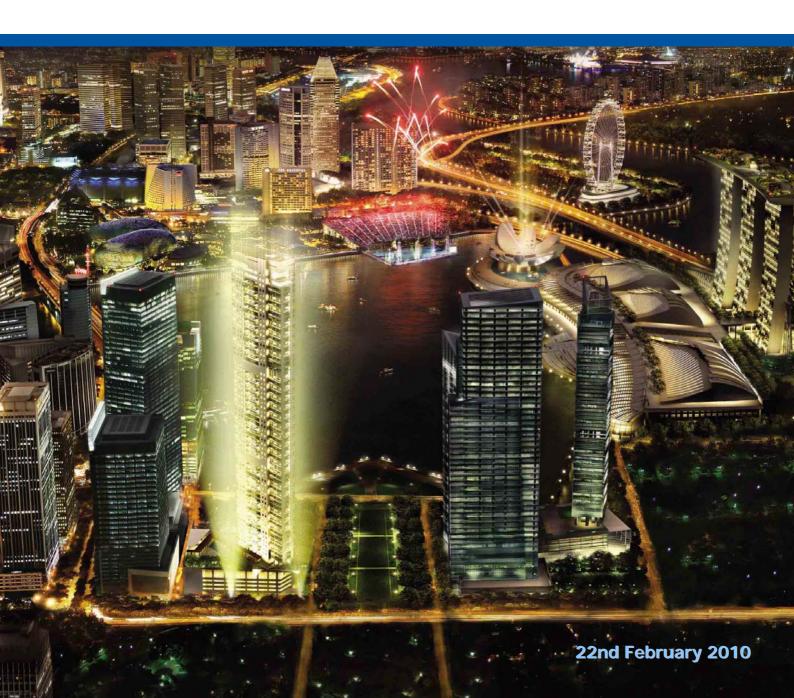




Singapore Budget 2010

Summary



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Singapore's economy has recovered strongly from the global financial crisis.

The Budget 2010 speech delivered by the Finance Minister on 22 February 2010 set the stage for increasing Productivity, Innovation, and building Capabilities of Singapore businesses. It focuses on building up the capabilities to transform Singapore into an advanced economy. The key goal of Budget 2010 is to steer businesses into enhancing productivity by 2% to 3% on a yearly basis and by a third over the decade. It was announced that the Government will launch a S\$5.5 billion initiative to help enterprises and workers raise productivity by deepening skills and expertise.

With business slowly but surely getting back on track after the economic downturn, the Minister did not propose any changes to Singapore's already competitive corporate and personal tax rates.

Some of the key measures that have been proposed by the Finance Minister are as under:

Productivity and Innovation Credit

In an endeavour to increase productivity among businesses, a new Productivity and Innovation Credit has been introduced. This credit will be available to all businesses who incur expenditure on any of the following activities:

- Research and Development
- Investment in Design 2.
- 3. Acquisition of IP Rights
- 4. Registration of IP Rights
- **Investment in Automation** 5.
- Training

Businesses will be able to claim tax deduction of up to 250% of the first \$\$300,000 of the qualifying expenditure incurred on each of the six activities and 100% deduction for the balance expenditure except in the case of Research and Development activities where businesses will be able to claim 150% for the balance expenditure over \$\$300,000. The deductions will be available during the five year period from Year of Assessment (YA) 2011 to YA 2015.

Businesses with at least three local employees may convert up to \$\$300,000 of tax benefits arising from their expenditures incurred on the six activities into a non-taxable cash grant at the rate of 7% per assessment year, that is, a maximum of S\$21,000 in cash per year. This cash conversion option of the credit will be available for three years and will be reviewed thereafter for the credit to be extended.

Design Singapore council and Inland Revenue Authority of Singapore (IRAS) will issue further details in May and June 2010 respectively.

