successful applications. A Notification Letter will be issued for the unsuccessful applications.
- 3.4.2 As for GITA Asset, applications are to be submitted to MGTC from 25 October 2013 but not later than 31 December 2023. Companies must submit the applications to MGTC at least 2 years from the date of purchasing (invoice from the supplier). MGTC will approve all GITA Assets application within 21 working days from the date complete document is received. A Validation Letter will be issued by MGTC for the any successful applications while a Notification

Letter will be issued for the unsuccessful applications. Claim may be made in the tax return form once the Validation Letter is received. The Validation Letter and other supporting document must be kept and be produced upon IRBM request.

## 3.5 Annual Verification

3.5.1 GITA Project and GITE Services

- 3.5.1.1 For the GITA Project and GITE Services, MGTC will conduct annual verification throughout of the incentive period.
- 3.5.1.2 MGTC will verify on the approved application for GITA Project based on criteria as follows:
  - 60% of main equipment/assets in the GITA Project must be recognised and registered under the MyHIJAU Mark or have product certification that is recognised and accepted by MGTC.
  - Project's impacts to the environment i.e. GHG emission reduction, waste reduction, fuel savings, environmental improvement, energy consumption savings and water consumption savings.
- 3.5.1.3 MGTC will issue an annual verification letter and this document must be kept and produced upon IRBM request.

3.5.2 GITE for Leasing

- 3.5.2.1SEDA will conduct annual verification throughout the incentive period (10 years).
- 3.5.2.2SEDA will verify on the approved application for GITE Leasing based on criteria as follows:
  - PV Investor registered with SEDA Malaysia and listed under the RPVI Directory;

- Cumulative installed capacity per RPVI not exceeding 30MW;
- Cumulative NEM quota taken not exceeding 500MW;
- Annual report / audited financial statement to verify the income that qualifies for exemption must be derived from sales of electricity / leasing activities; and
- Valid certificate of Competency.
- 3.5.2.3SEDA will issue an annual verification letter to RPVI and this document will be kept and produced upon IRBM request
- 3.5.1 Annual Verification fee to be charged to the applicants is based on the following table: -

Total Cost for Equipment/ Machinery (RM)	Annual Verification Fee (RM)	Additional Charges	
Less than 500,000	2,500	Out-of-pocket	
500,000 - 1,000,000	4,000	Expenses	
1,000,001 - 5,000,000	7,000	(Site visit to the premise or project	
More than 5,000,000	10,000	location if required)	

Annual verification fees and additional charges must be paid upfront pending the task to be carried out.

# 4.0 GREEN INVESTMENT TAX ALLOWANCE (GITA) ASSETS

# 4.1 Features for GITA Assets

FEATURES	DESCRIPTION
Eligibility	<ul> <li>Companies that had incurred qualifying capital expenditure in green technology investment and complying ALL of the following criteria:-</li> <li>a) minimise the degradation of the environment or reduce greenhouse emission;</li> <li>b) promotes health and improvement of environment; and</li> <li>c) conserves the use of energy, water and/or other forms of natural resources or promote the use of renewable energy or able to recycle waste material resources.</li> </ul>
	<ul> <li>Assets must be register and listed under the MyHIJAU Directory.</li> <li>The green technology asset in the GITA Asset must be owned by the company.</li> <li>The green technology asset must be used in the business carried out by the company in Malaysia.</li> <li>The green technology asset must be used for own consumption and not for income generation.</li> <li>The qualifying capital expenditure must be qualified asset by MOF that have been verified by MGTC and is listed under the MyHIJAU Directory.</li> <li>Once Validation letter is issued, claim may be made in the tax return form and all supporting documents must be kept and produced to IRBM upon request.</li> </ul>

