INCOME TAX ACT 1947

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021

An Act to impose a tax upon incomes and to regulate the collection thereof.

[1 January 1948]

PART 1

PRELIMINARY

Short title

1. This Act is the Income Tax Act 1947.

Interpretation

2.—(1) In this Act, unless the subject or context otherwise requires —

"account with the electronic service", in relation to any person, means a computer account within the electronic service which is assigned by the Comptroller to that person for the storage and retrieval of electronic records relating to that person;

"accountant" means a public accountant within the meaning of the Accountants Act 2004;

"advocate and solicitor" means an advocate and solicitor within the meaning of the Legal Profession Act 1966;

"annual value" has the meaning given by section 2 of the Property Tax Act 1960, and is to be ascertained in the same manner as annual value is ascertained under that Act;

"approved pension or provident fund or society" means a pension or provident fund or society approved by the Comptroller under section 5;

[*Deleted by Act 33 of 2022 wef 26/04/2024*]

"basis period" for any year of assessment means the period on the profits of which tax for that year falls to be assessed;

"body of persons" means any body politic, corporate or collegiate, any corporation sole and any fraternity, fellowship or society of persons whether corporate or unincorporate but does not include a company or a partnership;

"Commonwealth", in relation to a country, means any country recognised by the President to be a Commonwealth country and "part of the Commonwealth" means any Commonwealth country, colony, protectorate or protected state or any other territory administered by the government of any Commonwealth country;

"company" means any company incorporated or registered under any law in force in Singapore or elsewhere;

"Comptroller" means the Comptroller of Income Tax appointed under section 3(1) and includes, for all purposes of this Act except the exercise of the powers conferred upon the Comptroller by sections 34F(9), 37L(7), 37M(5), 37S(8), 67(1)(*a*), 95, 96, 96A and 101, a Deputy Comptroller or an Assistant Comptroller so appointed;

[Act 30 of 2023 wef 30/10/2023]

"country" includes a territory;

"crops" includes any form of vegetable produce;

"DTT" means the domestic top-up tax imposed under the MMT Act;

[Act 36 of 2024 wef 20/03/2025]

"earned income" means the statutory income of an individual reduced by any deduction made under section 37(3)(*a*) or 37D or claimed under section 37C (excluding any donation referred to in section 37C(8)(*c*)) or 37E from —

(*a*) gains or profits from any trade, business, profession, vocation or employment on which tax is payable under section 10(1), where the Comptroller is satisfied that such gains or profits are immediately derived from the carrying on or exercise by such individual of such trade, business, profession, vocation or employment; and

(*b*) any pension on which tax is payable under section 10(1)(*e*) given to the individual in respect of the past services of such individual or any deceased individual;

"electronic record" has the meaning given by the Electronic Transactions Act 2010;

"electronic service" means the system established under section 29 of the Inland Revenue Authority of Singapore Act 1992;

[Act 33 of 2022 wef 26/04/2024]

"employee" —

(*a*) in relation to a company, includes a director of the company; and

(*b*) in relation to a statutory board, includes the chairperson and any member of the statutory board,

and "employer" and other cognate expressions are to be construed accordingly;

"excluded top-up tax" means —

(*a*) a qualified IIR, or a tax imposed by the law of a jurisdiction other than Singapore that is substantially similar to any qualified IIR; or

(*b*) a qualified UTPR, or a tax imposed by the law of a jurisdiction other than Singapore that is substantially similar to any qualified UTPR;

[Act 36 of 2024 wef 20/03/2025]

"executor" means any executor, administrator or other person administering the estate of a deceased person;

"Fund Manager" or "fund manager" means a company holding a capital markets services licence under the Securities and Futures Act 2001 for fund management or that is exempted under that Act from holding such a licence;

"goods" includes currency and specie;

"Group A worker" and "Group B worker" have the meanings given in the Fourth Schedule to the Central Provident Fund Act 1953;

[Act 30 of 2024 wef 01/01/2025]

"harvesting" includes the collection of crops, however effected;

"Hindu joint family" means what in any system of law prevailing in India is known as a Hindu joint family or a co-parcenary;

"holding company" has the meaning given by section 5 of the Companies Act 1967;

[Act 33 of 2022 wef 04/11/2022]

"incapacitated person" means an individual —

(*a*) who is below 21 years of age; or

(*b*) who lacks capacity to make a decision for himself or herself in relation to any matter at the material time because of an impairment of, or a disturbance in the functioning of, the mind or brain, whether such impairment or disturbance is permanent or temporary;

"information subject to legal privilege" means —

(*a*) communications between an advocate and solicitor and his or her client or any person representing his or her client made in connection with the giving of legal advice to the client; and

(*b*) communications between —

(i) an advocate and solicitor and his or her client or any person representing his or her client; or

(ii) an advocate and solicitor or his or her client or any such representative and any other person,

made in connection with, or in contemplation of, judicial proceedings and for the purposes of such proceedings,

when such communications are in the possession of a person who is entitled to possession of them, but excluding, in any case, any communications made with the intention of furthering a criminal purpose;

