

**Stamp (Amendment) Bill**

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**Bill No: 50/1968**

*Read the first time: 9th December 1968*

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**Stamp (Amendment) Bill**

**Bill No. 50/1968**

*Read the first time on 9th December 1968.*

An Act to amend the Stamp Ordinance (Chapter 170 of the Revised Edition).

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

**Short title**

1. This Act may be cited as the Stamp (Amendment) Act, 1968.

### **Repeal and re-enactment of section 36**

2. Section 36 of the Stamp Ordinance is hereby repealed and the following substituted therefor: —

#### **“Mode of adjudication as to proper stamp duty**

**36.**—(1) When any instrument, whether executed or not and whether previously stamped or not, is brought to the Commissioner, and the person bringing it applies to have the opinion of the Commissioner as to whether the instrument is chargeable with any duty and, if so, the amount of duty chargeable, the Commissioner shall upon payment of twenty-five dollars adjudicate and assess the duty, if any, with which in his judgment the instrument is chargeable:

Provided that where such person seeks the opinion of the Commissioner as to the amount of duty chargeable he shall in making the application for adjudication set forth the value upon which in his opinion duty is chargeable.

#### **Information to be furnished to Commissioner**

(2) For the purpose of such adjudication the Commissioner may require any of the following: —

- (a) an abstract of the instrument;
- (b) an affidavit setting out all the facts and circumstances affecting the liability of the instrument to duty or the amount of such duty;
- (c) any other evidence which he deems necessary for the adjudication or determination of duty;

and the Commissioner may refuse to proceed upon any such application until such abstract and evidence have been furnished accordingly.

(3) Notwithstanding any other provisions of this section the Commissioner may himself require in the case of a conveyance, assignment or transfer of immovable property a certificate of the value of such property from the Government Valuer.

(4) The request for a certificate from the Government Valuer shall be made to him directly by the Commissioner but the Commissioner shall be entitled (in addition to the fee payable under subsection (1) of this section) to charge the person seeking the adjudication of such property or regarding whose property the Commissioner requires a certificate, a fee for such certification at the following rates: —

on the first \$10,000 of the difference between the certified value and the value on which in the opinion of the applicant the duty was chargeable	1 per cent
on the next \$90,000 of such difference	$\frac{1}{2}$ per cent
in all cases where the difference is in excess of \$100,000 on the excess	$\frac{1}{4}$ per cent.

(5) No evidence furnished in pursuance of this section shall be used against any person in any civil proceedings, except in an enquiry as to the duty with which the instrument to which it relates is chargeable.

(6) Every person by whom any evidence is furnished shall, on payment of the full amount of duty chargeable on the instrument and the fees if any under subsection (4) of this section, be relieved from any penalty which he has incurred under this Ordinance by reason of the omission to state truly in such instrument any of the facts or circumstances aforesaid.”.

## Repeal and re-enactment of Schedule A

3. Schedule A to the Stamp Ordinance is hereby repealed and the following substituted therefor: —

### “SCHEDULE A

(Section 4).

#### INSTRUMENTS CHARGEABLE WITH STAMP DUTY

<i>Article No.</i>	<i>Description of Instrument.</i>	<i>Proper Stamp Duty.</i>
1.	AFFIDAVIT, STATUTORY DECLARATION or DECLARATION IN WRITING on oath or affirmation, made before a person authorized by law to administer an oath  <i>Exemptions:—</i> Affidavit or Declaration in writing when made —  (a) for the immediate purpose of being filed or used in any court or before any judge or officer of any court;  (b) for the sole purpose of enabling any person to receive any pension or charitable allowance;  (c) by a surety for an officer of the Government with regard to the surety’s means;  (d) by any person on acceptance of an appointment in the service of the Government; or  (e) for the Commissioner under section 55.	\$2.00.
2.	AGREEMENT for a lease	See LEASE.
3.	AGREEMENT or MEMORANDUM OF AGREEMENT made under band only, and not otherwise specially charged with any duty, whether the same is only evidence of a contract or obligatory on the	\$1.00.

parties from its being a written instrument

*Exemptions:*—Agreement or Memorandum —

(a) for or relating to the sale of any goods, wares or merchandise other than a hire-purchase agreement;

(b) for service or personal employment where the wages do not exceed \$25 per month, and any agreement between the master and mariners of any vessel or boat for wages;

(c) the matter whereof is not of the value of \$25;

(d) for the reference of any matter to arbitration;

(e) for the payment of interest on money deposited in any bank or with any banker.

*Note:*—An agreement for or relating to the supply of goods on hire, whereby the goods in consideration of periodical payments will or may become the property of the person to whom they are supplied, shall be charged with stamp duty as an agreement, or if under seal, as a deed.

4. ANNUITY —

Conveyance in consideration of, and instrument creating by way of sale or gift

*See* CONVEYANCE ON SALE.

Instrument creating by way of security

The same duty as a mortgage for the amount deemed to be secured thereby.

5. APPOINTMENT of a RECEIVER under a mortgage

\$10.00.

6. APPOINTMENT of a new TRUSTEE, and APPOINTMENT in execution of a Power of any property, or of any share or interest in any property, by any instrument not being a Will

\$10.00.

7. APPRAISEMENT —

Where the amount of the appraisal or valuation does not exceed \$50

20 cents.