Mergers and **Acquisitions** (M&A)**Allowance**

In addition to the new tax framework on mergers and acquisitions that was introduced in January 2010, the Minister has proposed a new M&A allowance to encourage companies to consider M&A as a strategy for growth and internationalisation. The allowance which is based on 5% of the value of the acquisition subject to a cap of S\$5 million of allowance per annum will be granted to qualifying M&As executed between 1 April 2010 to 31 March 2015. The allowance will be written down equally over five years.

The Minister has also proposed the remission of stamp duty on the transfer of unlisted shares of qualifying M&A deals capped extended from 1 April 2010 to 31 March 2015, at S\$200,000 of stamp duty per year.

IRAS will issue further details by June 2010.

Corporate Income Tax - General



Phase-Out of Industrial **Building** Allowance (IBA)

Under the current treatment, IBA is available to qualifying capital expenditure on the construction or purchase of a building or structure used for qualifying trade purposes or leased out to a person who used it for a qualifying purposes under Section 18(1) of the Singapore Income Tax Act.

However, as the IBA may no longer be adequate or relevant in view of Singapore's shift in focus from industrialisation to promoting intensification of industrial land use, towards more land efficient and high valued added activities, the Minister has announced to phase out the IBA. With the phase-out, IBA will not be allowed on capital expenditure on the construction or purchase of industrial buildings or structures which are incurred after 22 February 2010 except in specified scenarios:

- a) Purchase of industrial buildings or structures where the option to purchase was signed on or before 22 February 2010.
- b) Qualifying capital expenditure incurred up till the earlier of the date of Temporary Occupation Permit or the end of the basis period for YA 2016 if:
 - Construction of new industrial buildings or structures on land for which an application to bid, buy or lease the land from the Government was submitted or for which an option to purchase the land was signed with the private industrial landlord on or before 22 February 2010, and the development application to build the industrial buildings or structures on the land is submitted to the Urban Redevelopment Authority ("URA") by 31 December 2010.
 - Extension or alteration works on existing industrial buildings or structures, or conversion works on existing nonindustrial buildings or structures to convert the buildings or structures to industrial buildings or structures, for which a qualified person had been engaged on or before 22 February 2010 to carry out the works and the development application for such works is submitted to the URA by 31 December 2010.
- Qualifying capital expenditure incurred up till the earlier of the date of completion of renovation works or the end of the basis period for YA 2016 on renovation works (that do not require a development application) on existing industrial buildings or structures, or on existing non-industrial

buildings or structures to convert them to industrial buildings or structures; and a building/renovation contractor had been engaged on or before 22 February 2010 to carry out the renovation works.

IRAS will release further details on the phasing out of IBA in April 2010.

Land Intensification Allowance (LIA) **Incentive**

The LIA Incentive has been introduced to replace the current IBA with immediate effect. In order to encourage land intensification and improve land productivity, the Minister has introduced the new LIA incentive to enable business to claim the LIA on qualifying capital expenditure incurred for the construction of a qualifying building or structure if the following criteria are met:

- The user of the building or structure belongs to one of the following nine industry sectors:
 - Pharmaceuticals
 - 2. Petrochemicals
 - 3. Petroleum
 - 4. Specialties
 - 5. Other Chemicals
 - 6. Semiconductor-wafer Fabrication
 - 7. Aerospace
 - 8. Marine and Offshore Engineering
 - 9. Solar Cell Manufacturing
- The land on which the building or structure is to be built is zoned as Business 1 or Business 2 (excluding Business 1 White and Business 2 White) under the URA Master Plan.
- The building or structure meets the Gross Plot Ratio (GPR) benchmark relevant to the industry sector of the building user. The GPR benchmark is based on that applicable at the time the business submits to URA the development application for the building or structure. To encourage intensification, the benchmarks for each industry sector will be set around the 75% of actual GPRs for the sector.

Qualifying businesses will be able to claim an initial allowance of 25% and an annual allowance of 5% on the qualifying capital expenditure.

The incentive is effective from 1 July 2010 and will be in place for 5 years.

Economic Development Board and Jurong Town Council will release further details on the incentive by June 2010.



