EXPLANATORY NOTES FOR COMPLETION OF FORM IR8A & APPENDIX 8A FOR THE YEAR ENDED 31 DEC 2022

<u>GENERAL</u>

- 1. As an employer, you are required to complete a Form IR8A and Appendix 8A / Appendix 8B / Form IR8S (if applicable) to report the remuneration for the following employees:
 - (a) Full-time resident employee;
 - (b) Part-time resident employee;
 - (c) Non-resident employee including those who are based overseas and are required to render service in Singapore during the year (exclude details of employment income where clearance has been filed);
 - (d) Company director (including a non-resident director);
 - (e) Board Member receiving Board/Committee Member fees;
 - (f) Pensioner; and
 - (g) Employee who has left the organisation but was in receipt of income in 2022 (e.g. stock options gains).

Exclude:

- (a) Foreigners posted overseas after clearance has been filed (i.e. Form IR21) and did not render any employment service in Singapore for the rest of the calendar year;
- (b) Foreigners who are contracted by a Singapore employer to be based overseas and rendered their employment services wholly outside Singapore for the whole calendar year; and
- (c) Foreigners who has left the organisation where filing of Form IR21 is required.
- 2. The Form IR8A and Appendix 8A (if applicable) must be completed and signed by the company secretary/director, precedent partner, sole-proprietor, manager, honorary secretary/treasurer of Clubs and Associations, local representative of a non-resident company or a person authorised by the employer. For a computer-printed Form IR8A, signature is not compulsory. However, the name, designation, contact number of the authorised person and the date must be stated.
- 3. The completed Form IR8A and Appendix 8A (if applicable) (for year ended 31 Dec 2022) should be given to your employees by **1 Mar 2023. Do not** send the completed forms to IRAS unless requested to do so.

AUTO INCLUSION SCHEME (AIS)

4. If your organisation is under the AIS, you should submit your employees' employment income information to IRAS electronically by **1 Mar 2023**. Please ensure that the information submitted to IRAS is correct and complete. You do not need to issue the Form IR8A and/or Appendix 8A/Appendix 8B/Form IR8S to your employees. However, you may wish to provide your employees with a separate statement of earnings for their record. Please inform your employees not to include the employment income information and deductions in their tax form as it will be automatically included in their income tax assessments.

Employers (including those participating in AIS) who fail to comply may be charged under Section 94 of the Income Tax Act. The penalty upon conviction is a fine not exceeding \$5,000 and in default of payment to imprisonment for a term not exceeding 6 months.

COMPLETING THE FORMS

Observe the following guidelines when completing the forms to ensure that the information reported for your employees is accurate.

- 5. You need to provide the <u>date of commencement</u> of employment if your employee commenced employment in the year 2022 or before 1 Jan 1969. If your employee ceased employment in the year 2022, indicate the <u>date of cessation</u>.
- 6. If there are any changes to be made to your employee's income or deductions information after your company's esubmission or has given the Form IR8A and/or Appendix 8A to your employees:

Employers participating in AIS	Employers NOT participating in AIS
e-Submit only the difference in amount for the affected employee and not an overall revised value	Complete another Form IR8A and/or Appendix 8A with the correct amount(s) and indicate:
 For more information on how to amend submitted records, refer to <u>www.iras.gov.sg</u> [Taxes > Individual Income Tax > Employers > Auto Inclusion Scheme (AIS) for Employment Income > Amend Submitted Records] 	 (i) "Additional" at the top right hand corner to report the additional income paid to the employee; or (ii) "Revised" at the top right hand corner to report the entire income/deduction details. Revised Form IR8A will supersede all previous Form IR8A.
	 You must give the Additional/Revised Form IR8A to your employee.

DETAILS OF INCOME/DEDUCTIONS TO BE DECLARED IN FORM IR8A

7. All gains and profits derived by an employee in respect of his employment are taxable, unless they are specifically exempted from income tax or are covered by an existing administrative concession. The gains or profits include all benefits, whether in money or otherwise, paid or granted to him in respect of employment.

