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| APPLICATION FOR ADVANCE RULING  *TO: COMPTROLLER OF INCOME TAX (“CIT”)*  *55 Newton Road Revenue House Singapore 307987*  Please read the section on “Important Notes to Application for Advance Ruling” before completing the application form. This form may take you 5 minutes to fill in. Please get ready the following information before filling in the form:   * Your particulars and your agent’s particulars (if applicable) (see Sections A, B & C) * Information on past ruling request(s) on the same or similar arrangement (see Section D) * Your written request for a ruling (see note 2 of this application form)   When submitting the application form, please ensure that the form is fully completed and duly signed. This form must be submitted together with your written request for ruling. The application fee of S$660, inclusive of GST, is to be paid to Inland Revenue Authority of Singapore’s bank account as indicated in Section D6. Please address your application and ruling request to:   * Assistant Commissioner (Corporate Tax Division) and submit them via email to [CTRuling@iras.gov.sg](mailto:CTRuling@iras.gov.sg) - for applicants making the ruling requests with regard to arrangements concerning Corporate Income Tax matter; or * Assistant Commissioner (Individual Income Tax Division) and submit them via email to [IIT\_RC@iras.gov.sg](mailto:IIT_RC@iras.gov.sg) - for applicants making the ruling requests with regard to arrangements concerning Individual Income Tax matter. |  |

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| **Section A : Applicant’s Particulars** |
| **A1.** Full Name :  **A2.** Address : Blk/House No Storey Unit # -  Street Name  Postal Code  **A3.** Tax Ref. No. : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|  **A4**. Principal Activities :  **A5**. Contact Person :  **A6.** Contact No. : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_| **A7.** Email : |
| **Section B : Joint Applicant’s Particulars** |
| **B1.** Full Name :  **B2.** Address : Blk/House No Storey Unit # -  Street Name  Postal Code  **B3.** Tax Ref. No. : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|  **B4**. Principal Activities :  **B5**. Contact Person :  **B6.** Contact No. : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_| **B7.** Email :  For more than 1 joint applicant, please furnish the above information in a separate attachment to this application. |