Enhancements Financial to Sector Incentive (FSI)

Under the current FSI-Standard Tier (FSI-ST) awards, the concessionary tax rate of 10% is applied on the net income [income derived from FSI qualifying activities less Qualifying Base (QB)]. QB is then taxed at the prevailing corporate tax However, feedback has been received from the financial institutions (FIs) that the computation of QB is complex and administratively cumbersome and therefore, results in significant compliance cost.

Hence, to reduce the compliance cost for the FI, the Minister has proposed to remove the QB with effect from 1 January 2011 and the concessionary tax rate under the FSI-ST award will be changed from 10% to 12% as a revenue neutral change. The list of qualifying activities will also be updated.

Further details will be released by the MAS by April 2010.

Removal of Approved Start-up Fund Manager Scheme

The Approved Start-up Fund Manager Scheme (the Scheme) was introduced in the 2005 Budget to make it easier for the specified income of the funds managed by start-up fund managers to qualify for tax exemption. The scheme allows a fund managed in Singapore by an approved start-up fund manager to be granted a 12 month grace period from the date of set up of the fund to meet the requisite residency conditions (known as the "80:20" rule, whereby 80% of the fund was owned by persons who are not citizens of Singapore and not resident in Singapore).

With the removal of the "80:20" rule and liberalisation of the residency conditions under the fund management incentives in 2007, it is easier for funds to qualify for tax exemption under the fund management tax incentives.

In view of this, the Minister has proposed that the Approved Start-up Fund Manager scheme be allowed to lapse after its expiry on 17 February 2010. No fund manager will be approved under the scheme after 17 February 2010. Funds managed by fund managers approved on or before 17 February 2010 under the Approved Start-Up Fund Manager scheme will continue to be allowed the 12 month grace period from the date of set up of the fund, even if such grace period stretches beyond the expiry of the Scheme on 17 February 2010.

Review of Tax Incentives for Futures Members of Singapore Exchange (SGX) and Members of Singapore Commodity Exchange Limited (SICOM)

Currently, futures members of SGX and members of SICOM are granted a concessionary tax rate of 10% on their income derived from qualifying transactions under Sections 43D and 43K of the Singapore Income Tax Act.

These two existing tax incentives will be discontinued on 31 December 2010 to streamline the administrative procedures of these incentives. With effect from 1 January 2011, new incentive applicants which engage in qualifying transactions that were incentivised under these two tax incentives will have to apply for FSI scheme subject to conditions under the FSI at the point of application.

Existing futures members of SGX and members of SICOM who are incentivised under the existing tax incentives will be allowed to transit to the FSI-ST scheme automatically if they notify MAS by 31 July 2010. They will not be subject to the approval criteria for the FSI-ST award at the point of transition in January 2011 but at the point of renewal of their awards in December 2013, if the FSI scheme is extended.

MAS will release further details by April 2010.

Extension of and Enhancement to Listed Real Estate Investment Trusts (REITs) **Concessions**

The following income tax, stamp duty and GST concessions for listed REITs will be expiring in 2010:

- Concessionary income tax rate of 10% for nonresident non-individual investors;
- b) Stamp duty remission on the transfer of a Singapore immovable property to a REIT;
- Stamp duty remission on the transfer of 100% of the issued share capital of a Singapore incorporated company that holds immovable properties situated outside Singapore to a REIT;
- d) GST remission to allow REITs to claim input tax on their business expenses regardless of whether they hold the underlying assets directly or indirectly through multi-tiered structures such as special purpose vehicles or sub-trusts.

Presently, the listed REITs and wholly-owned Singapore subsidiary companies of listed REITs can enjoy income tax exemption on qualifying foreign-sourced income (i.e.



Corporate Income Tax - Financial Sector



Corporate Income Tax Legal Sector

foreign-sourced dividend income, interest income and trust distributions), subject to conditions. In addition, there is currently no sunset clause for this income tax concession.