For more information on the taxability of the various gains or profits arising from employment, refer to <u>www.iras.gov.sg</u> [Taxes > Individual Income Tax > Employers> Understanding the Tax Treatment]

8. Refer to the table below for the procedures when reporting income of employees who are:

(a) Working outside Singapore

i. Overseas posting incidental to Singapore employment

You are required to report the employee's income and CPF contribution for the whole year.

ii. Overseas posting not incidental to Singapore employment

Income	Deductions
 Not required to report the employment income in items a) to d). 	Not required to report employee's CPF contributions.
• Select "Full Year" in item "e) 2. Overseas Posting".	 Report donations, contributions to Mosque Building Fund, life insurance premiums for the
 Employers participating in AIS, select 'Income from Overseas Employment' under Remission / Overseas Posting / Exempt Indicator. 	whole year
 Only report the employment income for the Singapore employment in items a) to d). Select "Part of the Year" in item "e) 2. 	 Report the employee's CPF contribution for the Singapore employment.
Overseas Posting".	Report donations, contributions to Mosque Building Fund, life
• Employers participating in AIS, select 'Income from Overseas Employment' under Remission / Overseas Posting / Exempt Indicator.	insurance premiums for the whole year.
	 Not required to report the employment income in items a) to d). Select "Full Year" in item "e) 2. Overseas Posting". Employers participating in AIS, select 'Income from Overseas Employment' under Remission / Overseas Posting / Exempt Indicator. Only report the employment income for the Singapore employment in items a) to d). Select "Part of the Year" in item "e) 2. Overseas Posting". Employers participating in AIS, select 'Income from Overseas Employment 'under Remission / Overseas Posting / Exempt Indicator.

Note: For employers participating in AIS, if your employee has overseas employment income and employer's contributions to overseas pension funds that qualify for concession, please select "Income from Overseas Employment and Overseas Pension Fund with Tax Concession" and provide the details of the Overseas Pension Fund separately via email to taxqueries@iras.gov.sg [See Explanatory Notes 9d (6)]

(b) Crew employed on board of ships

If your employee was a crew working on board a shipping vessel during the year 2022, indicate the following codes against your employee's designation on the Form IR8A:

- (i) **'FR'** (foreign-registered ship);
- (ii) 'SR' (Singapore-registered ship plying within the port limits of Singapore); or
- (iii) 'SRI' (Singapore registered ship plying in international waters).

If your employee was a crew working on board a Singapore-registered ship plying in international waters and the employment was exercised substantially outside Singapore during 2022, the employment income is exempted from tax. This tax exemption is not applicable to employees who were based on shore but may periodically be required to board/sail with the ships for inspection work or other purposes.

Period Working on SRI	Income	Deductions
(I) whole year	 Not required to report the employment income in items a) to d). State the exempted amount in item "e) 3. 	Report employee's CPF contributions, donations, contributions to Mosque Building Fund, life insurance premiums for the whole year
	Exempt Income".	
	 Employers participating in AIS, select 'Seaman' under Remission / Overseas Posting / Exempt Indicator and state the amount of income exempted from tax. 	
(II) part of the year	• Only report the employment income for the Singapore employment in items a) to d).	Report employee's CPF contributions, donations, contributions to Mosque Building Fund, life insurance premiums for the whole year
	• State the exempted amount in item "e) 3. Exempt Income".	
	 Employers participating in AIS, select 'Seaman' under Remission / Overseas Posting / Exempt Indicator and state the amount of income exempted from tax. 	

9 Below are some useful information to assist you in completing the Form IR8A:

INCOME

Description	What you need to know	
a) Gross Salary, Fees, Leave Pay, Wages and Overtime Pay	 i. It was paid in the year 2022; or ii. It was paid/is payable to the employee in Singapore or outside Singapore. 2) Gross salary should: Include remuneration paid by overseas employers to employees perform personal services in Singapore and maternity leave payments for wor mothers; and 	
	ii. Exclude NSmen Pay paid directly to employees by MINDEF, Singapore Civil Defence Force or Singapore Police Force. If the NSmen pay was reimbursed to your company, report the full remuneration in the Form IR8A.	
b) Bonus	 Bonuses are assessed in the year that an employee becomes entitled to the bonuses: i. Contractual bonuses which are payable in accordance with the terms of a contract of service or a bonus plan adopted by an employer and which cannot be rescinded by the employer without legal consequences. ii. Non-contractual bonuses which can be rescinded by the employer at any time prior to the actual payment of the bonuses without legal consequences. For examples of when bonuses are to be declared, refer to www.iras.gov.sg [Taxes> Individual Income Tax > Basics of Individual Income Tax > What is taxable, what is not > Employment income > Salary, bonus, director's fee, commission and others] 	

