

Property Tax (Amendment) Bill

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Bill No: 31/2002

Read the first time: 1st October 2002

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Explanatory Statement

Expenditure of Public Money

Property Tax (Amendment) Bill

Bill No. 31/2002

Read the first time on 1st October 2002.

An Act to amend the Property Tax Act (Chapter 254 of the 1997 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 may be cited as the Property Tax (Amendment) Act 2002 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2(1) of the Property Tax Act (referred to in this Act as the principal Act) is amended by deleting the words “and authenticated under section 15” in the definition of “Valuation List”.

Amendment of section 6

3. Section 6 of the principal Act is amended —

- (a) by deleting the words “authenticated under section 15” in the penultimate line of subsection (1);
- (b) by deleting subsection (2) and substituting the following subsections:

“(2) The tax shall be payable by the owner of such property —

- (a) in the case of tax payable under subsection (1), yearly in advance without demand, in the month of January; and
- (b) without prejudice to paragraph (a), where the Comptroller has served a notice for payment of the tax under this Act, within one month of the service of that notice.

(2A) The Comptroller may, in his discretion, extend the period for payment referred to in subsection (2) within which payment of the tax is to be made.”;

- (c) by deleting subsection (7) and substituting the following subsection:

“(7) Notwithstanding any other provision in this Act, the Minister may, in respect of any public authority or body corporate constituted under any written law, order that in lieu of the tax payable under this Act, the public authority or body corporate shall —

- (a) in a case equivalent to the payment of tax under subsection (1), yearly in advance without demand, in the month of January; and
- (b) without prejudice to paragraph (a), where the Comptroller has served a notice for payment, within one month of the service of that notice,

pay to the Government the sum of which is to be calculated on such basis as may be deemed equitable by the Minister.”; and

- (d) by deleting the words “or July, as the case may be, in each year,” in the 2nd and 3rd lines of subsection (7A) and substituting the words “in each year or from the end of one month from the date of the service of a notice for payment of the tax, as the case may be,”.

Amendment of section 7

4. Section 7(3) of the principal Act is amended by deleting the words “subsection (1)”

in paragraph (a) and substituting the words “subsection (2)”.

Repeal of sections 12 to 15

5. Sections 12 to 15 of the principal Act are repealed.

Amendment of section 19

6. Section 19(8) of the principal Act is amended by deleting the words “and until any notice of demolition or removal is given” in the 4th line.

Repeal and re-enactment of section 20 and new section 20A

7. Section 20 of the principal Act is repealed and the following sections substituted therefor:

“Amendment of Valuation List

20.—(1) Where it appears that any Valuation List —

- (a) is or has become inaccurate in any material particular in any year; or
- (b) is likely to become inaccurate in any material particular in the ensuing year,

the Chief Assessor may, in the year referred to in paragraph (a), if he considers it desirable that an amendment should be made to the Valuation List, give notice thereof to the owner of the property concerned stating the amendment that is considered desirable and the date from which it is proposed the amendment shall take effect, and the amendment shall be made in the Valuation List from that date.

(2) For the purposes of this section, the Valuation List shall be deemed to be inaccurate in a material particular where —

- (a) the Chief Assessor is of the opinion that the annual value of a property included in the Valuation List does not correctly represent the annual value evidenced by —
 - (i) the rental obtained from a tenant in respect of a property previously vacant or previously occupied by the owner;
 - (ii) the increased or decreased rental obtained in respect of the letting out of that or similar property; or
 - (iii) the consideration paid or value passing on the sale or transfer, directly or indirectly, of any estate or interest in that or similar property, including the sale or transfer of 75% or more of the issued ordinary shares of a land-

owning company, whether or not the Chief Assessor exercises the option given in section 2(3);

- (b) the Chief Assessor is of the opinion that the rental, if any, obtained from the tenant is lower than the gross amount at which the property could reasonably be expected to be let from year to year;
- (c) any new building is erected or any building is rebuilt, enlarged, altered, improved or demolished;
- (d) any property, not exempted from the provisions of this Act, has not been included in the Valuation List; or
- (e) the Chief Assessor is of the opinion that the annual value of any property or part thereof in the Valuation List required to be assessed on the basis of gross receipts by any order made under section 6A does not correctly represent the annual value as evidenced by the gross receipts arising from the use of that property for the purposes of any trade or business and determined in the manner specified in the order.

(3) The Chief Assessor may, in his discretion, cancel any notice given under subsection (1) which is inaccurate in any particular and may replace it with another notice.

(4) Any alteration to a Valuation List required for the purpose of correcting any of the matters referred to in section 10(2)(a), (b) and (d) or for the correction of any clerical or arithmetical error therein shall not in itself constitute an amendment and may be made at any time.

(5) In this section, “land-owning company” means a company the main object or one of the main objects of which is the development of property by the construction of houses or buildings thereon for the purpose of sale or rent.

Objection to Valuation List

20A.—(1) Any owner aggrieved by the inclusion of any property in the Valuation List or by the annual value ascribed thereto in the Valuation List in any year may, at any time in that year, make an objection to the Chief Assessor by written notice in such form as the Chief Assessor may determine, stating precisely the grounds on which the objection is made and the desired amendments to the Valuation List.

(2) Notwithstanding subsection (1), any owner who desires to object to an