FEATURES	DESCRIPTION
Rate of incentive	<ul> <li>Green Investment Tax Allowance (GITA) of 100% of qualifying capital expenditure incurred on approved green technology asset.</li> <li>The allowance can be offset against 70% of statutory income in the year of assessment.</li> <li>Unutilised allowances can be carried forward until they are fully absorbed.</li> </ul>
Interpretations	<ul> <li>Qualifying capital expenditure means the purchase of approved green technology asset by a qualifying company that have been verified by MGTC.</li> <li>Approved green technology asset means approved asset by MOF and that have been verified by MGTC and is listed under the MyHIJAU Directory.</li> <li>Qualifying company means a company which is incorporated under the Companies Act, 2016 and a resident in Malaysia.</li> </ul>
Commencement date	<ul> <li>This incentive can be claimed in the year of assessment where the GITA asset is purchase.</li> <li>Period of purchase must be made from 25 October 2013 until 31 December 2023.</li> <li>Companies must submit the applications to MGTC at least 2 years from the date of asset purchased (invoice from the suppliers). Applications more than 2 years will not be eligible for the incentive.</li> </ul>
Other key features	<ul> <li>Companies would be allowed to claim GITA and other incentives (e.g. reinvestment allowance or ITA) in relation to different business source/activity as long as the same asset does not qualify for multiple incentives.</li> <li>Where a particular asset is eligible to qualify for GITA and another incentive in relation to the same business source/activity, the company may only elect only one of the incentives applicable to the same asset.</li> </ul>

FEATURES	DESCRIPTION	
	<ul> <li>Companies currently enjoying energy efficient or renewable energy incentives would be able to qualify for the GITA asset provided that there would be additional investment and it is not in respect of the same asset.</li> <li>Companies granted energy efficient or renewable energy incentives would be able to elect for GITA asset provided the company has not claimed the investment tax allowance on the approved energy efficient or renewable energy incentives in the tax computation.</li> </ul>	

# 4.2 List of Qualifying Assets

4.2.1 This list of assets is eligible for the GITA asset incentive for any purchase made from 25 October 2013 until 31 December 2023 subject to verification made by MGTC.

NO.	SECTOR/ AREA	TECHNOLOGY	PRODUCT CATEGORIES
1	Energy Efficiency	Transformer	Energy Efficient transformer (up to 33kV)
2	Building	Energy efficient	Solar air-conditioning equipment/system
3		appliances	Thermal energy storage equipment/system
4			Variable air volume (VAV) equipment/system
5			Variable-refrigerant-volume (VRV) equipment/system
6	Transport	Electric vehicle	Electric motorcycle/scooter
7			Electric bus
8			Electric MPV/truck
9		Infrastructure	Electric Vehicle (EV) charging equipment/system

4.2.2 In Budget 2019, additional assets as follows have been included into the listing from 1 January 2019. Thus, any purchase made for assets under this listing from 1 January 2019 until 31 December 2023 will be eligible for GITA Assets incentive subject to verification by MGTC.

NO.	SECTOR/ AREA	TECHNOLOGY	PRODUCT	APPLICATION TO
ENERG	Y	·	·	
1	Energy	Chiller	Energy Efficient	MGTC
2	Efficiency	Heat operated Air	High Efficiency	MGTC
		Conditioners	Absorption and	
			Adsorption Air	
			conditioners	
3	-	Cooling Tower	High Efficiency	MGTC
			Cooling Towers	
4		Air Compressor	High Efficiency Air	MGTC
	_		Towers	
5		Industrial Furnaces	Energy Efficient	MGTC
			Industrial Furnaces	
6		Cogeneration System	Cogeneration	MIDA
			Systems	
7	Renewable	Solar Thermal	Solar Thermal	MIDA
	Energy		Systems and	
			Collectors	
8		Biomass	Biomass	MIDA
		combustion/gasification/	Gasification	
		Combined heat power	furnace/combustion	
	-		chamber	
9			Biomass Gas	MIDA
			Engine	