c) Director's Fees	Director's fees are assessed in the year that a director becomes entitled to the fees.		
	 Approved in arrears For director's fees that are approved in arrears (e.g. approved in 2022 after a director has rendered the requisite services for the accounting year ended 31 Dec 2021), the director is generally entitled to the director's fees on the date the fees are voted and approved at the company's Annual General Meeting or Extraordinary General Meeting ("AGM/ EGM"). Where the company held more than one meeting during the calendar year to 		
		rector's fees for the same accou	
	2. Approved in advance For director's fees that are approved in advance (e.g. approved in 2022 before a director has rendered the requisite services for the accounting year ending 31 Dec 2022), the director is not entitled to the director's fees on date of AGM/EGM. Instead, he is entitled to the director's fees as and when he renders his services for the accounting year ending 31 Dec 2022. For example, the director would be entitled to director's fees on a monthly basis if he can enforce the payment of director's fees on a monthly basis.		
	Where the company held one or more meetings during the calendar year to approve payments of director's fees for different accounting years, enter the total amount of director's fees to which the director is entitled to in 2022 and provide the following information as shown in the example below, in a separate sheet of paper:		
	Date of approval of director's fees at the company's AGM/EGM	AGM/ EGM are in respect of services for accounting year ended	Amount of director's fees to which the director is entitled to in 2022
	9 Jan 2022 9 Jan 2022	31 Dec 2022 31 Dec 2021	\$12,000 \$ 2,000
	Total	01 000 2021	\$14,000
	If Section 45 withholding tax has been paid on director's fees payable to a non-resident director, indicate 'S45 applied' against your employee's designation on the Form IR8A. For employers participating in AIS, select "Y" under "Section 45 (applicable to non-resident director) Indicator". For more information on the tax treatment of director's fees, refer to <u>www.iras.gov.sg</u> [Quick Links> e-Tax Guides> Select: Individual Income Tax >Tax Treatment of Director's Fees and Bonuses from Employment (Second Edition)]		
d) 1. Allowances	Allowances are taxable unless they are specifically exempted from income tax or are covered by an existing administrative concession.		
	 These include: Honorarium or payments in nature of honorarium Contributions by employer to employee's SRS account; CPF contributions made by the employer on the employee's behalf; Cash top-up to Retirement Sum Topping-up Scheme by employer; Housing allowance; Staff referral fees; Annuity purchased for employee in lieu of any pension or other benefit; Per diem in excess of IRAS acceptable rates; and Monetary benefits provided/paid by employer which are not listed under item 4 of Appendix 8A 		

