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No. S 9

STAMP DUTIES ACT (CHAPTER 312)

STAMP DUTIES (REMNANT LAND) (REMISSION OF ABSD) RULES 2016

ARRANGEMENT OF RULES

Rule

1. Citation and commencement
 2. Definitions
 3. Remission of ABSD for instruments relating to remnant land
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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 (Remnant Land) (Remission of ABSD) Rules 2016 and come into operation on 11 January 2016.

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 951/2021 wef 16/12/2021]

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

“Authority” means the Singapore Land Authority established under section 3 of the Singapore Land Authority Act (Cap. 301);

“remnant land” means any plot of State land that is approved by the Authority as being incapable of independent development due to the size or shape of the plot;

“residential property” means any immovable property that is 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”.

(2) In these Rules, a reference to a purchaser, grantee, transferee or assignee —

- (a) includes a reference to joint purchasers, grantees, transferees or assignees to whom the remnant land in question is sold, conveyed, transferred or assigned as joint tenants or as tenants in common; and
- (b) in a case where the instrument is executed before 9 May 2022, and he or she is to hold the remnant land 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 assignee himself or herself), is a reference to all the beneficial owners.

[S 372/2022 wef 09/05/2022]

Remission of ABSD for instruments relating to remnant land

3.—(1) Subject to paragraphs (2) and (3), ABSD that is chargeable on the following is remitted:

- (a) a conveyance, assignment or transfer on sale by the Authority of remnant land; and
- (b) any instrument between the Authority and the purchaser, grantee, transferee or assignee that is chargeable in like manner.

(2) The remission under this rule is subject to all of the following conditions:

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- (a) the purchaser, grantee, transferee or assignee of the remnant land is an individual;
 - (b) the remnant land adjoins another plot of land (called in this rule the primary plot) that is —
 - (i) residential property; and
 - (ii) beneficially owned by the purchaser, grantee, transferee or assignee;
 - (c) the remnant land is to be used by the purchaser, grantee, transferee or assignee, for a residential purpose or a purpose which is incidental to a residential purpose;
 - (d) no part of the primary plot or the remnant land is conveyed, assigned, transferred or disposed of within 4 years starting from the date of execution of the instrument in paragraph (1).

(3) Paragraph (1) does not apply to any instrument relating to remnant land that is to be held as partnership property.

(4) Paragraph (1) does not apply to an instrument (being one executed on or after 9 May 2022) where the purchaser, grantee, transferee or assignee is, or (if there is more than one of them) all of them are, to hold the remnant land on trust.

[S 372/2022 wef 09/05/2022]

Made on 7 January 2016.

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