"institution of a public character" has the meaning given by the Charities Act 1994;

"issued shares" excludes treasury shares;

"life annuity" means an annuity payable under a policy issued to an SRS member for a term ending with, or at a time ascertainable only by reference to, the end of his or her life;

"limited liability partnership" means any limited liability partnership incorporated or registered under any law in force in Singapore or elsewhere;

"limited partnership" means a limited partnership registered or formed under any law in force in Singapore or elsewhere;

"MMT Act" means the Multinational Enterprise (Minimum Tax) Act 2024;

[Act 36 of 2024 wef 20/03/2025]

"MTT" means the multinational enterprise top-up tax imposed under the MMT Act;

[Act 36 of 2024 wef 20/03/2025]

"offshore mineral" means mineral from the seabed or that is dissolved in sea water;

"offshore renewable energy" means —

(*a*) ocean thermal power;

(*b*) offshore geothermal power;

(*c*) offshore solar power;

(*d*) offshore wind power;

(*e*) osmotic power;

(*f*) tidal power; or

(*g*) wave power;

"permanent establishment" means a fixed place where a business is wholly or partly carried on including —

(*a*) a place of management;

(*b*) a branch;

(*c*) an office;

(*d*) a factory;

(*e*) a warehouse;

(*f*) a workshop;

(*g*) a farm or plantation;

(*h*) a mine, oil well, quarry or other place of extraction of natural resources;

(*i*) a building or work site or a construction, installation or assembly project,

and without limiting the foregoing, a person is deemed to have a permanent establishment in Singapore if that person —

(*j*) carries on supervisory activities in connection with a building or work site or a construction, installation or assembly project; or

(*k*) has another person acting on that person's behalf in Singapore who —

(i) has and habitually exercises an authority to conclude contracts;

(ii) maintains a stock of goods or merchandise for the purpose of delivery on behalf of that person; or

(iii) habitually secures orders wholly or almost wholly for that person or for such other enterprises as are controlled by that person;

"person" includes a company, body of persons and a Hindu joint family;

"plantation" means any land used for the growing and harvesting of crops;

"platform operator" and "platform worker" have the meanings given respectively by sections 4 and 5(1) of the Platform Workers Act 2024;

[Act 30 of 2024 wef 01/01/2025]

"prescribed" means prescribed by rules or regulations made under this Act;

"prescribed minimum retirement age" has the meaning given by the Retirement and Re-employment Act 1993;

"private hire car" means a motor car —

(*a*) that is used as a private hire car within the meaning of the Road Traffic Act 1961; and

(*b*) in respect of which a licence is issued under Part 5 of that Act for such use;

"professional visit pass" means a professional visit pass issued by the Controller of Immigration under the Immigration Regulations;

"qualified domestic minimum top-up tax" has the meaning given by section 2(1) of the MMT Act, and includes a tax imposed by the law of a jurisdiction other than Singapore that is substantially similar to any qualified domestic minimum top-up tax;

[Act 36 of 2024 wef 20/03/2025]

"qualified IIR" and "qualified UTPR" have the meanings given by section 2(1) of the MMT Act;

[Act 36 of 2024 wef 20/03/2025]

"related party", in relation to a person (*A*), means any person —

(*a*) who directly or indirectly controls *A*;

(*b*) who is being controlled directly or indirectly by *A*; or

(*c*) who, together with *A*, is directly or indirectly under the control of a common person;

[Act 33 of 2022 wef 04/11/2022]

"renewable energy" means —

(*a*) thermal power;

(*b*) geothermal power;

(*c*) solar power;

(*d*) wind power;

(*e*) osmotic power;

(*f*) tidal power;

(*g*) wave power; or

(*h*) hydropower;

[Act 25 of 2025 wef 19/02/2025]

"replanting" means the replacement of the crop of any product on any area of land by the planting on the same area —

(*a*) of a crop of the same product; or

(*b*) of a crop of a different product approved by the Minister;

"research and development" means any systematic, investigative and experimental study that involves novelty or technical risk carried out in the field of science or technology with the object of acquiring new knowledge or using the results of the study for the production or improvement of materials, devices, products, produce, or processes, but does not include —

(*a*) quality control or routine testing of materials, devices or products;

(*b*) research in the social sciences or the humanities;

(*c*) routine data collection;

(*d*) efficiency surveys or management studies;

(*e*) market research or sales promotion;

(*f*) routine modifications or changes to materials, devices, products, processes or production methods; or

(*g*) cosmetic modifications or stylistic changes to materials, devices, products, processes or production methods;

"research and development organisation" means a body or an organisation which provides research and development services for any trade or business;

“resident in Singapore” —

(*a*) in relation to an individual, means a person who, in the year preceding the year of assessment, resides in Singapore except for such temporary absences therefrom as may be reasonable and not inconsistent with a claim by such person to be resident in Singapore, and includes a person who is physically present or who exercises an employment (other than as a director of a company) in Singapore for 183 days or more during the year preceding the year of assessment; and

