

Goods and Services Tax (General) (Amendment) Regulations 2010

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No. S 64

GOODS AND SERVICES TAX ACT (CHAPTER 117A)

GOODS AND SERVICES TAX (GENERAL) (AMENDMENT) REGULATIONS 2010

In exercise of the powers conferred by sections 35(1) and 86(1) of the Goods and Services Tax Act, the Minister for Finance hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Goods and Services Tax (General) (Amendment) Regulations 2010 and shall come into operation on 5th February 2010.

Amendment of regulation 2

2. Regulation 2 of the Goods and Services Tax (General) Regulations (Rg 1) (referred to in these Regulations as the principal Regulations) is amended by inserting, immediately after the words “regulation 52” in the definition of “prescribed accounting period”, the words “or as is defined in regulation 92 as a prescribed accounting period, as the case may be”.

Amendment of regulation 7

3. Regulation 7(2) of the principal Regulations is amended —

- (a) by inserting, at the end of sub-paragraph (b), the word “and”;
- (b) by deleting the word “; and” at the end of sub-paragraph (c) and substituting a full-stop; and
- (c) by deleting sub-paragraph (d).

Deletion and substitution of Part XIII

4. Part XIII of the principal Regulations is deleted and the following Part substituted therefor:

“PART XIII

BETTING AND GAMING

Division 1 — General

Consideration of betting and gaming transactions

91. Subject to regulation 91A, where any person pays an amount in money to participate in any transaction involving betting, sweepstakes, lotteries, fruit machines or games of chance, the amount of money so paid shall, for the purposes of the tax, be treated as the consideration for a supply of services to him.

Value of betting and gaming transactions

91A.—(1) Notwithstanding section 17 of the Act, the value to be taken as the value of supplies made in the circumstances mentioned in regulation 91 in any period shall be determined as if the consideration for the supplies were reduced by an amount equal to the amount of money (if any) received in that period by persons (other than the person making the supply and persons acting on his behalf) participating successfully in the betting, sweepstakes, lotteries, fruit machines or games of chance, as the case may be.

(2) The insertion of a token into a machine shall be treated for the purposes of regulation 91 as the payment of an amount equal to that for which the token can be obtained; and the receipt of a token by a person playing successfully shall be treated for the purposes of paragraph (1) —

- (a) if the token is of a kind used to play the machine, as the receipt of an amount equal to that for which such a token can be obtained; or
- (b) if the token is not of such a kind but can be exchanged for money, as the receipt of an amount equal to that for which it can be exchanged.

Tax chargeable on betting and gaming transactions

91B. The tax chargeable and payable under the Act on the transactions referred to in regulation 91 shall be the tax fraction of the value of the supplies referred to in regulation 91A.

Division 2 — Casinos

Subdivision 1 — Definitions

Definitions

92. In this Division —

- “casino”, “casino operator”, “chips” and “game” have the same meanings as in section 2(1) of the Casino Control Act (Cap. 33A);
- “coupon” has the same meaning as in regulation 2 of the Casino Control (Casino Tax) Regulations 2010 (G.N. No. S 59/2010);
- “gaming supply” means a supply referred to in regulation 92C;
- “gross gaming revenue” and “net win” have the same meanings as in section 146(6) of the Casino Control Act;
- “match play coupon” and “rake” have the same meanings as in regulation 2 of the Casino Control (Casino Tax) Regulations 2010;
- “prescribed accounting period” means any reporting period in respect of which a casino operator is required under regulation 4 of the Casino Control (Casino Tax) Regulations 2010 to furnish to the Comptroller of Income Tax a return of the gross gaming revenue of the casino operator for that period.