NO.	SECTOR/ AREA	TECHNOLOGY	PRODUCT	APPLICATION TO
10			Biomass	MIDA
			Reciprocating	
			Engines	
11			Biomass	MIDA
			Combustion/Gas	
			Turbines	
12	-		Biomass Steam	MIDA
			Turbines	
13	-		Biomass Oil	MIDA
			Recovery System	
14	-		Biomass Fuel	MIDA
			preparation system	
			(Press & Shredding	
			machine)	
15			Biomass Fuel	MIDA
			feeding system	
			(Rotary	
			Drum/Conveyor	
			Belt/Screw	
			Conveyor)	
16	-		Biomass Heat	MIDA
			Recovery System	
			Generator	
17			Condensing	MIDA
			Biomass Boiler	
18		Mini Hydro	Hydro Turbines	MIDA
19			Mini Hydro	MIDA
			Generators	
20			Hydro pump and	MIDA
			motors	
21			Penstock	MIDA
			(pipe/tunnels)	
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NO.	SECTOR/ AREA	TECHNOLOGY	PRODUCT	APPLICATION TO
22		Biogas	Biogas pre-	MIDA
			treatment	
			system/biogas	
			purifying	
			system/biogas	
			scrubber system	
23			Biogas dewatering	MIDA
			system	
24			Biogas Digestion	MIDA
			System (covered	
			lagoon/digester	
			tank/gas well)	
25			Biogas analyser	MIDA
26		Energy Storage	Battery	MGTC
BUILDIN	IG		1	
27		Energy Management	Building Energy	MIDA
		System	Management	
			System	
28			Single or double	MIDA
			glazing systems	
29		Heat Barrier	Low radiation	MIDA
			window curtain	
			system	
30		Office	Efficient server	MIDA
		equipment/furniture	system	
31		Energy Saving Lighting	LED & Energy	MIDA
			Saving Lighting	
WASTE				

NO.	SECTOR/ AREA	TECHNOLOGY	PRODUCT	APPLICATION TO
32	Waste	Waste collection	Trash compactors with energy efficient motors	MGTC
33	-	Waste recycling/recovery	Energy efficient Balers	MIDA
34	-		Plastic recycling machines	MIDA
35	-		Magnetic separators	MIDA
36	-	Waste treatment	Composting equipment	MIDA
37	-		Energy efficient Incinerator	MIDA
38	-	Waste disposal	Energy efficient landfill compactors	MIDA
39	-		Methane gas recovery system	MIDA
WATER		·	·	
40	Water		Energy efficient pumps	MGTC

- 4.2.3 In Budget 2021, additional asset as follows have been included into the listing from 1 January 2022. Thus, any purchase made for asset under this listing from 1 January 2022 until 31 December 2023 will be eligible for GITA Assets incentive subject to verification by MGTC.
- 4.2.4 Submission can be made to MGTC starting from 1 January 2022 until 31 December 2023.

NO.	SECTOR/ AREA	TECHNOLOGY	PRODUCT CATEGORIES
1	Water	Rain Water Harvesting	Rain Water Harvesting System

#### 4.3 Schematics of the Application Process



# 5.1 Features for GITA Project

FEATURES	DESCRIPTION
Eligibility	<ul> <li>Companies which undertakes a qualifying green technology project and complying ALL of the following criteria:-</li> <li>a) minimise the degradation of the environment or reduce greenhouse emission;</li> <li>b) promotes health and improvement of environment; and</li> <li>c) conserves the use of energy, water and/or other forms of natural resources or promote the use of renewable energy or able to recycle waste material resources.</li> <li>Projects must obtain a Conditional Approval Letter from MIDA.</li> <li>Application must be submitted to MIDA before first qualifying capital expenditure incurred.</li> <li>Company which has incurred first qualifying CAPEX or generated energy before application made to MIDA is not eligible for this incentive.</li> </ul>
	<ul> <li>Companies within the same group undertaking the same green project as their parent companies/related companies will be imposed with conditions as follows:</li> <li>(i) The project shall be implemented in a building/location separate from other activities carried out by the holding company or related companies;</li> <li>(ii) The plant, machinery and equipment used for this project shall be separated plant, machinery and equipment and shall not be transferred from the holding company or related companies;</li> </ul>

