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No. S 72

INCOME TAX ACT (CHAPTER 134)

INCOME TAX (EXEMPTION OF INTEREST AND OTHER PAYMENTS FOR ECONOMIC AND TECHNOLOGICAL DEVELOPMENT) NOTIFICATION 2012

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Definition
 3. Exemption
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In exercise of the powers conferred by section 13(4) of the Income Tax Act, the Minister for Finance hereby makes the following Notification:

Citation and commencement

1. This Notification may be cited as the Income Tax (Exemption of Interest and Other Payments for Economic and Technological Development) Notification 2012 and shall be deemed to have come into operation on 1st April 2011.

Definition

2. In this Notification, “qualifying payment” means —

- (a) any interest, commission, fee or other payment; or
- (b) any income derived from loans,

which is deemed under section 12(6) of the Act to be derived from Singapore.

Exemption

3.—(1) Subject to sub-paragraph (3), a qualifying payment which is made to a person who is neither resident in Singapore nor a permanent establishment in Singapore by —

- (a) a bank licensed under the Banking Act (Cap. 19) or approved under the Monetary Authority of Singapore Act (Cap. 186); or
- (b) a finance company licensed under the Finance Companies Act (Cap. 108),

shall be exempt from tax if the qualifying payment —

- (i) is liable to be made during the period from 1st April 2011 to 31st March 2021 (both dates inclusive) under —
 - (A) a contract which took effect before 1st April 2011;
 - (B) a contract which is extended or renewed, where the extension or renewal took effect before 1st April 2011; or
 - (C) a debt security which was issued before 1st April 2011;
- (ii) is liable to be made under a contract which takes effect on a date which falls within the period from 1st April 2011 to 31st March 2021 (both dates inclusive);
- (iii) is liable to be made —
 - (A) under a contract which is extended or renewed, where the extension or renewal takes effect on a date which falls within the period from 1st April 2011 to 31st March 2021 (both dates inclusive); and
 - (B) on or after the date on which such extension or renewal takes effect; or
- (iv) is liable to be made under a debt security which is issued on a date which falls within the period from 1st April 2011 to 31st March 2021 (both dates inclusive).

(2) Subject to sub-paragraph (3), a qualifying payment which is made to a person who is neither resident in Singapore nor a permanent establishment in Singapore by a person (referred to in this Notification as an approved payer) who —

(a) holds a capital markets services licence under the Securities and Futures Act (Cap. 289) for dealing in capital markets products and advising on corporate finance;

[S 330/2024 wef 08/10/2018]

(b) is involved or will be involved in the underwriting of debt or equity issuances; and

(c) is approved for the purposes of this Notification by the Minister or such person as he may appoint, subject to such conditions as the Minister or such person, as the case may be, may impose,

shall be exempt from tax if the qualifying payment —

(i) is liable to be made during the period from the date on which the approval referred to in sub-paragraph (c) is given (referred to in this Notification as the approval date) to 31st March 2021 (both dates inclusive) under —

(A) a contract which took effect before the approval date;

(B) a contract which is extended or renewed, where the extension or renewal took effect before the approval date; or

(C) a debt security which was issued before the approval date;

(ii) is liable to be made under a contract which takes effect on a date which falls within the period from the approval date to 31st March 2021 (both dates inclusive);

(iii) is liable to be made —

(A) under a contract which is extended or renewed, where the extension or renewal takes effect on a date which falls within the period from the approval date to 31st March 2021 (both dates inclusive); and

(B) on or after the date on which such extension or renewal takes effect; or

(iv) is liable to be made under a debt security which is issued on a date which falls within the period from the approval date to 31st March 2021 (both dates inclusive).

(3) The exemptions referred to in sub-paragraphs (1) and (2) shall not apply to any qualifying payment made by a person or an approved payer, as the case may be, in connection with an arrangement referred to in section 33(1) of the Act.

Made this 21st day of February 2012.

CHAN LAI FUNG
Permanent Secretary
(Finance) (Performance),
Ministry of Finance,
Singapore.

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