

A BILL

*i n t i t u l e d*

An Act to amend the Inland Revenue Board of Malaysia Act 1995.

**ENACTED** by the Parliament of Malaysia as follows:

**Short title and commencement**

**1.** (1) This Act may be cited as the Inland Revenue Board of Malaysia (Amendment) Act 2008.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

**Amendment of First Schedule**

**2.** The Inland Revenue Board of Malaysia Act 1995 [*Act 533*] is amended in the First Schedule—

(a) in subparagraph 1(1), by substituting for the words "at least once a month" the words "once in every two months";

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(b) by inserting after paragraph 4 the following paragraph:

**"Resolution without meetings**

**4A.** (1) A resolution is taken to have been passed at a meeting of a Board if—

(a) all members of the Board have been informed of the proposed resolution, or reasonable efforts have been made to inform all members of the Board of the proposed resolution; and

(b) without meeting, all of the members of the Board indicate agreement with the resolution in accordance with the method determined by the Board under subparagraph (2).

(2) Subparagraph (1) applies only if the Board-

(a) decides that the subparagraph applies; and

(b) decides the method by which members of the Board are to indicate agreement with the resolution."; and

(c) by substituting for paragraph 5 the following paragraph:

**"Validity of acts and proceedings**

5. No act done or proceedings taken under this Act shall be questioned on the ground of—

(a) a vacancy in the membership of, or a defect in the constitution of, the Board;

(b) the contravention by any member of the Board of the provisions of paragraph 2; or

(c) an omission, a defect or an irregularity not affecting the merit of the case.".

EXPLANATORY STATEMENT

This Bill seeks to amend the Inland Revenue Board of Malaysia Act 1995 ("Act 533").

2. *Clause 1* deals with preliminary provision.

3. The amendments found in this Bill are the proposals to amend certain provisions of the First Schedule to Act 533 with respect to the proceedings of the Board. The amendment to subparagraph 1(1) seeks to allow the Board to meet once in every two months instead of at least once a month as required by the existing provision. The new paragraph 4A seeks to enable the Board to pass resolutions without meeting while the amendment to paragraph 5 seeks to improve the provision on the validity of proceedings of the Board.

*FINANCIAL IMPLICATIONS*

This Bill will not involve the Government in any extra financial expenditure.

[PN(U<sup>2</sup>)2641]