



REPUBLIC OF SINGAPORE

# GOVERNMENT GAZETTE

## ACTS SUPPLEMENT

*Published by Authority*

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NO. 48]

TUESDAY, DECEMBER 31

[2019

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First published in the *Government Gazette*, Electronic Edition, on 30 December 2019 at 5 pm.

The following Act was passed by Parliament on 4 November 2019 and assented to by the President on 14 November 2019:—

### REPUBLIC OF SINGAPORE

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**No. 33 of 2019.**

I assent.



HALIMAH YACOB,  
*President.*  
14 November 2019.

An Act to amend the Goods and Services Tax Act (Chapter 117A of the 2005 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**Short title and commencement**

1. This Act is the Goods and Services Tax (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of section 2**

2. Section 2(1) of the Goods and Services Tax Act (called in this Act the principal Act) is amended by inserting, immediately after the definition of “account with the electronic service”, the following definitions:

““accountant” means a public accountant within the meaning of the Accountants Act (Cap. 2);

“advocate and solicitor” means an advocate and solicitor within the meaning of the Legal Profession Act (Cap. 161);”.

**New section 2A**

3. The principal Act is amended by inserting, immediately after section 2, the following section:

**“Digital payment tokens**

**2A.**—(1) Subject to subsections (2) and (3), a reference in this Act to a digital payment token is a reference to a digital representation of value that has all of the following characteristics:

- (a) it is expressed as a unit;
- (b) it is designed to be fungible;
- (c) it is not denominated in any currency, and is not pegged by its issuer to any currency;
- (d) it can be transferred, stored or traded electronically;

- (e) it is, or is intended to be, a medium of exchange accepted by the public, or a section of the public, without any substantial restrictions on its use as consideration.

(2) A reference in this Act to a digital payment token does not include any of the following:

- (a) money;
- (b) anything which, if supplied, would be an exempt supply under Part I of the Fourth Schedule for a reason other than being a supply of one or more digital representations of value having the characteristics mentioned in subsection (1);
- (c) anything which —
  - (i) gives an entitlement to receive, or an entitlement to direct the supply of, goods or services from a specific person or persons; and
  - (ii) ceases to function as a medium of exchange after the entitlement has been used.

(3) The Minister may, by order in the *Gazette*, do any of the following:

- (a) add to the characteristics, or modify or remove any characteristic, in subsection (1) of digital payment tokens for the purposes of this Act, whether generally or for specific circumstances;
- (b) add to the exclusions, or modify or remove any exclusion, in subsection (2).”.

#### **Amendment of section 14**

**4.** Section 14 of the principal Act is amended —

- (a) by deleting the words “in the following circumstances:” in subsection (1) and substituting the word “where —”;
- (b) by deleting sub-paragraph (i) of subsection (1)(a) and substituting the following sub-paragraph:

“(i) supplied by a person who belongs in a country other than Singapore, and received by a person (called in this section the recipient) who —

- (A) belongs in Singapore;
- (B) is a registered person, or is not a registered person but is liable to be registered under paragraph 1 or 1B of the First Schedule; and
- (C) is not receiving the services as an individual in the private or personal capacity of the individual; or”;

(c) by inserting the word “and” at the end of subsection (1)(a)(ii);

(d) by deleting the words “claim the full amount of input tax credit” in subsection (1)(b) and substituting the words “credit for the full amount of his input tax”;

(e) by inserting, immediately after subsection (1), the following subsection:

“(1A) Subsection (1)(b) does not apply in relation to any input tax excluded by regulations made under section 19(14) from any credit under section 19.”;

(f) by deleting the words “his business” in subsection (2) and substituting the words “a business for that supply”; and

(g) by deleting subsections (5) and (6) and substituting the following subsections:

“(5) Where a recipient who is a registered person is not within subsection (1)(b), the recipient may elect for all supplies to the recipient made in the circumstances under subsection (1)(a) to be treated as supplies of services to which subsection (2) applies (despite subsection (1)(b) not applying).

(6) Where a recipient who is a registered person receives any supply of services excluded or to any extent excluded under the Eighth Schedule that is made by a person mentioned in subsection (1)(a), the recipient may elect for all such supplies of services to be received by the recipient to be treated as supplies of services to which subsection (2) applies (and not supplies to which subsection (2) does not apply by reason of subsection (3)).”.

**Amendment of section 15**

5. Section 15(7) of the principal Act is amended by deleting the words “for determining” and substituting the words “by which a supplier may determine”.

**Amendment of section 17**

6. Section 17 of the principal Act is amended —

- (a) by deleting the words “supplied by the person or branch mentioned in section 14(1)(a) or member of the group mentioned in section 30(1A), without any deduction of any amount required to be withheld as tax under the Income Tax Act (Cap. 134) (if applicable)” in subsection (3A) and substituting the words “in fact supplied that gave rise to the reverse charge supply”;
- (b) by inserting, immediately after subsection (3A), the following subsection:

“(3AA) Where a reverse charge supply arises from services supplied by a person or branch mentioned in section 14(1)(a) or member of the group mentioned in section 30(1A), then, for the purpose of determining the value of the reverse charge supply, any amount required to be withheld as tax under the Income Tax Act must not, if included in the consideration for the supply in fact made, be deducted.”; and