
First published in the *Government Gazette*, Electronic Edition, on 11th January 2013 at 11.00 pm.

No. S 12

STAMP DUTIES ACT
(CHAPTER 312)

STAMP DUTIES ACT (AMENDMENT OF
FIRST AND THIRD SCHEDULES)
NOTIFICATION 2013

In exercise of the powers conferred by section 78 of the Stamp Duties Act, the Minister for Finance hereby makes the following Notification:

Citation and commencement

1. This Notification may be cited as the Stamp Duties Act (Amendment of First and Third Schedules) Notification 2013 and shall come into operation on 12th January 2013.

Amendment of First Schedule

2. Article No. 3 of the First Schedule to the Stamp Duties Act is amended —

- (a) by deleting the words “or value” in paragraphs (a) and (c);
- (b) by deleting the words “*under paragraph (a)*” in paragraphs (ba) and (bb) and substituting in each case the words “*under paragraph (a) and either paragraph (bc) or (bf) (as applicable)*”;
- (c) by inserting, immediately after the words “after 14th January 2011” in paragraph (bb), the words “but before 12th January 2013”;
- (d) by deleting the words “, whether or not any other type of property is also conveyed, transferred or assigned under the same instrument” in paragraph (bc) and substituting the words “(whether or not any other type of property is also conveyed, transferred or assigned under the same instrument), executed on or after 8th December 2011 but before 12th January 2013”;

(e) by deleting the words “or value (whichever is applicable)” wherever they appear in Article No. 3(bc)(i) to (vi) and paragraph (2)(b);

(f) by inserting, immediately after paragraph (bc), the following paragraphs:

“(bd) on sale of industrial property which is acquired on or after 12th January 2013

In addition to duty under paragraphs (a) and (bf), where the property is disposed of in the following period from the date of its acquisition

Within one year	Exceeding one year but not exceeding 2 years	Exceeding 2 years but not exceeding 3 years
15% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to an industrial purpose at the time of the execution of the instrument	10% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to an industrial purpose at the time of the execution of the instrument	5% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to an industrial purpose at the time of the execution of the instrument

(be) on sale of “residential and mixed-residential” property which is acquired on or after 12th January 2013

In addition to duty under paragraphs (a) and (bf), where the property is disposed of in the following period from the date of its acquisition

Within one year	Exceeding one year but not exceeding 2 years	Exceeding 2 years but not exceeding 3 years	Exceeding 3 years but not exceeding 4 years
The aggregate of the following (as applicable): (a) 15% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to an industrial purpose at the time of the execution of the instrument; and (b) 16% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to a residential purpose at the time of the execution of the instrument	The aggregate of the following (as applicable): (a) 10% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to an industrial purpose at the time of the execution of the instrument; and (b) 12% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to a residential purpose at the time of the execution of the instrument	The aggregate of the following (as applicable): (a) 5% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to an industrial purpose at the time of the execution of the instrument; and (b) 8% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to a residential purpose at the time of the execution of the instrument	4% of the amount of consideration or value (whichever is applicable) of the part of the property which is attributable to a residential purpose at the time of the execution of the instrument (as applicable)

(bf) on sale of residential property (whether or not any other type of property is also conveyed, transferred or assigned under the same instrument), executed on or after 12th January 2013

In addition to duty under paragraph (a), and paragraph (ba), (bb) or (be) (as applicable)

(i) if —

7% of the amount of consideration of the residential property that is conveyed, assigned or transferred

(A) the grantee, transferee or lessee is a Singapore citizen owning one property, or any of 2 or more joint grantees, transferees or lessees is a Singapore citizen owning one property and none of the other joint grantees, transferees or lessees is a Singapore citizen owning 2 or more properties, a Singapore permanent resident owning property, a foreigner or an entity; and

(B) one residential property is conveyed, transferred or assigned under the instrument

(ii) if —

5% of the amount of consideration of the residential property that is conveyed, assigned or transferred

