

**APPLICATION FOR TAX EXEMPTION ON FOREIGN
SOURCED INCOME REMITTED
TO SINGAPORE UNDER SECTION 13(12) OF THE
INCOME TAX ACT**

APPLICATION FORM

**MINISTRY OF FINANCE
100 HIGH STREET
#06-03, THE TREASURY
SINGAPORE 179434**

INSTRUCTIONS

1. This form is for a resident taxpayer who expects to receive foreign income which does not fall within any of the scenarios specified in the IRAS e-tax guide on “Income Tax: Tax Exemption under Section 13(12) for Specified Scenarios, Real Estate Investment Trusts and Qualifying Offshore Infrastructure Project/Asset” and wants to apply for section 13(12) exemption. This application has to be submitted to the Ministry of Finance before the foreign income is received in Singapore.
2. To assist us in evaluating your application expeditiously, please provide the information requested as completely as possible. Please indicate accordingly if the information is not yet available or not applicable. If space is insufficient, a separate sheet may be used.
3. All information given will be held in the strictest confidence.
4. It may take you 20 minutes to fill up this form if you have all the necessary information on hand.
5. This application should be emailed to MOF_income_tax_applications@mof.gov.sg or sent to:

Ministry of Finance
100 High Street
#06-03, The Treasury
Singapore 179434

Section 1 – General

A Particulars of recipient¹ of foreign-sourced income:

Name	
Address	
Income Tax Reference No.	
Principal Activities	
Telephone No.	

B Name and Address of Officer/Representative (for contact purposes):

Name	
Designation	
Address	
Email Address	<i>(Please provide email address of the contact person of your tax agent, if applicable)</i>
Telephone No.	

C Particulars of holding/ultimate holding company of the recipient:

Name	
Address	
Income Tax Reference No.	
Principal Activities	

¹ In the case of a Real Estate Investment Trust receiving foreign-sourced income through its wholly-owned Singapore resident subsidiary company, or in the case of a Singapore listed entity receiving foreign-sourced interest from an offshore qualifying infrastructure project/asset through its wholly-owned Singapore resident subsidiary company, the recipient refers to the wholly-owned Singapore resident subsidiary company.

SECTION II – DETAILS OF THE FOREIGN-SOURCED INCOME

A	Nature of the foreign-sourced income ² for which tax exemption under section 13(12) is sought		
B	Name and address of the foreign entity from which the foreign-sourced income will be received and its relationship with the recipient e.g. percentage of the foreign entity's issued ordinary shares owned by the recipient; if the foreign entity is set up in partnership with others, indicate name and percentage of share by each partner		
C	Country from which the foreign-sourced income is to be received and the headline tax rate ³ of this country	Country	Headline tax rate
D	Does the foreign-sourced income originate in the country stated in part C?	<i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> <i>(please proceed to Part D1)</i> No <input type="checkbox"/> <i>(please proceed to Part D2)</i>	
D1	If your answer to part D is Yes, please state: (i) the business activities carried out in the country stated in part C which generate the underlying profits out of which the foreign-sourced income originates		
	(ii) whether income tax has been paid in the country stated in part C on the foreign-sourced income to be remitted to Singapore or on	<i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(please state the reasons below)</i>	

² For foreign-sourced service income, please describe in detail the services rendered overseas; the operational structure or set-up the Singapore company has in the foreign country for carrying out the services; the functions of that foreign set-up, details of personnel stationed at that foreign set-up and their specific duties; duration of the services; value of the service contract; and a copy of the service contract.

³ Headline tax rate of a foreign jurisdiction refers to the highest corporate tax rate of the foreign jurisdiction. Where the specified foreign income received in Singapore is chargeable to tax under a special tax legislation of the foreign tax jurisdiction that is independent of its main legislation which charges tax on income and the special tax legislation imposes tax at a rate lower than the highest rate applicable to other companies in the tax jurisdiction under the main legislation, the headline tax rate is considered to be the highest of the tax rate stipulated in this special legislation, instead of the highest rate of tax specified in the main tax legislation.

