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INCOME TAX ACT (CHAPTER 134)

INCOME TAX (LAND INTENSIFICATION ALLOWANCE) (AMENDMENT NO. 2) REGULATIONS 2017

In exercise of the powers conferred by section 18C(11A) of the Income Tax Act, the Minister for Finance makes the following Regulations:

Citation and commencement

1. These Regulations are the Income Tax (Land Intensification Allowance) (Amendment No. 2) Regulations 2017 and come into operation on 15 December 2017.

Amendment of regulation 2

2. Regulation 2 of the Income Tax (Land Intensification Allowance) Regulations 2012 (G.N. No. S 28/2012) (called in these Regulations the principal Regulations) is amended by deleting the words “the Schedule” in paragraphs (1)(a)(i), (1A)(a) and (b), (1B) and (2)(a) and substituting in each case the words “the First Schedule”.

Deletion and substitution of regulation 3

3. Regulation 3 of the principal Regulations is deleted and the following regulation substituted therefor:

“Prescribed intensified use of land for prescribed trade or business for post-25 March 2016 applications

3.—(1) For the purposes of section 18C(2B) of the Act, a prescribed trade or business is —

- (a) where the application for planning permission is made before 15 December 2017, a trade or business specified in the First Schedule;

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- (b) where the application for planning permission is made on or after 8 March 2017 but before 15 December 2017, a trade or business specified in the First Schedule, or any of the following trades or businesses carried out in an integrated construction and prefabrication hub:
- (i) prefabrication of individual components (such as precast columns, beams, staircases);
 - (ii) prefabrication of integrated sub-assemblies (such as prefabricated bathroom units and prefabricated mechanical, electrical and plumbing systems);
 - (iii) prefabrication of fully integrated assemblies (such as prefabricated and prefinished volumetric construction); or
- (c) where the application for planning permission is made on or after 15 December 2017, a trade or business specified in the Second Schedule.

(2) For the purposes of section 18C(2B)(b) of the Act, the construction or renovation of any building or structure on industrial land, port land or airport land promotes the intensified use of the land for a trade or business if, and only if, the gross plot ratio of the building or structure upon completion of the construction or renovation (called in this regulation as-built gross plot ratio) —

- (a) meets the gross plot ratio benchmark for that trade or business; or
- (b) if the gross plot ratio of the building or structure before the start of the construction or renovation already meets or exceeds the gross plot ratio benchmark mentioned in sub-paragraph (a), the as-built gross plot ratio of the building or structure is at least 10% more than the gross plot ratio before the start of the construction or renovation.

(3) Where a post-25 March 2016 application has more than one prescribed trade or business under section 18C(2B)(a)(ii) of the Act, then the trade or business with the highest gross plot ratio benchmark among those trades or businesses is designated for the purposes of making the determination under section 18C(2B)(b) of the Act.

(4) For the purposes of paragraphs (2)(a) and (3), the gross plot ratio benchmark for a trade or business is —

- (a) in the case of an application mentioned in paragraph (1)(a), the ratio set out in Column B of the First Schedule for that trade or business;
- (b) in the case of an application mentioned in paragraph (1)(b), the ratio set out in Column B of the First Schedule for that trade or business, or 1.6 for any of the following trades or businesses carried out in an integrated construction and prefabrication hub:
 - (i) prefabrication of individual components (such as precast columns, beams and staircases);
 - (ii) prefabrication of integrated sub-assemblies (such as prefabricated bathroom units and prefabricated mechanical, electrical and plumbing systems);
 - (iii) prefabrication of fully integrated assemblies (such as prefabricated and prefinished volumetric construction); or
- (c) in the case of an application mentioned in paragraph (1)(c), the ratio set out in the Second Schedule for that trade or business.

(5) In this regulation, an application for planning permission is an application for planning permission or conservation permission made to the competent authority in accordance with the Planning Act (Cap. 232).”

Amendment of Schedule

4. The Schedule to the principal Regulations is amended —
- (a) by deleting the Schedule heading and substituting the following Schedule heading:

“GROSS PLOT RATIO BENCHMARK WHERE
APPLICATION FOR PLANNING PERMISSION OR
CONSERVATION PERMISSION IS MADE BEFORE
15 DECEMBER 2017”; and

- (b) by renaming the Schedule as the First Schedule.