d) 4. Lump sum payment	The details of payment are to be classified into the respective fields in the table within the Form IR8A.
	Compensation for loss of office is not taxable. This amount should not include taxable components such as gratuity, notice pay, ex-gratia payment, etc.
	Employer needs to state the:
	 respective taxable components of the lump sum payment under items 4(i), (ii), (iii) and (iv) and declare the total amount under item d4; amount of Compensation for loss of office under item 4(v); date of approval (if approval has been obtained from IRAS) that the compensation for loss of office is not taxable; and reasons for the payment, the basis of arriving at each component and the employee's length of service within the company/group (to indicate only if approval has not been obtained from IRAS).
	For employers participating in AIS, report the lump sum payment in item 4 and provide the above details on the Lump Sum Payment separately via email to taxqueries@iras.gov.sg
	For more details, you may refer to <u>www.iras.gov.sg</u> [Taxes > Individual Income Tax > Employers> Retrenchment Exercise in the Company > Lump Sum Payments]
d) 6. Contributions made by employer to any Pension/Provident Fund constituted outside Singaporo	Contributions made by an employer to a pension/provident fund constituted outside Singapore in respect of an employment exercised in Singapore are taxable. These contributions are taxable even if the employee had ceased employment in Singapore at the time the contributions were made.
Singapore	Without Tax Concession:
	Report the amount of contribution in item d6.
	With Tax Concession:
	As a tax concession, the employer's contributions to an overseas pension/provident fund are not taxed provided that all the following conditions are met:
	 i. The contributions are mandatory under social security schemes operated, regulated and supervised by the employee's home country Government for employees even though they are working outside their home country; and ii. The contributions are not borne by or no deduction is claimed by any permanent establishment/company in Singapore.
	The above concession will not apply if the employer is:
	 an investment holding company, a tax exempt body or a representative office; a service company which adopts the cost plus mark-up basis for its tax assessment.
	If tax concession is applicable, do not report the amount and only provide the following details in item d6:
	 Name of the overseas pension/provident fund; Full amount of the contribution; Whether the contributions are mandatory under social security schemes operated, regulated and supervised by the employee's home country Government for employees even though they are working outside their home country; and Whether the contributions were charged to the accounts of <u>or</u> deductions were claimed by a Singapore permanent establishment. Employers participating in AIS, select 'Overseas Pension Fund with Tax Concession'
	under the Remission / Overseas Posting / Exempt Indicator and state the amount of contribution accordingly. Provide the above details separately via email to taxqueries@iras.gov.sg

d) 7. Excess/Voluntary	The excess/voluntary employer's contributions are taxable in the employee's name.
contribution to CPF by employer	Complete this item if the contributions:
by employer	 are more than the compulsory contributions (pegged to a CPF rate which is higher than the rate for each age group of your employees) under the CPF Act;
	 ii. on monthly Ordinary Wages (OW) subject to CPF contribution are more than \$6,000;
	iii. on total Additional Wages are more than the difference between \$102,000 and OW subject to compulsory CPF contributions; or
	iv. are <u>not compulsory</u> under the CPF Act. The CPF contributions made by employer for foreign employees or on director's fees are considered as voluntary contributions.
	State the amount of employer's excess contribution less amount refunded/to be refunded to the employer and complete Form IR8S.
	For more information, refer to the Explanatory Notes for Completion of Form IR8S.
d) 8. Gains or profits from Employee Stock Option (ESOP)/other forms of Employee Share	 Gains or profits derived by the employee, directly or indirectly by reason of any office or employment from the: exercise, assignment, release or acquisition of any right or benefit; or grant or vesting of any shares under an ESOW Plan is taxable
Ownership (ESOW) Plans	For more information, refer to the Explanatory Notes for Completion of Appendix 8B.
	2) Tax exemptions under the ERIS (Start-ups)/ERIS (SMEs)/ERIS (All Corporations) Schemes will NOT apply under circumstances where the employee receives cash compensation for the release of his right or benefit to acquire shares in a qualifying company by reason of resignation or termination of employment due to misconduct.
	 State the amount of cash compensation in item "d) 1. (iii) Others" of the Form IR8A. DO NOT complete the Appendix 8B.
TOTAL (items d1 to d9)	The total should not include: i. Compensation for loss of office;
	ii. The amount of retirement benefits accrued up to 31 Dec 1992 if the employee received the retirement benefit from an existing approved pension and provident fund upon reaching the statutory retirement age.
e) 1. Remission	Report the full amount of Overseas Cost of Living Allowance (OCLA) in item "d) 1. (iii) Other Allowances" and provide the amount of income that has been granted tax remission.
f) Employee's income tax borne by employer	Income tax of the employee which is borne by the employer is assessable as a gain from employment.
	 Complete this item if: Employer pays the full amount of the employee's income tax payable; Employer pays the employee's income tax payable on certain income item only e.g employer pays the income tax attributable to bonus only; or Employer pays a fixed amount of employee's income tax payable e.g. employee's income tax payable is \$5,000 and employer will pay \$2,000.
	Employers participating in AIS, select from the list if:
	 Employee's income tax is not paid by employer Leave field blank; or Select "No, tax is Not borne by employer".
	 <u>Employee's income tax is fully paid by employer</u> Select "Yes, tax is FULLY borne by employer." DO NOT enter amount in items f(i) and f(ii).
	 Employee's income tax is partially paid by employer Select "Yes, tax is Partially borne by employer"; and Enter the amount of employment income which the employer is paying tax for in item f(i).
	 <u>A fixed amount of income tax is paid by employee</u> Select "Yes, a FIXED amount of tax is borne by employee"; and Enter the amount of tax which the employee is paying in item f(ii).