<ul> <li>(iii) All employees of the company shall be separated from the employees of the parent company or related companies except for the management staff and directors of the company; and</li> <li>(iv) The establishment of this project will not result in a reduction in the investment of the parent company or related companies.</li> </ul>
<ul> <li>Company which has been approved with GITA and plans to undertake the same/other qualifying activities can be considered for approval subject to the validity of the same effective date of current incentive period approved by MIDA.</li> <li>Company which has already been approved with Green Technology Incentive under the Section 127 (3A), Income Tax Act 1967 or Selected Industries under Section 4D, Promotion of Investment Act 1986 and plans to undertake the same/other qualifying activities is not eligible to apply for this incentive.</li> </ul>
<ul> <li>For Green Building:</li> <li>Company is allowed to submit application after receiving Provisional Green Building Certificate (e.g. Design Assessment, Actual Assessment etc.) and not later than been awarded by the Final Green Building Certificate.</li> <li>Company which has already obtained the Final Green Building Certificate or equivalent is not entitle to apply for this incentive.</li> <li>The qualifying capital expenditure can be backdated not earlier than 3 years from the date of application received by MIDA but not earlier than 1 January 2020.</li> <li>Company which has been granted GITA incentive, is allowed to claim for GITA incentive with the following</li> </ul>

incentives in the same basis period for a year of
assessment:
(i) Pioneer Status under the Promotion of
Investments Act 1986 subject to GITA incentive to
be absorbed after the expiry of Pioneer Status
period.
(ii) Investment Tax Allowance under the Promotion of
Investment Act 1986 subject to different asset
under each incentive.
(iii) Reinvestment Allowance under Schedule 7A or
Investment Allowance for service sector under
Schedule 7B, the Income Tax Act 1967 subject to
different asset under each incentive.
(iv) Exemption of income under the P.U.(A) 112/2006,
Income Tax Act 1967 subject to GITA incentive to
be absorbed after the expiry of exemption of
income period.
(v) Investment Tax Allowance under P.U.(A)
113/2006, Income Tax Act 1967 subject to different
asset under each incentive.
(vi) Green Investment Tax Allowance (GITA) Asset
under the Income Tax Act 1967 for Rainwater
Harvesting System only subject to different asset
under each incentive.
Acquisition of green assets which has been fully or
partially funded by Grant received from Government are
not eligible to be claimed as assets under green
technology incentives.

Rate of	Green Investment Tax Allowance (GITA) of 100% of					
incentive (New	qualifying capital expenditure incurred on green					
Regime)	technology project from the date of first qualifying capital					
	expenditure incurred after application received by MIDA.					
	• The allowance can be offset against 70% of statutory					
	income in the year of assessment.					
	Unutilised allowances can be carried forward until they					
	are fully absorbed.					
Commencement	The incentive period is for 3 years starting from the first					
date	date of the qualifying capital expenditure (CAPEX)					
	incurred as verified by MGTC.					
	The first date of the qualifying capital expenditure incurred					
	shall not be earlier than date of application received by					
	MIDA.					
	<ul> <li>MGTC will verify the first qualifying capital expenditure</li> </ul>					
	incurred by the company.					
Interpretations	Qualifying capital expenditure means the purchase of					
interpretations	approved green technology asset by a qualifying					
	company that have been verified by MGTC.					
	Approved Project by MIDA for the purposes of this					
	incentive means the Project which obtained the					
	Conditional Approval Letter from MIDA. For this purpose,					
	MGTC acts as the agency to evaluate and verify the green					
	technology technical aspect of the project based on					
	Project Assessment Criteria.					
	Main Equipment/Assets means major components that					
	are necessary for the performance of the project and the					
	cost is reasonable.					
	• Qualifying company means a company which is					
	incorporated under the Companies Act, 2016 and resident					
	in Malaysia.					
	• New company is a newly incorporated company which					
	proposes to undertake qualifying activities and has yet to					
	generate any income from business activity.					

