

Income Tax (Concessionary Rate of Tax for Approved Trustee Companies) Regulations

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INCOME TAX ACT (CHAPTER 134, SECTION 43J)

INCOME TAX (CONCESSIONARY RATE OF TAX FOR APPROVED TRUSTEE COMPANIES) REGULATIONS

Rg 21

REVISED EDITION 1993

(1st April 1993)

[18th December 1992]

Citation

1. These Regulations may be cited as the Income Tax (Concessionary Rate of Tax for Approved Trustee Companies) Regulations and shall have effect for the year of

assessment 1992 and subsequent years of assessment.

Definitions

2. In these Regulations —

“approved trustee company” means a trustee company which is approved by the Minister or such person as he may appoint under section 43J of the Act;

[Deleted by S 315/2012 wef 01/09/2007]

“designated investments” has the same meaning as in the Income Tax (Exemption of Income of Prescribed Persons Arising from Funds Managed by Fund Manager in Singapore) Regulations 2010 (G.N. No. S 6/2010), with references to “prescribed person” therein modified to refer to “approved trustee company”;

[S 315/2012 wef 01/09/2007]

[S 771/2017 wef 11/04/2016]

[Deleted by S 771/2017 wef 28/12/2017]

“eligible holding company” has the same meaning as in regulation 2 of the Income Tax (Exemption of Income of Foreign Trusts) Regulations (Rg 24);

[S 211/2015 wef Y/A 2003 & Sub Ys/A]

“foreign account” has the same meaning as in section 13O of the Act;

[S 546/2007 wef 18/02/2005]

“foreign bond or loan stock issues” means any bond or loan stock issued by a person not resident in Singapore (but excluding its permanent establishment in Singapore) or by a permanent establishment outside Singapore of a person resident in Singapore in respect of any business carried on outside Singapore through that permanent establishment, where —

- (a) the bond or loan stock is denominated in currencies other than Singapore dollars;
- (b) the proceeds of the bond or loan stock issue are to be used outside Singapore; and
- (c) the expenses incurred in respect of the bond or loan stock issue are not borne, directly or indirectly, by a person resident in Singapore or a permanent establishment in Singapore;

[Deleted by S 315/2012 wef 01/04/2011]

“foreign business trust”, “foreign collective investment scheme”, “foreign debt securities”, “foreign equity securities” and “foreign mutual fund corporation” have the same meanings as in the Income Tax (Concessionary Rate of Tax for Financial Sector Incentive Companies) Regulations 2005

(G.N. No. S 735/2005);

[S 315/2012 wef 01/04/2011]

[S 771/2017 wef 01/04/2016]

“mutual fund corporation” means a collective investment scheme or closed-end fund as defined in section 2 of the Securities and Futures Act (Cap. 289) that is constituted as a corporation;

[S 349/2003 wef 23/07/2003]

“philanthropic purpose trust” has the same meaning as in section 13O of the Act;

[S 546/2007 wef 18/02/2005]

“qualifying debt securities” has the same meaning as in section 13(16) of the Act;

[S 771/2017 wef 01/04/2016]

“relevant foreign trust” means a foreign trust as defined in regulation 2A of the Income Tax (Exemption of Income of Foreign Trusts) Regulations (Rg 24), other than a unit trust referred to in paragraph (1)(b) of that regulation;

[S 349/2003 wef Y/A 2003 & Sub Ys/A]

“unit trust” means any trust established for the purpose, or having the effect, of providing facilities for the participation by persons as beneficiaries under a trust, in profits or income arising from the acquisition, holding, management or disposal of securities or any other property.

Concessionary rate of tax

3.—(1) Tax shall be payable at the rate of 10% on the income derived by an approved trustee company from the provision of —

- (a) any trustee or custodian services in its capacity as a trustee of a relevant foreign trust, or as a trustee of a philanthropic purpose trust in respect of a foreign account;
- (b) any trustee or custodian services for or on behalf of any unit trust which is also a trust fund that qualifies as a “foreign investor” as defined in the Income Tax (Concessionary Rate of Tax for Financial Sector Incentive Companies) Regulations 2005 and where the funds of the unit trust are invested in designated investments;
- (c) trustee or custodian services in respect of foreign bond or loan stock issues including services for monitoring loan covenants and administering loan repayments;
- (d) custodian services in respect of stocks and shares, denominated in currencies other than Singapore dollars, of companies which are neither incorporated nor resident in Singapore;
- (e) any custodian services for or on behalf of any foreign mutual fund