
Section 13(12) Declaration Form

**Tax exemption under
section 13(12) of Income Tax Act
on foreign-sourced income**

**Inland Revenue Authority of Singapore
(Corporate Tax Division)
55 Newton Road
Revenue House
Singapore 307987**



**INLAND REVENUE
AUTHORITY
OF SINGAPORE**

Instructions

1. For tax exemption under section 13(12) as explained in paragraph 4 (Specified scenarios) of the IRAS e-tax guide entitled "*Tax exemption under section 13(12) for specified scenarios, real estate investment trusts, qualifying offshore infrastructure project/asset*", please complete sections 1, 2 and 5.
2. For tax exemption under section 13(12) as explained in paragraph 5 (S-REITs) of the abovementioned e-tax guide, please complete sections 1, 2, 3 and 5.
3. For tax exemption under section 13(12) as explained in paragraph 6 (Infrastructure project/asset) of the abovementioned e-tax guide, please complete sections 1, 2, 4 and 5.
4. Please provide the information requested as complete as possible. Where information is not yet available or inapplicable, please indicate accordingly. If space is insufficient, a separate sheet may be used.
5. All information given will be held in the strictest confidence.
6. It may take you 20 minutes to fill up this form.
7. This form should be sent to:
Inland Revenue Authority of Singapore
Corporate Tax Division
55 Newton Road
Revenue House
Singapore 307987.

Section 1 – General

A Particulars of recipient¹ of foreign-sourced income:

Name	
Income Tax Reference No.	
Address	
Telephone No.	
Principal Activities	
Place where control and management of business is exercised	

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 ultimate holding entity 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 2 - Details of foreign-sourced income

A	Nature of the foreign-sourced income 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		
C	Country from which the foreign-sourced income is to be received and the headline tax rate ² 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 the underlying profits out of which the foreign-sourced income originates	<i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(please state the reasons below)</i>	
D1	If your answer to part D is No, please state: (i) the country from which the foreign-sourced income originates and the headline tax rate of this country	Country	Headline tax rate

² 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.

D2	(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		
	(iii) submit a diagram showing the holding structure through which the foreign-sourced income will be received in Singapore (giving the percentage of shareholding)	Attached as _____	
	(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	<i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(please state the reasons below)</i>	
	(v) confirm whether the recipient is able to trace the source of the income out of which the foreign-sourced income originates	<i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/>	
	(vi) provide a brief explanation of the basis for saying so		
E	Amount of the foreign-sourced income to be remitted to Singapore	Date	Amount to be remitted
F	Scenario ³ under which the foreign-sourced income is to be remitted to Singapore	<i>(Please select the relevant alphabet)</i>	
		Scenario:	

³ Please refer to 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" for more details.

Section 3 – 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

A	<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 the trustee of the S-REIT from issue of its units; ii) Permissible borrowings under the Property Trust Fund guidelines; iii) Security deposits from tenants or properties owned by the trustee of the S-REIT; or iv) Undistributed income of the trustee of the S-REIT. 	<p><i>(Please tick the relevant box)</i> Yes <input type="checkbox"/> No <input type="checkbox"/></p>
B	<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, statutory expenses and administrative expenses incurred by the subsidiary company) 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>

Section 4 – To be completed in the case of a Singapore listed entity receiving foreign-sourced income from a qualifying offshore infrastructure project/asset directly, or indirectly through its wholly-owned Singapore resident subsidiary company

A	<p>Where there is no foreign tax paid on the interest income, please confirm that the interest has been incurred on borrowings 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.</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>
B	<p>Where the foreign-sourced income is to be received by a wholly-owned Singapore resident subsidiary company of a Singapore listed entity, please confirm that the full amount of the foreign-sourced interest or dividend income (less incidental expenses associated with the remittance, statutory expenses and administrative expenses incurred by the subsidiary company) to be received in Singapore will be distributed by the Singapore resident subsidiary company to the Singapore listed entity.</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>

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 6.4(e) 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 5 - Declaration

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