Conditions	<ul> <li>Existing company which (i) undertakes qualifying activities for own consumption or project based OR (ii) undertakes new business in qualifying activities and generates new separate income from the existing operations.</li> <li>Equipment/assets in the GITA projects must be owned by the company.</li> <li>Main equipment/assets in the GITA projects must be recognised and registered under the MyHIJAU Mark or have product certification that is recognised and accepted by MGTC.</li> <li>Renewable Energy projects which have been approved with Feed-in Tariff (FiT) for solar energy by the Sustainable Energy Development Authority (SEDA) are not eligible for the incentive.</li> <li>For green building or green data centre projects, the companies must be awarded with green building certificates from locally developed rating tool/certification body approved by MGTC.</li> <li>Annual verification will be conducted by MGTC throughout the incentive period and a fee will be charged to the company.</li> <li>Once Verification Letter is issued, claim may be made in</li> </ul>
Extension of the Incentive Period	<ul> <li>In Budget 2020, company which has made application prior to 1 January 2020 and has been approved incentive period of less than 3 years will be eligible for an extension from the date of earlier application received by MIDA.</li> <li>Companies that undertake investments for own consumption / project based that have been fully incurred* the capital expenditure before 1 January 2020 are not eligible for the extension.</li> </ul>

	<ul> <li>Company which could not generate energy before or on</li> </ul>
	the commencement date determined in the Approval
	Letter must obtain supporting documents (i.e. FiAH
	Certificate for Feed-in-Tariff or Award Letter for Large
	Scale Solar Project) from relevant authorities upon
	submission to MIDA.
	Application for extension using GT/EXT form must be
	submitted to MIDA latest by 31 December 2020.
	*Note : Fully incurred means that the approved project is
	already in operation and/or generating renewable energy.
L	1

# 5.2 List of Qualifying Activities

NO.	SECTOR/ AREA	ACTIVITIES		
1	Renewable Energy	Commercial and industrial business entities which undertake generation of energy in the form of electricity, steam, heat and chilled water using renewable energy resources such as: • Biomass • Biogas • Mini Hydro • Geothermal • Solar power Note: Projects which have been approved with Feed-in Tariff (FiT) for solar by the Sustainable Energy Development Authority (SEDA) are not eligible for the incentive.		
2	Energy Efficiency	Companies investing in energy efficiency equipment or technologies and invest in energy saving equipment.		
3	Green Building	Building owners of the commercial / industrial building that have obtained Design Assessment (DA) certificate from locally developed rating tool/certification body approved by the Government.		
4	Green Data Centre	Companies that purchased any energy efficient product or solution for data centre which have been awarded green building certificates from locally developed rating tool/certification body approved by the Government.		
5	Integrated Waste Management	Companies which undertake / invest in waste recycling or waste recovery or waste treatment and additional activities such as composting or store or collection or disposal.		

#### 5.3 Schematics of the Application Process







- MGTC receive the GITA Project Technical Description Form from applicant. The technical form can be downloaded from MyHIJAU website or MGTC website respectively via www.myhijau.my or www.mgtc.gov.my.
- MGTC screens the information and will requested following supporting documents:
  - MyHIJAU Certificate/Product Certification for the main equipment used in the project; and
  - (ii) Other supporting documents with respect to the project undertaken.
- If the information or supporting documents provided are incomplete, the application will be notified via email to submit the required information and needs to respond within fourteen (14) days from the date of such notification.
- MGTC will ensure that all information sufficient to proceed with technical evaluation before providing Tax Invoice for processing fee to the applicant.
- Upon complete documentation, MGTC will take twenty-one (21) working days to verify the project. The approval of the application shall be subjected to MGTC's successful evaluation. If approved, a Validation Letter will be issued. If not approved, MGTC will notify the Applicant with a Notification Letter.
- MGTC issue the Validation Letter to the successful Applicant.
- Applicant submits tax form to IRBM together with the Validation Letter from MGTC for tax claim or declaration.
- MGTC will conduct annual verification for the following year of assessment until the tax allowances are fully absorbed.
- Annual verification fee will be charged to the Applicant (refer to page 10).