New Second Schedule

5. The principal Regulations are amended by inserting, immediately after the First Schedule, the following Schedule:

“SECOND SCHEDULE

Regulation 3

GROSS PLOT RATIO BENCHMARK WHERE APPLICATION FOR
PLANNING PERMISSION OR CONSERVATION PERMISSION IS
MADE ON OR AFTER 15 DECEMBER 2017

<i>Trade or business</i>		<i>Gross plot ratio benchmark</i>
<i>Description</i>	<i>Classification under Singapore Standard Industrial Classification 2015</i>	
1. Food, beverages and tobacco	1010	1.04
	1020	
	1030	
	1040	
	1050	
	1061	
	1062	
	1071	
	1072	

<i>Trade or business</i>		<i>Gross plot ratio benchmark</i>
<i>Description</i>	<i>Classification under Singapore Standard Industrial Classification 2015</i>	
	1073 1074 1075 1076 1079 1080 1101 1102 1103 1104 1200	
2. Printing and recorded media	1811 1812 1820	2.24
3. Manufacture of coke and refined petroleum products	1910 1920	0.41
4. Manufacture of petrochemicals and petrochemical products	2013	0.69
5. Manufacture of other chemicals	2011 2012 2021 2022 2023 2024 2029	0.71

<i>Trade or business</i>		<i>Gross plot ratio benchmark</i>
<i>Description</i>	<i>Classification under Singapore Standard Industrial Classification 2015</i>	
	2030	
6. Manufacture of pharmaceuticals and biological products	2101 2102	0.68
7. Manufacturing of computers and peripheral equipment, and consumer electronics	2620 2640	2.47
8. Manufacture of semiconductor devices, electronics modules and components, and communications equipment	2611 2612 2630 2651 2652 2660 2670 2680 2710 2720 2732 2733 2740 2750 2790	1.71
9. Land transport	2910 2920 2930 3020	1.23

<i>Trade or business</i>		<i>Gross plot ratio benchmark</i>
<i>Description</i>	<i>Classification under Singapore Standard Industrial Classification 2015</i>	
	3040 3091 3092 3099	
10. Aerospace	3030	1.09
11. Marine and offshore engineering	3011 3012	0.7
12. Medical technology	3250	2.34
13. Machinery and systems	2811 2812 2814 2815 2816 2817 2819 2821 2822 2824 2825 2826 2827 2829 2830	0.85

<i>Trade or business</i>		<i>Gross plot ratio benchmark</i>
<i>Description</i>	<i>Classification under Singapore Standard Industrial Classification 2015</i>	
14. Other manufacturing industries	1310	0.98
	1391	
	1392	
	1393	
	1394	
	1399	
	1410	
	1420	
	1430	
	1511	
	1512	
	1520	
	1610	
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	1701	
	1702	
	1709	
2103		
2211		
2212		
2219		
2221		
2222		

<i>Trade or business</i>		<i>Gross plot ratio benchmark</i>
<i>Description</i>	<i>Classification under Singapore Standard Industrial Classification 2015</i>	
	2310	
	2391	
	2393	
	2394	
	2395	
	2396	
	2399	
	2410	
	2420	
	2431	
	2432	
	2511	
	2512	
	2513	
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	2593	
	2594	
	2595	
	2599	
	3100	
	3211	
	3212	
	3220	

<i>Trade or business</i>		<i>Gross plot ratio benchmark</i>
<i>Description</i>	<i>Classification under Singapore Standard Industrial Classification 2015</i>	
	3230 3240 3290	
15. Logistics activities	4923 5210 5222 5224 5229 5320	1.58
16. Any of the following trades or businesses carried out in an integrated construction and prefabrication hub: (a) prefabrication of individual components (such as precast columns, beams and staircases); (b) prefabrication of integrated sub-assemblies (such as prefabricated bathroom units and prefabricated mechanical, electrical and plumbing systems);	-	1.6

<i>Trade or business</i>		<i>Gross plot ratio benchmark</i>
<i>Description</i>	<i>Classification under Singapore Standard Industrial Classification 2015</i>	
(c) prefabrication of fully integrated assemblies (such as prefabricated and prefinished volumetric construction).		

[G.N. Nos. S 60/2012; S 466/2013; S 480/2014; S 228/2016; S 9/2017]

Made on 27 November 2017.

TAN CHING YEE
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