The proposed changes are as follows:

- (a) The existing income tax, stamp duty and GST concessions for listed REITs, which expired on 17 February 2010, will be renewed for the period from 18 February 2010 to 31 March 2015 (both dates inclusive).
- (b) foreign-sourced income exemption ("FSIE") income tax concession for listed REITs will now be subject to a sunset clause of 31 March 2015. This means that the qualifying foreign sourced income should be remitted on or before 31 March 2015.

The current requirement for unlisted REITs to be listed within one month (from the date of completion of the agreements for sale) in order to qualify for the stamp duty remissions will be liberalised to listing within six months.

Review of Tax Concession for Offshore **Insurance Business**

Currently, approved general, life and composite insurers can enjoy a concessionary tax rate of 10% on qualifying income derived from offshore insurance business conducted from Singapore. There is no sunset clause for the scheme and incentive recipients are incentivised indefinitely.

However, to encourage companies to grow their presence in Singapore, the following changes to the tax incentive will be introduced with effect from 1 April 2010:

- The incentive will be subject to a sunset clause (a) of 5 years till 31 March 2015.
- The incentive will be awarded to an approved (b) recipient for a period of 10 years only and will not be indefinite; and
- New headcount requirement will be imposed (c) for incentive recipients (except for captive insurers).

New applicants will be required to meet the headcount criterion at the point of application for the tax incentive from 1 April 2010.

To facilitate the transition of existing incentive recipients to the revised incentive framework, existing incentive recipients will be given a transition period of 3 years from 1 April 2010 to 31 March 2013 to meet the necessary headcount requirement in order to continue to qualify for the incentive after 31 March 2013 for the remaining tenure of their awards.

Further details will be released by MAS by April 2010.

Development and Expansion Incentive (DEI) to International Legal Services

To encourage the expansion of specific economic activities with high growth potential, the Minister has decided to extend the DEI to law practices providing international legal services. This is to encourage law practices to do more international legal work. This incentive will be available to law practices registered in Singapore as a company or as a branch of a foreign company. Approved law practices will enjoy a 10% concessionary tax rate on incremental income derived from qualifying international legal services for 5 years. This incentive is valid from 1 April 2010 to 31 March 2015 (both dates inclusive).

Further details of this new scheme will be released by the Ministry of Law and EDB in March 2010.



Corporate Income Tax - Maritime and Aerospace Sector

Extension of Maritime **Finance** Incentive (MFI)

The MFI scheme encourages companies to use Singapore as their capital and funding base to finance both their maritime vessels and sea containers. The MFI provides tax exemption or a tax concession (10% or 5%) to an approved MFI entity on its qualifying leasing income. In addition, an approved manager of the MFI entity will enjoy a tax concession of 10% on its qualifying income.

At present, the MFI expires on 28 February 2011. To further support Singapore's development as a maritime financing hub, the expiry date of the MFI will be extended from 28 February 2011 to 31 March 2016. However, for applications made during the period from 1 March 2011 to 31 March 2016 (both dates inclusive), the incentive period granted will not be more than 5 years. The current incentive period is up to 10 years.

Incentive for Ship Brokers and Forward Freight Agreement (FFA) Traders

Currently, ship brokers and FFA traders do not enjoy any tax incentives.

To further promote Singapore as an International Maritime Centre, the Minister has introduced an incentive to grant companies which solely carrying out ship broking and/or FFA trading a concessionary tax rate of 10% for a period of 5 years on their taxable income, subject to conditions.

Interested companies can apply to the Maritime and Port Authority of Singapore (MPA) for this incentive from 1 April 2010 to 31 March 2015 (both dates inclusive). Incentive recipients will enjoy incentive awards of 5 years.

MPA will announce further details on the incentive by the end of March 2010.

Inclusion of Ship Management Fees under 13A SITA Section **Approved** International Shipping Enterprise (AIS) Scheme

At present, ship management fees derived from rendering ship management services to related Special Purpose Vehicles ("SPV") are taxed at the prevailing corporate income tax rate.