#### 6.0 GREEN INCOME TAX EXEMPTION (GITE) SERVICES

#### **FEATURES** DESCRIPTION Eligibility Green Income Tax Exemption given to qualifying ٠ companies which provides green technology services which have been verified by MGTC and been listed under the MyHIJAU Directory. Company which has been established after 25 October ٠ 2013 and proposes to undertake the qualifying activities. New company is a newly incorporated company which ٠ proposes to undertake qualifying activities and has yet to generate any income. Company which has issued first invoice before application ٠ made to MIDA is not eligible for this incentive. For a company which undertakes green technology ٠ services activities, the company must meet the criteria of green technology service providers as follows: Employs at least five (5) full-time employees working in ٠ Malaysia including at least two (2) competent personnel in green technology\* (refer requirement of competent personnel); Must have a green policy related to the environmental or • sustainability\*\*; Must have documented Standard Operating Procedure (SOP) to ensure quality of services; ٠ 100% income must be derived from the respective green technology services. Company must undertake at least 3 qualifying activities ٠ from the respective green technology sectors. The list of green services activities are as follows: (i) Audit (ii) Engineering

#### 6.1 Features for GITE Services

	(iii)	Procurement	
	(iv)	Consultancy/Advisory	
	(v)	System Design	
	(vi)	Testing	
	(vii)	Commissioning	
	(viii)	Installation	
	(ix)	Maintenance, Repair & Overhaul (MRO)	
	(x)	Funding	
	(xi)	Certification/Verification	
N	ote :		
•	*Compe	tent personnel are defined as holding a	
	certifica	te of competency as a service provider in the	
	related i	field of green technology. The certificate must	
	be rec	ognized by the Government, MGTC or	
	Professi	ional Body in Malaysia.	
•	**Green	Policy is a statement about the commitment to	
	sustaina	bility and environment management by the	
	compan	у.	
•	List of c	certification bodies/competency recognized by	
	MGTC r	efer Annex 1.	
• Ap	plicatior	n must be submitted to MIDA before the	
iss	uance o	of first invoice.	
• Co	Company which has issued first invoice before application		
ree	received by MIDA is not eligible for this incentive.		
• Or	nly one c	company in the same group is eligible for GITE-	
se	rvices.		
• Re	elated co	mpanies are not eligible for this incentive.	
• GI	TE Serv	vices and GITE Solar Leasing are mutually	
ex	clusive	where the company or its related company	
ca	nnot enj	joy both incentives within the same incentive	
ре	riod.		
Requirement of	At least two (2) competent personnel in respective green		
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Competent	technology sector with requirement as follows:		
Personnel	<ul> <li>a) Must be certified by professional body or qualification body/agency;</li> <li>b) Must be actively participating in the professional body or qualification body/agency with the updated</li> </ul>		
	<ul> <li>Continuing Professional Development (CPD) points as required by the respective qualification body/agency;</li> <li>c) Must be actively practising in the respective field or the registration/Continuing Professional Development (CPD) points with the professional bodies is up to date; and</li> <li>d) Must be a permanent staff of the company.</li> </ul>		
Rate of incentive	Income Tax Exemption of 70% on statutory income for		
	qualifying green services from the year assessment where the first invoice issued after the application to MIDA.		
Commencement	For application made to MIDA from 1 January 2020 until 31		
date	<ul> <li>December 2023, the incentive period shall commence:</li> <li>for new company, from the first invoice date as verified by MGTC and the date shall be not earlier than 1 January 2020;</li> <li>for existing company, from the first invoice date as verified by MGTC and the date shall not be earlier than the application date to MIDA.</li> </ul>		
Other	Companies must obtain verification from MGTC and listed		
Conditions	under the MyHIJAU Directory.		
	<ul> <li>Companies must come to MGTC for annual verification throughout the incentive period.</li> <li>Once Verification letter is issued, claim may be made in the tax return form and all supporting documents must be kept and produced to IRBM upon request.</li> </ul>		