(A) the grantee, transferee or lessee is a Singapore permanent resident not owning property, or any of 2 or more joint grantees, transferees or lessees is a Singapore permanent resident not owning property and none of the other joint grantees, transferees or lessees is a Singapore citizen owning one property or owning 2 or more properties, a Singapore permanent resident owning property, a foreigner or an entity; and

(B) one residential property is conveyed, transferred or assigned under the instrument

-
-
- (iii) if —
- (A) the grantee, transferee or lessee is a Singapore citizen owning 2 or more properties or a Singapore permanent resident owning property, or any of 2 or more joint grantees, transferees or lessees is a Singapore citizen owning 2 or more properties or a Singapore permanent resident owning property, and none of the other joint grantees, transferees or lessees is a foreigner or an entity; and
- (B) one or more residential properties is or are conveyed, transferred or assigned under the instrument
- 10% of the amount or the total amount of consideration of the residential property or properties that is or are conveyed, assigned or transferred
- (iv) if —
- (A) the grantee, transferee or lessee is a Singapore citizen not owning property, or any of 2 or more joint grantees, transferees or lessees is a Singapore citizen not owning property and none of the other joint grantees, transferees or lessees is a Singapore citizen owning one property or owning 2 or more properties, a Singapore permanent resident, a foreigner or an entity; and
- (B) 2 residential properties are conveyed, transferred or assigned under the instrument
- 7% of the amount of consideration of any one of the residential properties that are conveyed, assigned or transferred, as elected by the person paying the duty

(v) if —

- (A) the grantee, transferee or lessee is a Singapore citizen not owning property, or any of 2 or more joint grantees, transferees or lessees is a Singapore citizen not owning property and none of the other joint grantees, transferees or lessees is a Singapore citizen owning one property or owning 2 or more properties, a Singapore permanent resident, a foreigner or an entity; and
- (B) 3 or more residential properties are conveyed, transferred or assigned under the instrument

(vi) if —

- (A) the grantee, transferee or lessee is a Singapore citizen owning one property, or any of 2 or more joint grantees, transferees or lessees is a Singapore citizen owning one property, and none of the other joint grantees, transferees or lessees is a Singapore citizen owning 2 or more properties, a Singapore permanent resident owning property, a foreigner or an entity; and
- (B) 2 or more residential properties are conveyed, transferred or assigned under the instrument

The aggregate of —

- (a) 7% of the amount of consideration of any one of the residential properties that are conveyed, assigned or transferred, as elected by the person paying the duty; and
- (b) 10% of the total amount of consideration of the other residential properties that are conveyed, assigned or transferred, after deducting the amount of consideration of any one of those other residential properties, as elected by that person

The aggregate of —

- (a) 7% of the amount of consideration of any one of the residential properties that are conveyed, assigned or transferred, as elected by the person paying the duty; and
- (b) 10% of the amount or the total amount of consideration of the other residential property or properties that is or are conveyed, assigned or transferred

(vii) if —	The aggregate of —
<p>(A) the grantee, transferee or lessee is a Singapore permanent resident not owning property, or any of 2 or more joint grantees, transferees or lessees is a Singapore permanent resident not owning property, and none of the other joint grantees, transferees or lessees is a Singapore citizen owning one property or owning 2 or more properties, a Singapore permanent resident owning property, a foreigner or an entity; and</p> <p>(B) 2 or more residential properties are conveyed, transferred or assigned under the instrument</p>	<p>(a) 5% of the amount of consideration of any one of the residential properties that are conveyed, assigned or transferred, as elected by the person paying the duty; and</p> <p>(b) 10% of the amount or the total amount of consideration of the other residential property or properties that is or are conveyed, assigned or transferred</p>
(viii) if the grantee, transferee or lessee, or any of 2 or more joint grantees, transferees or lessees is a foreigner or an entity	15% of the amount or the total amount of consideration of the residential property or properties that is or are conveyed, assigned or transferred”;

(g) by inserting, immediately after the definition of “foreigner” in paragraph (1), the following definition:

“*“industrial property” means any specified immovable property (or part thereof) referred to in paragraph 8(1)(a) of the Stamp Duties (Section 22A) Order 2010 (G.N. No. S 209/2010), but excludes any “residential or mixed residential” property;*”;

(h) by deleting the definition of “residential property” in paragraph (1) and substituting the following definitions:

“*“residential property” means —*

(a) *in the case of paragraph (bc) of this Article, immovable property (or part thereof) which, under the Master Plan, may be used for solely residential purposes or for mixed purposes, one of which is residential; or*

(b) in the case of paragraph (bf) of this Article, any immovable property that is either —

(i) zoned or situated on land that is zoned in any of the following manners under the Master Plan:

- (A) “Residential”;
- (B) “Commercial and Residential”;
- (C) “Residential/Institution”;
- (D) “Residential with Commercial at 1st Storey”;
- (E) “White”; or

(ii) permitted under the Planning Act (Cap. 232) to be used for solely residential purposes or for mixed purposes, one of which is residential;

“residential or mixed residential” property” means any specified immovable property (or part thereof) referred to in paragraph 8(1)(b) of the Stamp Duties (Section 22A) Order 2010 (G.N. No. S 209/2010);”;

(i) by inserting, immediately after the words “a reference” where they first appear in paragraph (2)(b), the words “in paragraph (bc) of this Article”;

(j) by deleting the words “or value” in paragraph (2)(b);

(k) by inserting, immediately after sub-paragraph (b) of paragraph (2), the following sub-paragraphs:

“(bb) a reference in paragraph (bf) of this Article to the amount of consideration of any residential property is a reference to the amount of consideration relating to the part of the property that is attributable to a residential purpose;

(bc) a reference in this Article to the amount of consideration includes a reference to the value of the consideration;”;

(l) by inserting, immediately after paragraph (2), the following paragraphs:

“(2A) For the purposes of paragraphs (bd) and (be) of this Article and paragraph (2)(bb), where the property is —

(a) vacant land; or

(b) immovable property comprising the land as well as all units or buildings within a development on the land,

then the gross floor area of the property specified in the second column of the following table, that corresponds to the applicable zoning of the land under the Master Plan in the first column thereof, shall be deemed to be attributable to an industrial purpose; and the gross floor area of

the property specified in the third column thereof, that corresponds to the applicable zoning of the land under the Master Plan in the first column thereof, shall be deemed to be attributable to a residential purpose:

<i>First column</i>	<i>Second column</i>	<i>Third column</i>
<i>Zoning of land under Master Plan</i>	<i>Part of property deemed attributable to industrial purpose</i>	<i>Part of property deemed attributable to residential purpose</i>
<i>White</i>	—	<i>100% of gross floor area</i>
<i>B1</i>	<i>100% of gross floor area</i>	—
<i>B1 — White</i>	<i>The minimum gross floor area which must be set aside for “B1 uses” under the Master Plan before “White uses” are allowed</i>	—
<i>B2</i>	<i>100% of gross floor area</i>	—
<i>B2 — White</i>	<i>The minimum gross floor area which must be set aside for “B2 uses” under the Master Plan before “White uses” are allowed</i>	—
<i>BP</i>	<i>85% of gross floor area</i>	—
<i>BP — White</i>	<i>100% of gross floor area less maximum percentage thereof which may be set aside for “White uses” under the Master Plan</i>	—
<i>Residential</i>	—	<i>100% of gross floor area</i>

<i>First column</i>	<i>Second column</i>	<i>Third column</i>
<i>Zoning of land under Master Plan</i>	<i>Part of property deemed attributable to industrial purpose</i>	<i>Part of property deemed attributable to residential purpose</i>
<i>Residential/ Institution</i>	—	<i>100% of gross floor area</i>
<i>Commercial and Residential</i>	—	<i>60% of gross floor area</i>
<i>Residential with commercial on the 1st storey</i>	—	<i>Total gross floor area less the minimum gross floor area which must be set aside for commercial uses under the Master Plan.</i>

(2B) For the purposes of paragraphs (bd) and (be) of this Article and paragraph (2)(bb), where the property is a building or part thereof —

- (a) a part of the property is attributable to an industrial purpose if it is permitted under the Planning Act to be used for any purpose set out in the Schedule to the Stamp Duties (Section 22A) Order 2010; and
- (b) a part of the property is attributable to a residential purpose if it is permitted under the Planning Act for a residential use.