In line with the objective to promote Singapore as an IMC, ship management fees derived on or after 22 February 2010 from rendering ship management services to related qualifying SPV will be treated as qualifying income to be exempted from tax under Section 13A of the SITA and the AIS scheme, subject to certain conditions.

MPA will announce further details the implementation by the end of March 2010.

Renewal and **Enhancement** of Investment Allowance (IA) Scheme for Aircraft Rotables

The IA scheme for aircraft rotables was introduced on 10 September 2004 for a period of 5 years and the amount of IA granted under the scheme is 50% of the qualifying costs of aircraft rotables (on top of normal capital allowance). This scheme had limitations as the "non-swapping condition" had caused administrative difficulties to the companies in the Maintenance, Repair and Overhaul ("MRO") industry. The IA scheme expired on 9 September 2009.

In line with Singapore's commitment to develop the MRO industry and enhance its competitiveness, the IA scheme for aircraft rotables will be renewed for another 5 years from 1 April 2010 to 31 March 2015.

The government will also enhance the IA scheme by removing the "non-swapping condition". This enhancement removes the administrative difficulties of having to track specific aircraft rotables.

EDB will release further details by March 2010.



Goods and Services Tax (GST)

Simplification of GST Accounting Rules

Currently, GST is accounted for in accordance with the general time of supply rules, which is at the earliest of the following events:

- when tax invoice is issued
- when payment is received
- when goods are delivered / made available or services performed

To simplify the general rules, the Minister has proposed to allow most businesses to account for GST at the earliest of either point 1 or 2 as stated above. However, there are circumstances (i.e. GST registration and deregistration), where the date on which goods are delivered / made available or services performed will be retained as a reference point.

The above changes will ease GST accounting for most businesses as they will no longer need to track the date on which goods are delivered/made available or services are performed.

The proposed change is effective from 1 January 2011.

IRAS will release more details of the proposed changes by May 2010.

Deferral of Import GST

Currently, import GST is payable on all goods brought into Singapore at the point of entry, unless import GST relief has been granted or the goods are imported under import GST suspension schemes such as the MES.

The Minister has proposed a new scheme to allow approved GST-registered business to defer import GST that is payable on their goods at the point of entry into Singapore for at least one month and declared as a payable amount in the corresponding GST return. The scheme aims to ease the import GST cashflow for GST-registered businesses.

The proposed scheme is effective from 1 October 2010.

IRAS will release details of the proposed scheme by March 2010.

Expansion of GST Zero-rating for Marine **Industry**

Currently, zero-rating of GST is allowed for certain goods and services provided that they meet certain criteria.

The Minister has proposed to expand the GST zero-rating for the marine industry to include pleasure and recreational ships that are wholly used for international travel including

private yachts that ply international waters (provided that they are not licensed for use within Singapore waters), all goods supplied for use on board or installation on a qualifying ship, transport of goods or passengers via a ship to or from international waters and stores supplied to and merchandise for sale on board a qualifying aircraft.

The above changes will ease GST compliance for the businesses supporting the marine industry, and reflect the international character of supplies relating to ships.

The proposed changes will be effective from 1 July 2010.

IRAS will release details of the proposed changes by June 2010.

Extension Listed Registered **Business** (RBT) Concession

Currently, GST remission is granted to listed RBTs in the sectors of infrastructure, ship leasing and aircraft leasing. This GST remission had expired on 17 February 2010.

The Minister has extended the GST remission for listed RBTs for another five years, from 18 February 2010 to 31 March 2015 (both dates inclusive). Under the RBT concession, listed RBTs in the sectors of infrastructure, ship leasing and aircraft leasing are allowed to claim input tax on their business expenses regardless of whether they hold the underlying assets directly or indirectly through multi-tiered structures such as special purpose vehicles or sub-trusts.

Individual Tax

Tax Deduction for Angel Investors

In order to encourage eligible individuals to invest in startups and help them grow, the Minister has proposed a new incentive.

