

**Payroll Tax Act
(CHAPTER 223)**

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Legislative History

PAYROLL TAX ACT*

* This Act was cited in the 1970 Edition as the Finance Act.

(CHAPTER 223)

(Original Enactment: M. Ordinance 2 of 1965)

REVISED EDITION 1985

(30th March 1987)

An Act to make provision with respect to payroll tax and to tax forms and to provide for matters connected therewith and ancillary thereto.

[1st January 1965]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Payroll Tax Act.

PART II

FORMS

Interpretation

2. In this Part, “scheduled matter” means any matter referred to in the Schedule.

Forms

3.—(1) The Minister may approve forms to be used in respect of any scheduled matter.

(2) A form applicable to any one or more of the laws relating to any scheduled matter and approved in pursuance of subsection (1) shall be deemed to be a form prescribed under and for the purpose of any of those laws with regard to which the form is applicable; and, in case of any conflict between any form so approved and any form prescribed under such law or laws, the former shall prevail.

(3) Any form purporting to have been approved by the Minister under subsection (1) shall, until the contrary is proved, be deemed to have been so approved.

PART III

PAYROLL TAX

Interpretation

4. In this Act, unless the context otherwise requires —

“cash” includes notes, cheques or any commercial equivalent of money in any currency;

“Comptroller” means the Comptroller of Income Tax appointed under section 5 of the Income Tax Act [Cap. 134] and includes a Deputy Comptroller so appointed;

“employee”, in relation to a month, means an employee rendering in that month services wholly or partly in Singapore and an employee who is on leave during that month where such leave is attributable to services rendered wholly or partly in Singapore in any previous month and includes the director of a company and the holder of any other office, but does not include any domestic servant, gardener or driver, wholly and exclusively employed by an individual otherwise than in connection with his trade, business, profession or vocation;

“employer” means any person who pays or is liable to pay any remuneration to an employee;

“Minister” means the Minister charged with the responsibility for finance;

“payroll” means the total remuneration paid by or on behalf of an employer to his employees in any month and includes a proportion of the civilian remuneration which an employer is liable to pay to his employees pursuant to section 24 of

the Enlistment Act [Cap. 93];

“remuneration” means any wages, salary, commission, bonuses, allowances (including a housing allowance or other like allowance) or other emoluments paid in cash by or on behalf of an employer to an employee, and includes any leave pay.

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[\[7/72; 21/74\]](#)

Charge to payroll tax

5. Tax (referred to in this Act as payroll tax) shall, subject to the provisions of this Act, be charged on every employer and shall be levied and paid on the payroll of such employer in respect of the month of January 1965 and of each subsequent month.

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Rate of payroll tax

6.—(1) Payroll tax shall be levied at such rate as the Minister may by order from time to time prescribe on the payroll of an employer for each month.

[\[1/86\]](#)

(2) Where the payroll tax levied results in an amount which contains a fraction of a dollar, the tax payable shall be taken to be that amount less that fraction.

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[\[1/86\]](#)

Exemption

7. There shall be exempted from the payment of payroll tax the following:

- (a) the Government;
- (b) any accredited foreign government;
- (c) any local authority constituted under any written law for the time being in force; and
- (d) subject to such conditions, and whether wholly or to such extent, as may be specified, such public bodies or class of employers as the Minister may from time to time by notification in the *Gazette* exempt.

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Time for payment of payroll tax

8.—(1) Every employer liable to pay payroll tax for any month shall pay the tax on or

before the 14th day of the month next following or by such later date as may be provided in accordance with regulations made under this Act.

(2) Any employer contravening subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or to both.

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Payroll tax payable to be a debt due to Government

9. Any payroll tax due from and payable by an employer under this Act or any regulations made thereunder shall be recoverable by the Comptroller or any person duly authorised by the Comptroller to act on his behalf, as a debt due to the Government.

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Payment of payroll tax by any person for or on behalf of any other person

10.—(1) Where several persons, being joint employers, are liable under this Act or any regulations made thereunder to pay payroll tax, those persons shall be jointly and severally so liable; but any of those persons who has paid payroll tax in respect of any payroll may recover by way of contribution from any other such persons jointly liable to pay that tax a sum which bears the same proportion to the tax as the share of the payroll which those other persons were liable to pay bears to the total amount of payroll which all such persons jointly liable to payroll tax were liable to pay.

(2) The secretary, manager, principal officer or any director in Singapore of every company and the secretary, manager, principal officer or other officer in Singapore of every body of persons shall be answerable for doing all such acts, matters and things relating to payroll tax as are required to be done by this Act or any regulations made thereunder by that company or body of persons.

(3) The Comptroller may by notice in writing, if he thinks it necessary, declare any person to be the agent of any employer and the person so declared to be the agent shall be the agent of the employer for the purpose of this Act, and may be required to pay any payroll tax due from any moneys which may be held by him for, or due by him to, the employer whose agent he has been declared to be.

(4) Every person answerable under this Act for the payment of payroll tax on behalf of an employer may retain out of any money coming to his hands on behalf of the employer so much thereof as shall be sufficient to pay the tax; and he shall be and is hereby indemnified against any person whatsoever for all payments made by him under this Act or any regulations made thereunder.

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