10. DEDUCTIONS

(I) Employee's Compulsory contribution to CPF/Designated Pension or Provident Fund

Apply the appropriate CPF rates published by CPF Board at www.cpf.gov.sg and exclude the amount of excess/voluntary CPF contributions in this item.

(II) Voluntary Contributions made by the Employer on the Employee's behalf

Do not include the following voluntary contributions as deductions will be allowed automatically:

- i) Voluntary contributions to Medisave Account
- ii) Voluntary contributions to the Retirement Sum Topping-up Scheme; and
- iii) SRS contributions made by employer

(III) Donations deducted from salaries

- Report actual amount deducted from employee's salaries and donated to Yayasan Mendaki Fund, Community Chest of Singapore, CDAC, SINDA, ECF and Other tax exempt donations.
- ii) Do not report contributions deducted from salaries to Mosque Buidling Fund [see point (IV) below]

(IV) Contributions deducted from salaries to Mosque Building Fund

Report only contributions made to Mosque Building Fund deducted from salaries.

(V) Life Insurance Premiums

Report life insurance premium paid for insurance (including group insurance) deducted through employee's salary.

DETAILS OF BENEFITS-IN-KIND TO BE DECLARED IN APPENDIX 8A

Employers have to declare the benefits-in-kind in the Appendix 8A unless the benefits-in-kind are granted an administrative concession or exempted from Income Tax. For more information, refer to <u>www.iras.gov.sg</u> [Taxes> Individual Income Tax >Employers> Understanding the Tax Treatment]

- 11. Generally the actual cost of providing the benefits-in-kind should be reported. The details of the taxable benefits-in-kind are to be reported in Appendix 8A and the total value of benefits-in-kind must be entered in **item d9 of Form IR8A**.
- 12. Below are some useful information to assist you in completing the Appendix 8A:

Description	What you need to know	
1) Place of Residence provided by Employer	If the employee is not sharing the premises with any other employee, to indicate '1' under 'Number of employee(s) sharing the premises (exclude family members who are not employees)'.	
2) Accommodation and related benefits provided by Employer	(a) Employers are required to report the actual amount of rent paid (including the rental of furniture & fittings) if the place of residence is rented by them. Otherwise, please enter its annual value.	
	(b) The Annual Value (AV) of a property can be found on the property tax bill or via IRAS' e-Valuation List service <u>www.iras.gov.sg</u> [Taxes > Property Tax> Property Professionals >Real Estate/Housing Agents > Find out Annual Values]	
	(c) Partially furnished refers to only fittings (e.g. lightings, air-conditioner/ceiling fan, water-heater) provided whereas fully furnished refers to both fittings and furniture/household appliances provided.	
	(d) Where the place of residence provided to an employee is a serviced apartment (<u>not within</u> a hotel building), report the benefits under Section 2a to 2f. However, if the serviced apartment is located <u>within</u> a hotel building, report the actual cost incurred by the employer, less amount paid by the employee under Section 3.	
	Example where there is no rent paid:	
	Employer provided an employee with accommodation. Employee was employed for the period 1 Jan 2022 to 31 Dec 2022. Accommodation was fully furnished and shared by 2 employees. The AV of the accommodation provided was \$40,000.	
	Place of Residence	
	Period when the premises was provided:	1 Mar 2022 to 29 May 2022
	Number of days premises occupied:	90 days
	Annual Value (applicable to the employee) (2a):	\$4,931.50 (\$40,000/2 x 90/365)