Under this new incentive, an approved angel investor who invests a minimum of S\$100,000 into a qualifying start-up in a YA will enjoy a tax deduction at 50% of his investment at the end of the second year of holding of the investment. The tax deduction is capped at \$\$500,000 and the incentive applies to investments made during the period from 1 March 2010 to 31 March 2015.

Spring Singapore will issue further details by June 2010.

Enhancement of Tax Deduction on **Donations**

Currently, all donations to Institutions of Public Character (IPCs) and other approved recipients, qualify for double tax deduction. The tax deduction was enhanced from 200% to 250% for donations made during the calendar year 2009.

The Minister has proposed to extend the 250% tax deduction to calendar year 2010. This is to encourage greater charitable giving in Singapore as the economy recovers.

Enhancement of Dependant Reliefs

Currently, an individual can claim dependant reliefs only if the income of the dependant does not exceed S\$2,000 in the preceding year.

The Minister has proposed to increase the income threshold of \$2,000 to \$4,000 for dependant-related reliefs.

In addition, in recognition of the extra resources and attention needed in taking care of a disabled dependant, the Minister has also proposed to remove the income threshold condition for handicapped dependant-related reliefs.

The changes are effective from YA 2010 except for the CPF Cash Top-up relief for top-up to the CPF accounts of spouse or siblings for which the changes to the income threshold will take effective from YA 2011.

Withholding Non-Resident Tax for **Public Entertainers**

Currently, a non-resident public entertainer is subject to withholding tax of 15% on the gross income derived in respect of services performed in Singapore. With a view to attract high quality performances in Singapore, the withholding tax rate has been reduced to 10% on sums

payable to non-resident public entertainers from 22 February 2010 to 31 March 2015.

Increase in Parent Relief

A tax resident individual may claim parent relief if he has supported his or his spouse's parents, grandparents and great grandparents.

To show greater recognition and acknowledgement to the individuals who support their aged dependants, the Minister has proposed to increase the quantum of parent relief and handicapped parent relief as follows:

Parent relief

- \$7,000 (increase of \$2,000 from the current amount of \$5,000) if the individual lives with the dependant.
- \$4,500 (increase of \$1,000 from the current amount of \$3,500) if the individual does not live with the dependant.

Handicapped parent relief

- \$11,000 (increase of \$2,000 from the current amount of \$8,000) if the individual lives with the handicapped dependant.
- \$8,000 (increase of \$1,500 from the current amount of \$6,500) if the individual does not live with the handicapped dependant.

The changes are effective from YA 2010.

Expansion of Wife Relief to Spouse Relief

The wife relief will now be renamed as spouse relief.

With the change, male and female resident individuals will be able to claim spouse relief if their wife or husband does not have annual income exceeding \$4,000.

The change is effective from YA 2010.

Increase in Course Fees Relief

Currently the course fees relief of \$3,500 is granted to tax resident individuals in recognition of their efforts to upgrade themselves. The relief can be claimed in the year which the expense was incurred or within two YAs from the YA relating to the year in which he completed the course.

The Minister has proposed to raise the maximum allowable course fees relief from \$3,500 to \$5,500.

The change is effective from YA 2011.



Property Tax and Seller Stamp Duty



Others

Shift to a Progressive Property Tax Regime for Owner-occupied Residential **Properties**

At present, owner-occupied residential properties are taxed at a concessionary 4% rate and all other properties are taxed at 10%. In addition, owner-occupied residential properties with annual values (AVs) below \$10,000 can enjoy the on-going 1994 GST rebates ranging from \$25 to \$150, depending on the AVs of their properties. The 1994 GST rebate will lapse on 31 December 2010.

The Minister has proposed a new progressive property tax regime for owner-occupied residential properties. The progressive owner-occupied tax rates are as follows:

- 0% for the first \$6,000 of AV;
- 4% for the next \$59,000 of AV;
- 6% for the balance of AV in excess of \$65,000.

Non-owner occupied residential properties and other properties will continue to be subject to property tax at the rate of 10% of AV.

The change is effective from January 2011.