	<p>the underlying profits out of which the foreign-sourced income originates</p> <p>If income tax has not been paid, please state the reasons</p>							
D2	<p>If your answer to part D is No, please state:</p> <p>(i) the country from which the foreign-sourced income originates and the headline tax rate of this country</p>	<table border="1"> <thead> <tr> <th>Country</th> <th>Headline tax rate</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Country	Headline tax rate				
		Country	Headline tax rate					
	<p>(ii) the name of the foreign entity and the business activities carried out in this country which generate the underlying profits out of which the foreign-sourced income originates</p>							
	<p>(iii) submit a diagram showing the holding structure through which the foreign-sourced income will be received in Singapore (giving the percentage of shareholding)</p>	Attached as _____						
<p>(iv) whether income tax has been paid in this country (as stated in part (ii) above) on the foreign-sourced income to be remitted to Singapore or on the underlying profits out of which the foreign-sourced income originates</p> <p>If income tax has not been paid, please state the reasons</p>	<p><i>(Please tick the relevant box)</i></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/> <i>(please state the reasons below)</i></p>							
<p>(v) confirm whether the recipient is able to trace the source of the income out of which the foreign-sourced income originates</p> <p>(vi) provide a brief explanation of the basis for saying so</p>	<p><i>(Please tick the relevant box)</i></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>							

E	Amount of the foreign-sourced income to be remitted to Singapore	Date	Amount to be remitted

SECTION III – To be completed in the case of a Real Estate Investment Trust receiving foreign-sourced income directly or indirectly through its wholly-owned Singapore resident subsidiary company

<p>A</p>	<p>Please confirm: The funds channelled out of Singapore to finance the investment in the overseas properties originate from the following sources:</p> <ul style="list-style-type: none"> i) Funds received by S-REIT from issue of its units⁴; ii) Permissible borrowings under the Property Trust Fund guidelines; iii) Security deposits from tenants or properties owned by the S-REIT; or iv) Undistributed income of the S-REIT. 	<p><i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>B</p>	<p>Where the foreign-sourced income is to be received by a wholly-owned Singapore resident subsidiary company, please confirm that all the foreign-sourced income (less incidental expenses associated with the remittance) to be received in Singapore will be distributed by the recipient (i.e. the wholly-owned Singapore resident subsidiary company) to the Real Estate Investment Trust as dividends.</p>	<p><i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> <i>(not applicable)</i></p>

⁴ Where the investment has been financed by way of issuance of units in the S-REIT to the seller, it will be considered to have satisfied this condition.

SECTION IV – To be completed in the case of a Singapore listed entity receiving foreign-sourced interest income from a qualifying offshore infrastructure project/asset directly, or through its wholly-owned Singapore resident subsidiary company

A	Where there is no foreign tax paid on the interest income, please confirm that the interest has been incurred by the payer in respect of the underlying offshore qualifying infrastructure project/asset that has been used by the payer in the production of income and such income is subject to tax in the foreign tax jurisdiction unless exempted under tax incentives.	<i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> <i>(not applicable)</i>
B	Where an application of section 13(12) tax exemption is made by a wholly owned Singapore resident subsidiary company of a Singapore listed entity, please confirm that the full amount of the foreign-sourced interest income (less incidental expenses associated with the remittance) to be received in Singapore will be distributed by the Singapore resident subsidiary company to the Singapore listed entity.	<i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> <i>(not applicable)</i>
C	Please confirm that the ownership of or investment in the offshore qualifying infrastructure projects/assets is substantially advised by a financial institution in Singapore where Singapore-based staff of the financial institution have a leading and substantial role in advising and structuring the investment. <i>(Please refer to paragraph 6.3(e) and footnote 5 of the e-tax guide for the definition of “substantially advised”).</i>	<i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/>

SECTION V

- A** State the reasons why the application should merit favourable consideration and the intended use of the foreign-sourced income to be remitted to Singapore.

- B** I declare that the particulars stated above and the accompanying information are true and correct, to the best of my/our knowledge.

Date

Authorised signature of recipient

**Name (in block letters) and designation
in company/real estate investment trust/
infrastructure trust**