

# **Income Tax (Land Intensification Allowance) Regulations 2012**

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**No. S 28**

**INCOME TAX ACT  
(CHAPTER 134)**

**INCOME TAX  
(LAND INTENSIFICATION ALLOWANCE)  
REGULATIONS 2012**

In exercise of the powers conferred by section 18C(2) of the Income Tax Act, the Minister for Finance hereby makes the following Regulations:

## Citation and commencement

1. These Regulations may be cited as the Income Tax (Land Intensification Allowance) Regulations 2012 and shall be deemed to come into operation on 23rd February 2010.

## Prescribed intensified use of land for prescribed trade or business for pre-25 March 2016 applications

2.—(1) The construction or renovation of any building or structure on industrial land, port land or airport land promotes the intensified use of the land for a trade or business for the purposes of section 18C(2) of the Act if, and only if, upon completing the construction or renovation, the building or structure is as follows:

- (a) the gross plot ratio of the building or structure —
  - (i) meets the relevant gross plot ratio benchmark for the trade or business specified in the First Schedule; or [\[S 691/2017 wef 15/12/2017\]](#)
  - (ii) if the gross plot ratio of the building or structure already meets or exceeds the relevant gross plot ratio benchmark mentioned in sub-paragraph (i) before the start of the construction or renovation, is at least 10% more than its gross plot ratio before the start of the construction or renovation; and
- (b) at least 80% of the total floor area of the building or structure is used by any one person or partnership for the trade or business.

[\[S 480/2014 wef 22/02/2014\]](#)  
[\[S 228/2016 wef 22/02/2014\]](#)

(1A) For the purposes of paragraph (1)(a), the relevant gross plot ratio benchmark applicable to a building or structure on industrial land is the ratio set out in —

- (a) Column A of the First Schedule where the application for planning permission or conservation permission is made to the competent authority in accordance with the Planning Act (Cap. 232) during the period from 23rd February 2010 to 31st July 2013 (both dates inclusive); and [\[S 691/2017 wef 15/12/2017\]](#)
- (b) Column B of the First Schedule where the application for planning permission or conservation permission is made to the competent authority in accordance with the Planning Act on or after 1st August 2013.

[\[S 466/2013 wef 01/08/2013\]](#)  
[\[S 691/2017 wef 15/12/2017\]](#)  
[\[S 228/2016 wef 22/02/2014\]](#)

(1B) For the purposes of paragraph (1)(a), the relevant gross plot ratio benchmark

applicable to a building or structure on port land or airport land is the ratio set out in Column B of the First Schedule.

*[S 228/2016 wef 22/02/2014]  
[S 691/2017 wef 15/12/2017]*

(2) A trade or business is prescribed for the purposes of section 18C(2) of the Act in relation to the promotion of the intensified use of industrial land, port land or airport land if —

- (a) the trade or business is a trade or business specified in the First Schedule; and
- (b) following the construction or renovation of any building or structure on the land, the trade or business —
  - (i) is the principal trade or business of any one person or partnership; and
  - (ii) is the principal trade or business that will be carried on at the building or structure by that person or partnership.

*[S 228/2016 wef 22/02/2014]  
[S 9/2017 wef 25/03/2016]*

### **Prescribed intensified use of land for prescribed trade or business for post-25 March 2016 applications**

**3.—**(1) For the purposes of section 18C(2B) of the Act, a prescribed trade or business is —

- (a) where the application for planning permission is made before 15 December 2017, a trade or business specified in the First Schedule;
- (b) where the application for planning permission is made on or after 8 March 2017 but before 15 December 2017, a trade or business specified in the First Schedule, or any of the following trades or businesses carried out in an integrated construction and prefabrication hub:
  - (i) prefabrication of individual components (such as precast columns, beams, staircases);
  - (ii) prefabrication of integrated sub-assemblies (such as prefabricated bathroom units and prefabricated mechanical, electrical and plumbing systems);
  - (iii) prefabrication of fully integrated assemblies (such as prefabricated and prefinished volumetric construction); or

- (c) where the application for planning permission is made on or after 15 December 2017, a trade or business specified in the Second Schedule.

(2) For the purposes of section 18C(2B)(b) of the Act, the construction or renovation of any building or structure on industrial land, port land or airport land promotes the intensified use of the land for a trade or business if, and only if, the gross plot ratio of the building or structure upon completion of the construction or renovation (called in this regulation as-built gross plot ratio) —

- (a) meets the gross plot ratio benchmark for that trade or business; or
- (b) if the gross plot ratio of the building or structure before the start of the construction or renovation already meets or exceeds the gross plot ratio benchmark mentioned in sub-paragraph (a), the as-built gross plot ratio of the building or structure is at least 10% more than the gross plot ratio before the start of the construction or renovation.

(3) Where a post-25 March 2016 application has more than one prescribed trade or business under section 18C(2B)(a)(ii) of the Act, then the trade or business with the highest gross plot ratio benchmark among those trades or businesses is designated for the purposes of making the determination under section 18C(2B)(b) of the Act.

(4) For the purposes of paragraphs (2)(a) and (3), the gross plot ratio benchmark for a trade or business is —

- (a) in the case of an application mentioned in paragraph (1)(a), the ratio set out in Column B of the First Schedule for that trade or business;
- (b) in the case of an application mentioned in paragraph (1)(b), the ratio set out in Column B of the First Schedule for that trade or business, or 1.6 for any of the following trades or businesses carried out in an integrated construction and prefabrication hub:
  - (i) prefabrication of individual components (such as precast columns, beams and staircases);
  - (ii) prefabrication of integrated sub-assemblies (such as prefabricated bathroom units and prefabricated mechanical, electrical and plumbing systems);
  - (iii) prefabrication of fully integrated assemblies (such as prefabricated and prefinished volumetric construction); or
- (c) in the case of an application mentioned in paragraph (1)(c), the ratio set out in the Second Schedule for that trade or business.

(5) In this regulation, an application for planning permission is an application for

planning permission or conservation permission made to the competent authority in accordance with the Planning Act (Cap. 232).

*[S 691/2017 wef 15/12/2017]*

## FIRST SCHEDULE

Regulations 2 and 3

GROSS PLOT RATIO BENCHMARK WHERE APPLICATION FOR PLANNING PERMISSION OR CONSERVATION PERMISSION IS MADE BEFORE 15 DECEMBER 2017

<i>Trade or business</i>		<i>Gross plot ratio benchmark</i>	
<i>Description</i>	<i>Classification under Singapore Standard Industrial Classification 2010 at Section C</i>	<i>Column A</i>	<i>Column B</i>
1. Manufacture of food products, beverages and tobacco products	1010 1020 1030 1040 1050 1061 1062 1071 1072 1073 1074 1075 1076 1079 1080 1101 1102 1103 1104 1200	0.99	1.00
2. Printing and reproduction of recorded media	1811 1812 1820	1.02	1.98
3. Manufacture of coke and refined petroleum products	1910 1920	0.33	0.40