NO.	SECTOR/ AREA	ACTIVITIES
1	Renewable Energy	Services related to renewable energy project such as system design and feasibility study, advisory and consultancy, testing and commissioning.
2	Energy Efficiency	Services related to energy efficiency such as advisory and consultancy, energy audit and management, measurement and verification, testing and commissioning.
3	Electric Vehicle (EV)	<ul> <li>(i) Services related to installation, maintenance and repair of EV charging equipment, infrastructure and EV charging station.</li> <li>(ii) Services related to operation of the EV charging station.</li> <li>(iii) Services related to maintenance, repair and overhaul of EV.</li> </ul>
4	Green Building	Services related to testing and commissioning of green building equipment and system, and services related to green building design and consultancy services.
5	Green Data Centre	Services related to system design and feasibility study, advisory and consultancy, testing and commissioning of green data centre or ICT infrastructure.
6	Green Certification and Verification	Services related to green certifications of products, equipment and buildings.
7	Green Township	Services related to advisory and consultancy, design and feasibility study in Green Township and low carbon cities planning.

### 6.3 Schematics of the Application Process







# **FEATURES** DESCRIPTION Eligibility Green Income Tax Exemption given to qualifying • companies which provides solar leasing services which been verified by SEDA and been listed under the RPVI Directory. For a company which provide the solar leasing services, the company must meet the criteria as follows: a) Employs at least five (5) full-time employees working in Malaysia including at least two (2) competent personnel in green technology. b) The income that qualifies for exemption must be derived from sales of electricity / leasing activities. Income derived from activities other than sales of electricity / leasing activities is not eligible for income tax exemption. Note : \*Competent personnel are defined as holding a certificate of competency as a service provider in the related field of green technology. The certificate must be recognized by the Government or a Professional Body in Malaysia. The application must be submitted to MIDA before 31 December 2023. Rate of Income Tax Exemption of 70% on statutory income for incentive solar leasing activity for a period up to 10 years of assessment. This incentive will be given based on tier as follow: a) >3MW- ≤10MW - 5 years\*

### 7.1 Features for GITE Leasing

FEATURES	DESCRIPTION
Commencement date	<ul> <li>b) &gt;10MW- ≤30MW – 10 years*</li> <li>*Company possess a minimum installed capacity of 3MW solar PV projects aggregated under the NEM programme or SelCo Programme which have achieved Commercial Operation Date as the pre-requisite to apply for the tax incentive The exemption will be given to company based on the addition once they have fulfilled the minimum 3MW pre-requisite.</li> <li>The incentive period shall commence from the date of first invoice issued by RPVI to lessee as verified by SEDA and this date shall not be earlier than the application made to MIDA.</li> <li>Qualifying company means a company which is incorporated under the Companies Act, 1965 and a resident in Malaysia and provides solar leasing services which have been verified by SEDA Malaysia.</li> <li>This incentive would only be applicable for Operating Lease; means a contract wherein the lessor, (RPVI) permits the lessee (NEM applicant) to use the lease asset for a particular period without any transfer of</li> </ul>
Anotheritory	ownership / rights. The lease asset reported as fixed assets in lessor balance sheet.
Another key features	<ul> <li>Companies within the same group undertaking solar leasing activity as their parents' companies / related companies are not eligible for solar leasing incentive.</li> <li>GITE Services and Leasing is mutually exclusive and company can only choose either to apply for GITE Services or Leasing.</li> </ul>
	<ul> <li>Only one company in the same group is eligible for GITE Leasing. Related companies are not eligible for this incentive.</li> </ul>

