
First published in the Government Gazette, Electronic Edition, on 10th April 2013 at 5:00 pm.

No. S 215

STAMP DUTIES ACT (CHAPTER 312)

STAMP DUTIES (HDB FLATS AND EXECUTIVE CONDOMINIUM UNITS) (REMISSION OF ABSD) RULES 2013

ARRANGEMENT OF RULES

Rule

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

Citation and commencement

1. These Rules may be cited as the Stamp Duties (HDB Flats and Executive Condominium Units) (Remission of ABSD) Rules 2013 and shall be deemed to have come into operation on 12th January 2013.

[S 840/2013 wef 30/12/2013]

Definitions

2.—(1) In these Rules —

“additional buyer’s stamp duty” or “ABSD” means the duty referred to in paragraph (bf), (bh) or (bi) of Article 3 of the First Schedule to the Act;

[S 948/2021 wef 16/12/2021]

[S 245/2023 wef 27/04/2023]

“Board” or “HDB” means the Housing and Development Board established under section 3 of the Housing and Development Act (Cap. 129);

“executive condominium unit” means any housing accommodation in a development comprising housing accommodation under the executive condominium scheme established under the Executive Condominium Housing Scheme Act (Cap. 99A);

“HDB flat” means any flat sold by the Board under Part IV of the Housing and Development Act or by an approved developer (as defined under section 65M of that Act) under Part IVB of that Act;

[Deleted by S 840/2013 wef 30/12/2013]

(2) In these Rules, a reference to joint purchasers, grantees, transferees or lessees is a reference to persons to whom the residential property in question is sold, conveyed, transferred or assigned as joint tenants or as tenants in common.

(3) In these Rules, in the case of an instrument executed before 9 May 2022, and except where the residential property is to be held as property of a business trust or a collective investment scheme or as partnership property, a reference to a purchaser, grantee, transferee or lessee, in a case where he is to hold the residential property on trust, is a reference to the beneficial owner; and where there is more than one beneficial owner (whether or not including the purchaser, grantee, transferee or lessee himself), all the beneficial owners shall be treated as joint purchasers, grantees, transferees or lessees.

[S 374/2022 wef 09/05/2022]

Remission of ABSD for instruments relating to HDB flats

3.—(1) There shall be remitted the prescribed amount of ABSD chargeable on —

(a) a conveyance, assignment or transfer on sale of an HDB flat; and

[S 840/2013 wef 30/12/2013]

(b) any instrument chargeable in like manner.

(2) There shall be remitted the amount of duty chargeable on an agreement for lease by the Board of an HDB flat under Article 8(c) of the First Schedule to the Act that corresponds to the prescribed amount of ABSD chargeable for a conveyance on sale in consideration of the premium and made by the same parties.

(3) Paragraphs (1) and (2) do not apply to an instrument (being one executed on or after 9 May 2022) if the purchaser, grantee, transferee or lessee is, or (if there is more than one of them) one or more of them is or are, to hold the HDB flat sold, conveyed, transferred or assigned under the instrument on trust.

[S 374/2022 wef 09/05/2022]

Remission of ABSD for instruments relating to executive condominium units

4.—(1) There shall be remitted the prescribed amount of ABSD chargeable on —

- (a) a conveyance, assignment or transfer on sale by a developer within the meaning of the Executive Condominium Housing Scheme Act (Cap. 99A) of an executive condominium unit; and
- (b) any instrument between the developer and the grantee, assignee or transferee that is chargeable in like manner.

[S 374/2022 wef 09/05/2022]

(2) Paragraph (1) does not apply to an instrument (being one executed on or after 9 May 2022) if the purchaser, grantee, transferee or lessee is, or (if there is more than one of them) one or more of them is or are, to hold the executive condominium unit sold, conveyed, transferred or assigned under the instrument on trust.

[S 374/2022 wef 09/05/2022]

Prescribed amount of ABSD

5. In rules 3 and 4, the prescribed amount of ABSD chargeable on an instrument is —

- (a) if the purchaser, grantee, transferee or assignee is a Singapore citizen or any of the joint purchasers,

grantees, transferees or lessees is a Singapore citizen, the full amount of ABSD;

(b) subject to paragraphs (d) and (e), if the purchaser, grantee, transferee or assignee is a permanent resident of Singapore or all of the joint purchasers, grantees, transferees or lessees are permanent residents of Singapore, the difference between —

(i) the amount of ABSD that is chargeable on that instrument; and

(ii) 5% of the amount or value of consideration (as determined in accordance with paragraphs (2)(bb) and (4)(a) of Article 3 of the First Schedule to the Act) of the property that is conveyed, assigned or transferred under the instrument;

[S 840/2013 wef 30/12/2013]

[S 14/2016 wef 18/01/2016]

(c) if the purchaser, grantee, transferee or assignee is the Board, the full amount of ABSD;

[S 840/2013 wef 30/12/2013]

[S 14/2016 wef 18/01/2016]

(d) if —

(i) the instrument is a conveyance or transfer on sale of, or a contract or agreement for the sale of, an HDB flat; and

(ii) the HDB flat is a replacement for another HDB flat acquired by the Board from the purchaser, grantee, transferee or assignee under that instrument, being an acquisition made under the Selective En-bloc Redevelopment Scheme (SERS) administered by the Board,

the full amount of ABSD; or

[S 840/2013 wef 30/12/2013]

[S 14/2016 wef 18/01/2016]

(e) if the instrument is a conveyance, assignment or transfer on sale, or a contract or agreement for the sale, by the Board of

any recess area of an HDB flat under the Sale of Recess Area Scheme administered by the Board, the full amount of ABSD.

[S 14/2016 wef 18/01/2016]

Made this 3rd day of April 2013.

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

[MOF (R) 54.1.0004. Vol 4; AG/LLRD/SL/312/2010/28 Vol. 1]