

# **Income Tax (Amendment) Bill**

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**Bill No: 23/1993**

*Read the first time: 30th July 1993*

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**Income Tax (Amendment) Bill**

**Bill No. 23/1993**

*Read the first time on 30th July 1993.*

An Act to amend the Income Tax Act (Chapter 134 of the 1992 Revised Edition).

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

**Short title and commencement**

1.—(1) This Act may be cited as the Income Tax (Amendment) Act 1993.

(2) Section 9 shall be deemed to have come into operation on 13th March 1992.

(3) Sections 3(b) and (d), 4, 5(b), 11(a) and (b) and 28(a) shall be deemed to have come into operation on 1st January 1993.

(4) Sections 19(a), 23(c), 26 and 37(b) to (i) shall have effect for the year of assessment 1993 and subsequent years of assessment.

(5) Sections 10, 11(e) and (f), 14, 21, 22, 23(a), (d), (e), (f), (h), (i), (j) and (l), 24(a) and (c), 25(a) and (b), 27, 29(a), 32(a), 33, 34 and 36 shall have effect for the year of

assessment 1994 and subsequent years of assessment.

### **Amendment of section 2**

2. Section 2(1) of the Income Tax Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the definition of “earned income”, the following definition:

““employee”, in relation to a company, includes a director of the company and “employer” and other cognate expressions shall be construed accordingly;”.

### **Amendment of section 10**

3. Section 10 of the principal Act is amended —

(a) by deleting the full-stop at the end of subsection (2)(c)(iii) and substituting a semi-colon;

(b) by inserting, immediately after paragraph (c) of subsection (2), the following paragraph:

“(d) any sum standing to the account of any individual in any pension or provident fund or society which the individual is entitled to withdraw upon retirement or which is withdrawn therefrom.”;

(c) by inserting, immediately after the word “subsection” at the end of subsection (6), the words “or if the annuity is purchased by the employer of the person deriving on or after 1st January 1993 such income in lieu of any pension or other benefit payable during his employment or upon his retirement”; and

(d) by inserting, immediately after subsection (11), the following subsection:

“(12) For the purposes of subsection (2)(d), the sum standing to the account of any individual in any pension or provident fund or society, other than a pension or provident fund to which section 10C applies, shall be deemed to accrue to the individual on the date he is entitled to the sum upon retirement or on the date he withdraws any sum before his retirement, as the case may be, except that where upon his retirement an individual is entitled to elect under the rules or constitution of the pension or provident fund or society as to the manner and amount of the sum to be withdrawn, only the amount so withdrawn shall be deemed to be income of the individual accruing on the date of withdrawal.”.

### **Amendment of section 10C**

4. Section 10C of the principal Act is amended by deleting subsections (6) and (7) and substituting the following subsection:

“(6) Where in any year from 1st January 1993 contributions have been made by an employer in respect of an employee to any pension or provident fund constituted outside Singapore, the whole of the contributions made to that pension or provident fund shall be deemed to be income accruing to the employee for the year in which the contributions are paid.”.

### **Amendment of section 13**

5. Section 13(1) of the principal Act is amended —

(a) by deleting paragraph (*h*) and substituting the following paragraph:

“(*h*) any sum received by way of commutation of pensions granted under any written law relating to pensions in Singapore or, in the case of any other pension scheme, any sum received by way of commutation of pensions by an individual under such a scheme to the extent of such sum as the Comptroller may determine relating to the period of employment of that individual with the employer before 1st January 1993;”;

(b) by deleting the words “retiring or” in paragraph (*i*);

(c) by deleting paragraph (*j*) and substituting the following paragraphs:

“(*j*) sums standing to the account of an individual in the Central Provident Fund or any approved pension or provident fund designated by the Minister under section 39(6)(*c*) or withdrawn therefrom;

(*ja*) sums standing to the account of an individual in an approved pension or provident fund (other than the Central Provident Fund or any approved pension or provident fund designated by the Minister under section 39(6)(*c*)) to the extent of the sum standing to his account as at 31st December 1992 and of such interest on that sum as the Comptroller may determine for the period 1st January 1993 to the date of his retirement and which are withdrawn only upon or after his retirement in accordance with the