

**Income Tax (Concessionary Rate of Tax for Approved Qualifying Companies)
Regulations 2013**

Table of Contents

Enacting Formula

1 Citation and commencement

2 Definitions

2A Association

3 Approved qualifying company

4 Concessionary rate of tax

5 Determination of income chargeable to tax

**THE SCHEDULE Prescribed qualifying structured commodity financing
activities**

No. S 731

**INCOME TAX ACT
(CHAPTER 134)**

**INCOME TAX (CONCESSIONARY RATE OF TAX FOR
APPROVED QUALIFYING COMPANIES)
REGULATIONS 2013**

In exercise of the powers conferred by section 43P of the Income Tax Act, the

Minister for Finance hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Income Tax (Concessionary Rate of Tax for Approved Qualifying Companies) Regulations 2013 and shall be deemed to have come into operation on 21st May 2010.

Definitions

2. In these Regulations, unless the context otherwise requires —

“approved qualifying company” means an approved qualifying company mentioned in section 43P of the Act;

“AT1 instrument” means a security (not being a stock or a share) commonly known as Additional Tier 1 capital instrument;

“collective investment scheme” has the same meaning as in section 2(1) of the Securities and Futures Act (Cap. 289);

“prescribed advisory services in relation to mergers and acquisitions” means advisory services provided by an approved qualifying company to its associated company in relation to any merger and acquisition that involves the associated company or another associated company of the approved qualifying company;

“prescribed qualifying structured commodity financing activities” means any of the activities specified in the Schedule;

“prescribed treasury activities” means —

- (a) the provision of services in relation to the consolidation, management and distribution of funds by an approved qualifying company to any of its associated companies; and
- (b) the following activities carried out by an approved qualifying company on its own account:
 - (i) transacting or investing in stocks and shares of any company;
 - (ii) transacting or investing in certificates of deposit, notes, bonds, treasury bills, commercial papers, AT1 instruments and collective investment schemes (excluding any collective investment scheme constituted as a unit trust) issued or operated by —

- (A) the Government or any foreign government;
 - (B) a bank that holds a licence under section 7 or 79 of the Banking Act (Cap. 19);
[S 480/2021 wef 01/07/2021]
 - (C) a merchant bank that holds a merchant bank licence, or is treated as having been granted a merchant bank licence, under the Banking Act;
[S 480/2021 wef 01/07/2021]
 - (D) a bank outside Singapore; or
 - (E) a company;
- (iii) investing in deposits held in Singapore with any financial institution in Singapore, or in deposits held outside Singapore with any financial institution outside Singapore;
 - (iv) foreign exchange transactions;
 - (v) re-invoicing activities for its associated companies;
 - (vi) providing credit facilities to its associated companies;
 - (vii) transactions involving derivatives (including transactions involving interest rate or currency swaps and transactions in financial futures contracts or options) entered into with —
 - (A) any bank outside Singapore;
 - (B) a bank that holds a licence under section 7 or 79 of the Banking Act;
[S 480/2021 wef 01/07/2021]
 - (BA) a merchant bank that holds a merchant bank licence, or is treated as having been granted a merchant bank licence, under the Banking Act;
[S 480/2021 wef 01/07/2021]
 - (C) its associated companies; or
 - (D) a member of any exchange;
 - (viii) transacting or investing in units in any unit trust, where the manager of the unit trust engages wholly in one or more of the activities set out in sub-paragraph (i), (ii), (iii), (iv) or