Seller Stamp Duty Introduced as an Anti Speculation Measure

Just before the Budget day, the Government on 19 February 2010 announced that unless otherwise exempted sellers stamp duty will be payable by sellers on sale of residential property acquired on or after 20 February 2010 and disposed within one year from the date of acquisition. The stamp duty rates are the same as the stamp duty payable by buyers.

Raising Foreign Worker Levies

The Minister has proposed to gradually raise the foreign worker levies and tighten the levy tiers that are based on the proportion of foreign workers in a company's workforce. The change will start with a modest increase in 2010 and will further increase over the next two years.

As a first step, levy rate for most work permit holders will be raised by \$10 to \$30 from 1 July 2010. The Minister has also proposed to phase in further adjustments in levy rates and tiers in 2011 and 2012. Within the next three years, there will be a total increase of about \$100 in average levies per worker in the manufacturing and services sectors. The construction sector will see a larger increase.

The Minister has also proposed to increase the number of levy tiers for S Pass holders from current one tier to two tiers. The levy rates for the first and second tiers will be \$100 and \$120 in July 2010, up from a single rate of \$50 currently. Further adjustments will be phased in until the rates reach \$150 and \$250 by July 2012.

Further details will be released by the Ministry of Manpower and Ministry of National Development.

Enhancement of Workfare Income Supplement (WIS)

Currently, a temporary WIS Special Payment is given to lowincome workers to supplement their pay and encourage them to stay employed. The WIS Special Payment provided low-income workers with an additional 50% of the WIS payments that they received over the course of year 2009.

The Minister will enhance the WIS starting from 2010, to encourage older workers to remain in the workforce and ensure that low-wage workers upgrade their skills and begin to earn more.

Workfare Training Scheme (WTS)

The Minister has proposed WTS to complement the WIS for a period of 3 years. The WTS will firstly provide their employers with 90% to 95% of funding for absentee payroll and course fee outlays. In addition, to recognise the efforts of the workers who go for this skills up gradation, the scheme will provide cash grants when the training is completed. The grants will be capped at \$400 per employee per year.



Others



Transport Enhanced **Technology Development** Scheme **Innovation** (TIDES)

TIDES was formulated in 2001 by EDB and Land Transport Authority (LTA) to waive Certificate of Entitlement (COE). taxes and duties for vehicles brought into Singapore for the purpose of Research and Development and test-bedding. The waiver was for two years with an option to extend for another two years, subject to the EDB's approval. Beyond the fourth year, buyers of such vehicles will have to pay taxes (based on depreciated OMV) for ordinary vehicle ownership in order to continue using the car.

The Minister has proposed that Additional Registration Fees, COEs and custom duties could be waived for an initial period of six years on green vehicles brought into Singapore for the purpose of test-bedding. The quota under the TIDES scheme would be expanded from 300 electric vehicles up to 1.300.

Extension of Green Vehicle Rebate (GVR) to Imported Used Green Vehicles

Currently, only brand new green vehicles qualify for the Green Vehicle Rebate (GVR).

The Minister has proposed to extend the scope of the GVR scheme to include imported used green vehicles with effect 1 July 2010. However, the extension of GVR scheme will not be applicable to imported used compressed natural gas vehicles or vehicles that required to be brand new at point of registration (eg. taxis).

Further details will be released by the National Environment Agency and LTA by March 2010.

Duty Free Allowance

The Minister has introduced flexibility to purchase an additional litre of duty-free wine or beer in lieu of one litre of duty-free spirits with effect from 1 April 2010.

Further details will be released by the Singapore Customs by March 2010.

Nexia International

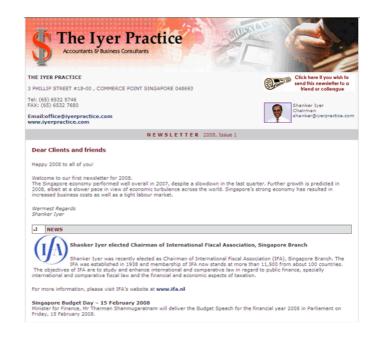
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