(*b*) in relation to a company or body of persons, means a company or body of persons the control and management of whose business is exercised in Singapore;

“specially authorised officer” means an officer authorised under section 4(5) to exercise the powers mentioned in that provision;

“SRS account” means an account opened with an SRS operator by an SRS member;

“SRS contribution cap”, in relation to an SRS member, means the maximum contribution prescribed under section 10G that may be made by the member to his or her SRS account in any year under the SRS;

“SRS member” means a member of the Supplementary Retirement Scheme;

“SRS operator” means any company approved by the Minister, or such person as the Minister may appoint, for the purposes of the Supplementary Retirement Scheme;

“subsidiary” has the meaning given by section 5 of the Companies Act 1967;

[Act 33 of 2022 wef 04/11/2022]

“Supplementary Retirement Scheme” or “SRS” means the Supplementary Retirement Scheme established by regulations made under section 10G;

“tax” means the income tax imposed by this Act;

“treasury share” —

(*a*) in relation to a company incorporated under the Companies Act 1967 or any corresponding previous written law, means a treasury share as defined in section 4(1) of that Act; and

(*b*) in relation to a company incorporated under the law of a country other than Singapore, means a share issued by the company which is subsequently acquired and held by it;

"VCC Act" means the Variable Capital Companies Act 2018;

"work pass" means a work pass issued by the Controller of Work Passes under the Employment of Foreign Manpower Act 1990;

"year of assessment" means the period of 12 months commencing on 1 January 1948, and each subsequent period of 12 months.

[2/2016; 34/2016; 39/2017; 45/2018; 28/2019; 32/2019; 41/2020]

(1A) The terms "non-umbrella VCC", "share", in relation to a VCC, "sub-fund", "umbrella VCC", and "VCC" have the meanings given to them in the VCC Act.

[28/2019]

(2) For the purposes of this Act, where an individual is present in Singapore for any part of a day, his or her presence on that day is counted as one day.

(3) In this Act, a ship (as defined in section 2(1) of the Merchant Shipping Act 1995) is used for offshore oil or gas activity if it is used for the exploration or exploitation of offshore oil or gas, or to support any activity that is ancillary to such exploration or exploitation.

[2/2016]

(3A) In this Act, a ship (as defined in section 2(1) of the Merchant Shipping Act 1995) is used for offshore renewable energy activity or offshore mineral activity if it is used for the exploration or exploitation of offshore renewable energy or offshore mineral, or to support any activity that is ancillary to such exploration or exploitation.

[34/2016]

(3B) In this Act, a ship (as defined in section 2(1) of the Merchant Shipping Act 1995) is used for renewable energy activity if it is used for the subsea distribution, exploration or exploitation of renewable energy, or to support any activity that is ancillary to the distribution, exploration or exploitation.

[Act 25 of 2025 wef 19/02/2025]

(4) In this Act, to avoid doubt, a reference to the spouse of a person means a spouse who is of the opposite sex to that person.

(5) To avoid doubt, nothing prevents a person, by reason only of being a platform worker, a Group A worker or a Group B worker, from being regarded in this Act as —

(*a*) a person who carries on or exercises a trade, business, profession or vocation;

(*b*) a self-employed person; or

(*c*) a self-employed individual.

[Act 30 of 2024 wef 01/01/2025]

Purpose of Act

2A.—(1) Income tax is charged in accordance with this Act on the income of a person accruing in or derived from Singapore or received in Singapore from outside Singapore, or on such amounts deemed to be chargeable as such income under this Act.

(2) Income tax (namely, DTT and MTT) is also charged in accordance with the MMT Act on the income of a multinational enterprise group for the following purposes:

(*a*) to implement the Global Anti-Base Erosion Model Rules (Pillar 2) relating to the top-up tax under the income inclusion rule (IIR);

(*b*) to implement a domestic top-up tax that is intended to be a qualified domestic minimum top-up tax (QDMTT) within the meaning of those Rules.

(3) The liabilities of a person to the taxes mentioned in subsections (1) and (2) are cumulative.

(4) Sections 2 (except for definitions of terms used in provisions applied under subsection (6) insofar as not modified by the MMT Act), 3A, 5, 7, Parts 3 to 15 (except section 57), sections 62 to 63, 66 to 71, Part 17, sections 81, 82, 84, 85, 86, 88, 91 to 92L, 93, 93AA, 93A, 93C, 94 to 101, 102A, 103, 104, 104A, Parts 20A, 20B and 21, and the Schedules do not apply in relation to DTT and MTT.

[Act 25 of 2025 wef 08/12/2025]

(5) Subsection (4) does not affect the operation of —

(*a*) section 15(1)(*g*) (in relation to the disallowance of deductions for DTT and MTT); and

(*b*) section 49 (in relation to arrangements for relief from double taxation for DTT, and any tax of a similar character imposed by the laws of another country).

(6) The provisions of this Act not disapplied by subsection (4) apply in relation to DTT and MTT, but only in accordance with the MMT Act.

[Act 36 of 2024 wef 20/03/2025]