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## No. S 945

### STAMP DUTIES ACT (CHAPTER 312)

#### STAMP DUTIES (TRANSFER OF INTEREST IN PROPERTY WHICH BUYER HAS INTEREST) (REMISSION OF ABSD) (AMENDMENT) RULES 2021

In exercise of the powers conferred by section 74 of the Stamp Duties Act, the Minister for Finance makes the following Rules:

#### **Citation and commencement**

1. These Rules are the Stamp Duties (Transfer of Interest in Property which Buyer has Interest) (Remission of ABSD) (Amendment) Rules 2021 and come into operation on 16 December 2021.

#### **Amendment of rule 2**

2. Rule 2(1) of the Stamp Duties (Transfer of Interest in Property which Buyer has Interest) (Remission of ABSD) Rules 2013 (G.N. No. S 216/2013) (called in these Rules the principal Rules) is amended —

- (a) by inserting, immediately after the words “paragraph (bf)” in the definition of “additional buyer’s stamp duty” or “ABSD”, the words “or (bh)”; and
- (b) by deleting the definitions of “Singapore citizen not owning property”, “Singapore citizen owning one property”, “Singapore citizen owning 2 properties”, “Singapore citizen owning 2 or more properties”, “Singapore permanent resident not owning property”, “Singapore permanent resident owning one property”, “Singapore permanent resident owning property”,

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“foreigner” and “entity” and substituting the following definitions:

““Singapore citizen not owning property”,  
“Singapore citizen owning one property”,  
“Singapore citizen owning 2 properties”,  
“Singapore citizen owning 2 or more  
properties”, “Singapore permanent resident  
not owning property”, “Singapore permanent  
resident owning one property”, “Singapore  
permanent resident owning 2 or more  
properties”, “Singapore permanent resident  
owning property”, “foreigner” and “entity” —

- (a) have the meanings given to those expressions in paragraph (1) read with paragraphs (2)(a), (3) and (8) of Article 3 of the First Schedule to the Act; but
- (b) the reference to the instrument to be stamped in each of the definitions of those expressions, and the reference to the instrument in question in paragraph (2)(a) of Article 3 of the First Schedule to the Act, is substituted in each case with a reference to the instrument on which any amount of ABSD chargeable on the instrument is remitted under rule 3 or is so remitted but for the operation of rule 4.”.

### **Amendment of rule 3**

3. Rule 3 of the principal Rules is amended by deleting paragraph (2) and substituting the following paragraph:

“(2) In paragraph (1), the prescribed amount of ABSD chargeable on an instrument is —

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- (a) in a case where the relevant individual is a Singapore citizen owning 2 properties or, where there is more than one relevant individual, any one or more of them is or are a Singapore citizen owning 2 properties or Singapore citizens owning 2 properties —
- (i) if the instrument is executed before 16 December 2021 or the Stamp Duties (Instruments on or before 15 December 2021) (Remission) Rules 2021 (G.N. No. S 944/2021) apply to the instrument — 3% of the amount or value of the consideration of the estate or interest (or the part of the estate or interest) mentioned in paragraph (1)(iii); or
  - (ii) if the instrument is executed on or after 16 December 2021 and the Stamp Duties (Instruments on or before 15 December 2021) (Remission) Rules 2021 do not apply to the instrument — 8% of the amount or value of the consideration of the estate or interest (or the part of the estate or interest) mentioned in paragraph (1)(iii); or
- (b) in any other case —
- (i) if the instrument is executed before 6 July 2018 or the Stamp Duties (Instruments on or before 5 July 2018) (Remission) Rules 2018 (G.N. No. S 453/2018) apply to the instrument — 5% of the amount or value of the consideration of the estate or interest (or the part of the estate or interest) mentioned in paragraph (1)(iii);
  - (ii) if the instrument is executed between 6 July 2018 and 15 December 2021 (both dates inclusive) and the Stamp Duties (Instruments on or before 5 July 2018) (Remission) Rules 2018 do not apply to the instrument — 10% of the amount or value of the consideration