	Value of Furniture and Fittings (2b) Taxable value of Place of Residence (2d) Less: Rent paid by employee (2e) Total Taxable value of Place of Residence (2f) Utilities (2g) Gardener (2i) Taxable value of utilities and housekeeping costs (2j) Hotel Accommodation (3a) Taxable value of Hotel Accommodation (3c)	\$2,465.75 (50% x \$4,931.50) \$7,397.25 \$2,000.00 \$5,397.25 \$ 250.00 \$1,200.00 \$1,450.00 \$2,500.00 \$2,500.00
	Total value of benefits-in-kind (2f+2j+3c) For more details, refer to <u>www.iras.gov.sg</u> [Taxes > Understanding the Tax Treatment > Accommodation and Rela	
4a. Cost of home leave passages and incidental benefits provided to employee and his family	Full cost of leave passages provided to employee and his family is taxable. For more details, refer to <u>www.iras.gov.sg</u> [Taxes > Individual Income Tax > Employers> Understanding the Tax Treatment > Air Passage].	
4b. Interest payment made by employer to a third party on behalf of an employee and/ or loans provided by employer interest free or at a rate below market rate to the employee who has substantial shareholding or control or influence over the company	For more details, refer to <u>www.iras.gov.sg</u> [Taxes > Individual Income Tax > Employers> Understanding the Tax Treatment > Benefits Relating to Loans].	
4c. Insurance premiums paid by the employer	Insurance premiums paid by the employer for personal policyholder, is taxable. For other insurance polices where premium is paid by the er Individual Income Tax > Employers> Understanding the Tax	nployer, refer to <u>www.iras.gov.sg</u> [Taxes >
4e. Educational expenses including tutor provided	This relates to any educational expenses pertaining to employees, inclusive of the taxable subsidies to employees for child care (not under licensed under Child Care Centres Act) and student care.	

4i. Car benefits	(a) New Car provided by employer	
	Value of Benefit	
	3/7 x [(car cost – PARF rebate)/10 + actual running and maintenance costs incurred by the employer]	
	i) "3/7" refers to the use of the car outside office hours for private matters, which is estimated at 3 out of 7 days in a week.	
	ii) "Car cost" refers to the acquisition cost of a car (inclusive of COE) paid or payable on the date of purchase. If the car is not provided to the employee for the full year, the cost of the car can be apportioned based on the number of days that the car was provided to employee in the year.	
	iii) "PARF rebate" refers to the Preferential Additional Registration Fee rebate to be granted when the car is de-registered at the age of above 9 but not exceeding 10 years.	
	iv) Actual running and maintenance costs incurred by the employer (including reimbursements made to the employee by the employer) refer to costs such as road tax, petrol, car park charge, ERP charge, car insurance, repairs and maintenance, if any.	
	(b) Leased car provided by employer	
	Value of Benefit	
	$3/7 \times (rental cost incurred by the employer + actual running and maintenance costs incurred by the employer)$	
	i) "3/7" refers to the use of the car outside office hours for private matters, which is estimated at 3 out of 7 days in a week.	
	ii) If you have rented a car for your employee's use, the rental cost of the car should be used instead of the car cost.	
	iii) Actual running and maintenance costs incurred by the employer (including reimbursements made to the employee by the employer) refer to costs not borne by the car hiring company, such as petrol, car park charge, ERP charge, if any.	
	For more information on how to compute the taxable value of a second-hand car, refer to <u>www.iras.gov.sg</u> [Taxes > Individual Income Tax > Employers> Understanding the Tax Treatment> Car and Car-related Benefits].	
4j. Non-monetary awards/benefits	Non-cash awards/benefits are taxable unless they are specifically exempted from income tax or are covered by an existing administrative concession. Examples of non-cash awards are a pen, a plaque and a watch.	
	For more details on the tax treatment on non-monetary benefits, refer to <u>www.iras.gov.sg</u> [Taxes > Individual Income Tax > Employers> Understanding the Tax Treatment].	

13. Other Information

FAQ	Answer
Where to obtain the Form IR8A, Appendix 8A, Appendix 8B and Form IR8S	Download from <u>www.iras.gov.sg</u> [Quick Links> Forms> Employers].
How to complete the Form IR8A, Appendix 8A, Appendix 8B and Form IR8S	Refer to <u>www.iras.gov.sg</u> [Taxes > Individual Income Tax > Employers> Auto Inclusion Scheme (AIS) for Employment Income > Reporting Employee Earnings (IR8A, Appendix 8A, Appendix 8B, IR8S)]