

**Income Tax (Singapore — India) (Avoidance of Double Taxation Agreement)
Order 2005**

Table of Contents

Enacting Formula

THE SCHEDULE

No. S 515

**INCOME TAX ACT
(CHAPTER 134)**

**INCOME TAX (SINGAPORE — INDIA) (AVOIDANCE OF DOUBLE TAXATION
AGREEMENT) ORDER 2005**

WHEREAS it is provided by section 49 of the Income Tax Act that if the Minister by order declares that arrangements specified in the order have been made with the Government of any country outside Singapore with a view to affording relief from double taxation in relation to tax under the Act and any tax of a similar character imposed by the laws of that country, and that it is expedient that those arrangements should have effect, the arrangements shall have effect in relation to tax under the Act notwithstanding anything in any written law:

AND WHEREAS by an Agreement dated the 24th day of January 1994, between the Government of the Republic of Singapore and the Government of the Republic of India, arrangements were made, amongst other things, for the avoidance of double taxation:

AND WHEREAS by a Protocol dated the 29th day of June 2005, between the Government of the Republic of Singapore and the Government of the Republic of India, the arrangements set out in the said Agreement were modified as prescribed in the said Protocol:

NOW, THEREFORE, it is hereby declared by the Minister for Finance —

- (a) that the arrangements as modified by the said Protocol specified in the Schedule to this Order have been made with the Government of the

Republic of India; and

- (b) that it is expedient that those arrangements should have effect notwithstanding anything in any written law.

THE SCHEDULE

PROTOCOL AMENDING THE AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF INDIA

AND

THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE

FOR

THE AVOIDANCE OF DOUBLE TAXATION AND
THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES
ON INCOME SIGNED IN INDIA ON 24TH JANUARY 1994

The Government of the Republic of India and the Government of the Republic of Singapore,

Desiring to conclude a Protocol to amend the Agreement between the Government of the Republic of India and the Government of the Republic of Singapore for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income signed in India on 24th January 1994 (hereinafter referred to as “the Agreement”),

Have agreed as follows:

ARTICLE 1

Paragraphs 4, 5 and 6 of Article 13 (Capital Gains) of the Agreement shall be deleted and replaced by the following:

“4. Gains derived by a resident of a Contracting State from the alienation of any property other than those mentioned in paragraphs 1, 2 and 3 of this Article shall be taxable only in that State.”

ARTICLE 2

With regard to the Article on “Exchange of Information” (Article 28), on a request made by a Contracting State, the Revenue Authority of the other Contracting State shall collect, and share with the first mentioned Contracting State, through its Competent Authority, whatever information that it is competent to obtain for its own purposes under its law.