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of the estate or interest (or the part of the estate or interest) mentioned in paragraph (1)(iii);

- (iii) if the instrument is executed on or after 16 December 2021 and the Stamp Duties (Instruments on or before 15 December 2021) (Remission) Rules 2021 apply to the instrument — 10% of the amount or value of the consideration of the estate or interest (or the part of the estate or interest) mentioned in paragraph (1)(iii); or
- (iv) if the instrument is executed on or after 16 December 2021 and the Stamp Duties (Instruments on or before 15 December 2021) (Remission) Rules 2021 do not apply to the instrument — 20% of the amount or value of the consideration of the estate or interest (or the part of the estate or interest) mentioned in paragraph (1)(iii).”.

#### **Amendment of rule 4**

##### **4. Rule 4 of the principal Rules is amended —**

- (a) by deleting the words “shall not apply” in paragraph (1) and substituting the words “does not apply in relation to an instrument executed before 16 December 2021 or an instrument to which the Stamp Duties (Instruments on or before 15 December 2021) (Remission) Rules 2021 apply”; and
- (b) by inserting, immediately after paragraph (1), the following paragraph:
  - “(1A) Rule 3 does not apply in relation to an instrument executed on or after 16 December 2021 (that is not an instrument to which the Stamp Duties (Instruments on or before 15 December 2021) (Remission) Rules 2021 apply) if —

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- (a) the relevant individual or individuals (as the case may be), together with one or more other persons, are joint purchasers, grantees, transferees or lessees under the instrument; and
- (b) without considering the status of the relevant individual or individuals —
- (i) sub-paragraph (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (x), (xi), (xii), (xiv), (xv), (xvi), (xvii), (xviii) or (xix) of paragraph (bh) of the Article applies to the instrument by virtue of the fact that the other person or any of the other persons is —
    - (A) in the case of sub-paragraph (i), (iv) or (xiv) of paragraph (bh) of the Article — a Singapore permanent resident not owning property;
    - (B) in the case of sub-paragraph (ii) or (vi) of paragraph (bh) of the Article — a Singapore citizen not owning property;
    - (C) in the case of sub-paragraph (iii), (vii) or (viii) of paragraph (bh) of the Article — a Singapore citizen owning one property;
    - (D) in the case of sub-paragraph (v) or (xv) of paragraph (bh) of the Article — a Singapore permanent resident owning one property;
    - (E) in the case of sub-paragraph (x), (xi) or (xii)

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of paragraph (*bh*) of the Article — a Singapore citizen owning 2 or more properties;

- (F) in the case of sub-paragraph (xvi) of paragraph (*bh*) of the Article — a Singapore permanent resident owning 2 or more properties;
  - (G) in the case of sub-paragraph (xvii) of paragraph (*bh*) of the Article — a foreigner;
  - (H) in the case of sub-paragraph (xviii) of paragraph (*bh*) of the Article — an entity other than a housing developer; and
  - (I) in the case of sub-paragraph (xix) of paragraph (*bh*) of the Article — a housing developer; or
- (ii) sub-paragraph (ix) or (xiii) of paragraph (*bh*) of the Article applies to the instrument by virtue of the fact that —
- (A) in the case of sub-paragraph (ix) of paragraph (*bh*) of the Article — any of the other persons is a Singapore citizen owning one property and another is a Singapore permanent resident not owning property; and

(B) in the case of sub-paragraph (xiii) of paragraph (bh) of the Article — any of the other persons is a Singapore citizen owning 2 or more properties and another is a Singapore permanent resident not owning property.”.

### **Amendment of rule 6**

5. Rule 6 of the principal Rules is amended by inserting, immediately after the words “Rules 2018”, the words “or the Stamp Duties (Instruments on or before 15 December 2021) (Remission) Rules 2021, whichever is applicable”.

*[G.N. Nos. S 301/2014; S 454/2018]*

Made on 14 December 2021.

TAN CHING YEE  
*Permanent Secretary,  
Ministry of Finance,  
Singapore.*

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