FEATURES	DESCRIPTION
Conditions	<ul> <li>Company which has undertaken GITE-solar leasing project(s) and has issued the first invoice before application made to MIDA is not eligible for this incentive.</li> <li>Companies must register and listed under the RPVI</li> </ul>
	<ul> <li>Directory.</li> <li>Companies would need to have at least two (2) competent/qualified personnel in the respective green technology services throughout the incentive period.</li> <li>The income that qualifies for exemption must be derived from sales of electricity / leasing activities.</li> <li>The company must be incorporated under the Companies Act, 2016 and resident in Malaysia.</li> <li>At least 60% of the equity of the company must be held by Malaysians.</li> <li>Assets must be incorporated in the RPVI balance sheet;</li> <li>GITE Services and GITE Leasing are mutually exclusive, where the company or its related company cannot enjoy both incentives within the same period. If a company already enjoyed GITE Services, the company or its related company is eligible for GITE Leasing after the expiry of the existing GITE Services.</li> <li>Once Verification letter issued by SEDA to RPVI, claim may be made in the tax return form and all supporting documents must be kept and produced to IRBM upon request.</li> </ul>

# 7.2 List of Qualifying Activities

NO.	SECTOR/ AREA	ACTIVITIES
1	Renewable	leasing services related to implementation of NEM
	Energy (solar	project and other services to support the lease
	PV)	contract i.e. financing, design, engineering,
		procurement, construction, installation, testing,
		commissioning and operation and maintenance.

### 7.3 Schematics of the Application Process





### 8.0 SUBMISSION FOR APPLICATION FORMS

## 8.1 Application for GITA Assets

The application should be submitted in one (1) set of MGTC GITA/A Form to:

# **Chief Executive Officer**

Malaysian Green Technology and Climate Change Corporation No. 2 Jalan 9/10 Persiaran Usahawan Seksyen 9 43650 Bandar Baru Bangi Selangor Darul Ehsan (Attn.: Head of Green Incentives)

# 8.2 Application for GITA Projects, GITE Services and GITE Leasing

The application should be submitted in three (3) sets of MIDA GT/JA Forms to:

# **Chief Executive Officer**

Malaysian Investment Development Authority (MIDA) MIDA Sentral, No. 5 Jalan Stesen Sentral 5 Kuala Lumpur Sentral 50470 Kuala Lumpur (Attn.: Director, Green Technology Division)

### 9.0 ENQUIRIES

9.1 All enquiries and clarification regarding MyHIJAU Mark, MyHIJAU Directory and GITA Assets are to be addressed to MGTC at the following address:

Green Technology Tax Incentive Malaysian Green Technology and Climate Change Corporation No. 2, Jalan 9/10 Persiaran Usahawan, Seksyen 9 43650 Bandar Baru Bangi Selangor Darul Ehsan Tel. No.: (603) 8921 0800 Fax: No. (603) 8921 0801 Website: www.myhijau.my or www.mgtc.gov.my

9.2 All enquiries and clarification regarding GITA Project and GITE Services are to be addressed to MIDA at the following address:

#### Director

Green Technology Division Malaysian Investment Development Authority (MIDA) MIDA Sentral, No. 5 Jalan Stesen Sentral 5 Kuala Lumpur Sentral 50470 Kuala Lumpur Tel. No.: (603) 2267 3633 Fax: No. (603) 2274 8470 Website: www.mida.gov.my 9.3 All enquiries and clarification regarding RPVI Directory are to be addressed to SEDA Malaysia at the following address:

# Sustainable Energy Development Authority (SEDA) Malaysia

Galeria PjH, Aras 9 Jalan P4W, Persiaran Perdana, Presint 4 62100, Putrajaya Tel: 03-8870 5800 Fax: 03-8870 5900 Website: www. seda.gov.my