(2C) For the purposes of the definition of “residential property” as well as paragraph (2B), whether a building or part thereof is permitted under the Planning Act (Cap. 232) to be used for a particular purpose is to be determined in accordance with paragraph 6 of the Stamp Duties (Section 22A) Order 2010.”;

- (m) by deleting the words “residential property” in paragraph (4)(a) and substituting the word “property”;
- (n) by inserting, immediately after the words “paragraph (bc)” in paragraph (5)(i) and (ii), the words “or (bf)”;
- (o) by inserting, immediately after the words “Paragraph (5)” in paragraph (6), the following words “(as it relates to paragraph (bc) of this Article)”;

(p) by deleting paragraph (7) and substituting the following paragraphs:

“(7) Paragraph (5) (as it relates to paragraph (bf) of this Article) shall not apply if —

- (a) the relevant individual is one of 2 or more joint grantees, transferees or lessees under the instrument; and*
- (b) without considering the status of the relevant individual, sub-paragraph (i), (ii), (iii), (iv), (v), (vi), (vii) or (viii) of paragraph (bf) of this Article applies to the instrument by virtue of the fact that the other joint grantee, transferee or lessee, or any of the other joint grantees, transferees or lessees, not being himself a relevant individual who satisfies paragraph (5)(b) in relation to that estate or interest, is —*
 - (i) in the case of sub-paragraph (i) of paragraph (bf) of this Article, a Singapore citizen owning one property;*
 - (ii) in the case of sub-paragraph (ii) of paragraph (bf) of this Article, a Singapore permanent resident not owning property;*
 - (iii) in the case of sub-paragraph (iii) of paragraph (bf) of this Article, a Singapore citizen owning 2 or more properties or a Singapore permanent resident owning property;*
 - (iv) in the case of sub-paragraph (iv) or (v) of paragraph (bf) of this Article, a Singapore citizen not owning property;*
 - (v) in the case of sub-paragraph (vi) of paragraph (bf) of this Article, a Singapore citizen owning one property;*
 - (vi) in the case of sub-paragraph (vii) of paragraph (bf) of this Article, a Singapore permanent resident not owning property;*
 - (vii) in the case of sub-paragraph (viii) of paragraph (bf) of this Article, a foreigner or an entity.*

(7A) In paragraphs (5), (6) and (7), “relevant individual” means —

- (a) in the case of paragraph (bc) of this Article, an individual who is —*
 - (i) a Singapore citizen owning one property;*
 - (ii) a Singapore citizen owning 2 properties; or*
 - (iii) a Singapore permanent resident owning one property,*
where the property or any of the properties (as the case may be) is the property referred to in paragraph (5)(b); or
- (b) in the case of paragraph (bf) of this Article, an individual who is a Singapore citizen owning one property, being the property referred to in paragraph (5)(b).”.*

Amendment of Third Schedule

3. Article No. 2 of the Third Schedule to the Stamp Duties Act is deleted and the following Article substituted therefor:

“2 CONVEYANCE — Article No. 3(a) to (h)

- | | |
|---|-----------------------------------|
| (a) for all purposes other than Article No. 3(b), (ba), (bb), (bd) and (be) | The grantee, transferee or lessee |
| (b) for the purposes of Article No. 3(b), (ba), (bb), (bd) and (be) | The grantor or transferor”. |

Made this 11th day of January 2013.

LIM SOO HOON
Permanent Secretary
(Finance) (Performance),
Ministry of Finance,
Singapore.

[R54.1.0004 Vol. 4; AG/LLRD/SL/312/2010/6 Vol. 1]