

Property Tax (Exemption of Land under Development) (Off-Budget) Order 2001

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No. S 557

**PROPERTY TAX ACT
(CHAPTER 254)**

PROPERTY TAX (EXEMPTION OF LAND UNDER DEVELOPMENT) (OFF-BUDGET) ORDER 2001

In exercise of the powers conferred by section 6(5B) of the Property Tax Act, the Minister for Finance hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Property Tax (Exemption of Land under Development) (Off-Budget) Order 2001 and shall be deemed to have come into operation on 12th October 2001.

Definitions

2. In this Order, unless the context otherwise requires —

“Commissioner of Building Control” has the same meaning as in the Building Control Act (Cap. 29);

“CSC” means a certificate of statutory completion in respect of a building issued by the Commissioner of Building Control under section 21(1) of the Building Control Act and, where more than one CSC is issued in respect of a building, means the first CSC so issued;

“owner” means the owner of any vacant land on which a permanent building is being or is to be constructed;

“permanent building” means a building other than a temporary building as defined in section 2(1) of the Building Control Act;

“TOP” means the temporary occupation permit in respect of a building issued by the Commissioner of Building Control under section 21(2) of the Building Control Act and, where more than one TOP is issued in respect of a building, means the first TOP so issued.

Exemption

3. Subject to this Order, any vacant land on which construction works of a permanent building are undertaken shall be exempt from tax during the following period:

- (a) where the foundation works for the building commenced on or before 12th October 2001, from 12th October 2001 until —
 - (i) 11th October 2003; or
 - (ii) the date of issue of the TOP or, where TOP is not issued, the date of issue of the CSC, for the building,whichever is the earlier; and
- (b) where the foundation works for the building commenced after 12th October 2001, from the date of commencement of the foundation works until —
 - (i) 11th October 2003; or
 - (ii) the date of issue of the TOP or, where TOP is not issued, the date of issue of the CSC, for the building,whichever is the earlier.

Period of exemption from date of commencement of foundation works until completion of floor slab of first floor or lowest basement not to exceed 6 months

4.—(1) The maximum period of exemption under paragraph 3 in respect of any vacant land from the date of commencement of the foundation works for the building to be constructed on the land until the completion of the floor slab of the first storey or the lowest basement of the building shall not exceed 6 months or such other period as may be determined by the Comptroller under sub-paragraph (2).

(2) The Comptroller may extend the period of 6 months referred to in sub-paragraph (1) to such period beyond 6 months as he thinks reasonable.

(3) Any period in excess of the period of 6 months referred to in sub-paragraph (1) or

in excess of the extended period determined under sub-paragraph (2) in respect of any vacant land shall not qualify for exemption under paragraph 3, and the total period of exemption specified in paragraph 3 in respect of the land shall be reduced by such period in excess that does not qualify for exemption.

(4) Nothing in this paragraph shall be construed as extending the total period of exemption specified in paragraph 3 in respect of any vacant land.

Application for exemption where foundation works commenced on or before 12th October 2001

5.—(1) An owner of any vacant land which qualifies for exemption from tax under paragraph 3(a) shall comply with this paragraph.

(2) The owner shall give written notice to the Comptroller of the date of commencement of the foundation works referred to in paragraph 3(a) not later than 12th April 2002.

(3) Where the foundation works and the floor slab of the first storey or the lowest basement of the building were completed on or before 12th October 2001, an application for exemption shall be made to the Comptroller in writing at the same time the notice referred to in sub-paragraph (2) is given.

(4) Where the foundation works for the building to be constructed on the land commenced before 12th October 2001 and the floor slab of the first storey or the lowest basement of the building were completed after 12th October 2001, an application for exemption shall be made to the Comptroller in writing within a period of 6 months beginning on the date of completion of the foundation works for the building and the floor slab of the first storey or the lowest basement of the building.

Application for exemption where foundation works commenced after 12th October 2001

6.—(1) An owner of any vacant land which qualifies for exemption from tax under paragraph 3(b) shall comply with this paragraph.

(2) The owner shall give written notice to the Comptroller of the date of commencement of the foundation works referred to in paragraph 3(b) within 14 days of the date of the commencement of the foundation works for the building.

(3) An application for exemption shall be made in writing within 6 months of the completion of the foundation works for the building and the floor slab of the first storey or the lowest basement of the building.

Delay in application