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| **Section C : Agent’s[[1]](#footnote-1) Particulars** (to be completed if the application is made by an agent on behalf of the applicant(s)) | |
| **C1.** Full Name :  **C2.** Address : Blk/House No Storey Unit # -  Street Name  Postal Code  **C3.** Tax Ref. No. : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|  **C4.** Contact Person :  **C5.** Contact No. : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|  **C6.** Email : | |
| **Section D : Other Information** | |
| **D1.** To which period does this application relate?  Period from |\_\_\_|\_\_\_| |\_\_\_|\_\_\_| |\_\_\_|\_\_\_|\_\_\_|\_\_\_| to |\_\_\_|\_\_\_| |\_\_\_|\_\_\_| |\_\_\_|\_\_\_|\_\_\_|\_\_\_|  Day Month Year Day Month Year  **D2.** Complete the table below:   |  |  |  | | --- | --- | --- | |  | Yes | No | | a. Confirm that the ruling request does not fall within the scenarios where CIT must not rule, as stated in paragraphs 1.2 and 1.3 of the Important Notes to Application for Advance Ruling. |  |  | | 1. Have you/ your agent sought any written advice (e.g. email, previous ruling) from CIT on the same or a similar arrangement? If so, please furnish a copy of the written advice. |  |  | | 1. Have you/ your agent enclosed a written submission (using the attached template at Appendix 1) providing the following details?  * The tax issue(s) to be addressed by the ruling * Full particulars of the proposed arrangement and parties to the arrangement * All standard supporting information required for specific topics (see the Advance Ruling Web page at [www.iras.gov.sg](http://www.iras.gov.sg)) |  |  | | 1. Whether the ruling request relates to the adequacy of economic substance (“ESR AR applications”) under section 10L of the Income Tax Act 1947 (“ITA”)[[2]](#footnote-2). |  |  |   **D3.** Complete Part D3 if this is a request for express ruling:   1. I/We confirm that the reasons for the express ruling request do not fall within those as mentioned in paragraph 3.2 of the Important Notes to Application for Advance Ruling   b. State the reasons for the request for an express ruling | |
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| **D4.** Complete Part D4 if this is a ruling request relating to any of the following categories of rulings[[3]](#footnote-3):   * Rulings relating to preferential regimes; * Cross-border unilateral advance pricing arrangement (“UAPA”) or other cross-border unilateral rulings in respect of transfer pricing; * Cross-border rulings providing for a downward adjustment of taxable profits; * Permanent establishment (“PE”) rulings[[4]](#footnote-4); or * Related party conduit rulings.  1. **Applicant’s ultimate parent entity (if applicable)** 2. Full Name : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 3. Address : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   1. Tax Ref. No. (where available) : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_| 2. Jurisdiction of tax residence : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   **II. Applicant’s immediate parent entity (if applicable)**   1. Full Name : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. Address : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   1. Tax Ref. No. (where available) : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_| 2. Jurisdiction of tax residence : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   **III. For ruling relating to preferential regimes, to provide the following information on all related parties[[5]](#footnote-5) with which the applicant enters into a transaction for which a preferential treatment is granted or which gives rise to income benefiting from a preferential treatment (to attach separate sheets where necessary):**   1. Full Name : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. Address : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   1. Tax Ref. No. (where available) : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|   d. Jurisdiction of tax residence : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **IV. For cross-border UAPA ruling, other cross-border unilateral ruling in respect of transfer pricing or cross-border ruling providing for a downward adjustment of taxable profits, to provide the following information on all related parties4 with whom the applicant enters into transactions covered by the ruling (to attach separate sheets where necessary):**   1. Full Name : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. Address : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   1. Tax Ref. No. (where available) : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_| 2. Jurisdiction of tax residence : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   **V. For PE ruling, to provide the following information on the PE’s Head office:**   1. Full Name : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. Address : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   1. Tax Ref. No. (where available) : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_| 2. Jurisdiction of tax residence : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   **VI. For related party conduit ruling, to provide the following information on all related parties4 making payments to the conduit (directly or indirectly) as well as the ultimate beneficial owner of income from the conduit arrangement (to attach separate sheets where necessary):**  Related party making payments to the conduit (directly or indirectly)   1. Full Name : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. Address : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   1. Tax Ref. No. (where available) : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_| 2. Jurisdiction of tax residence : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   Ultimate beneficial owner of income from the conduit arrangement   1. Full Name : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. Address : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   1. Tax Ref. No. (where available) : |\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_|\_\_\_| 2. Jurisdiction of tax residence : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **D5.** Indicate the person to whom the fees chargeable for the ruling should be billed:  Applicant[[6]](#footnote-6)  Agent  **D6.** Payment Details  I/We confirm that the application fee of S$660, inclusive of GST, is paid to IRAS’ bank account as stated below:   |  |  | | --- | --- | | Payee | Inland Revenue Authority of Singapore | | DBS Current Account Number | 0010516000 - SGD | | DBS Bank / Branch Code | 7171 / 001 | | DBS Bank Swift Code | DBSSSGSG |   [Note: Payment is to be made via Internet Banking Fund Transfer. If you are not in Singapore or only maintain an overseas bank account, IRAS may accept payment by Telegraphic Transfer (TT).]   * You should remit your payment in Singapore dollars so that the amount is not affected by exchange differences and it can fully settle your application fee. * To ensure full application fee is remitted to IRAS, please notify your bank that all charges and fees imposed by the overseas and intermediary banks are to be borne by the applicant and not the beneficiary.   You must indicate the UEN number and/ or applicant’s name under Beneficiary Reference/ Purpose of Payment/ Remittance Information/ Payment Details field to avoid delay in the processing of the application. IRAS will match these details to your ruling application form, and you need not separately inform IRAS of your payment.] |
| **Section E : Applicant’s Declaration**  **E1.** Authorisation for agent (if applicable)  I/*We authorise \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of agent) to make this ruling request on my/our behalf.*    **E2.** Consent for publication of the ruling[[7]](#footnote-7)  Yes, I/we give my/our consent[[8]](#footnote-8) for the publication of a summary of the ruling and agree not to claim or institute proceedings to recover any damages, compensation or indemnification from IRAS for any loss howsoever arising from or in connection with the publication of the summary.  No, I/we do not give my/our consent. (Please state the reasons below)          **E3.** Declaration of information furnished    *I/We declare that the details contained in this application, the ruling request and any other information given by me and/or my/our agent in connection with this ruling request are true and complete. (\* Please attach separate sheet if there are more than 2 applicants/joint applicants.)*    Name of Entity as Applicant        Full name of person making the declaration Designation        Signature8 Date        Name of Entity as Joint Applicant        Full name of person making the declaration Designation        Signature8 Date |



Name of Company as Joint Applicant

 

Full name of person making the declaration Designation

 

Signature Date

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# Appendix 1

8 Digital signatures with embedded codes will not be accepted.

# TEMPLATE FOR WRITTEN SUBMISSION FOR A RULING

# Confirmation(s) Sought

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| *State the confirmation(s) that you would like the Comptroller of Income Tax to provide.* |

1. **Background**

Provide background details of the applicant and all other entities involved in the arrangement, including:

* 1. Name of entity
  2. Singapore income tax reference number (if applicable)
  3. Principal activities
  4. Country of incorporation
  5. Country of tax residence
  6. Relationship with other parties to the arrangement, if any. Illustrate the relationship with a diagram.

1. **Proposed Arrangement**

Provide all relevant facts and documents relating to the arrangement for which the ruling is sought. These should include:

* 1. Comprehensive description of the arrangement and the period concerned
  2. Business reasons for the arrangement
  3. Copies of all relevant documents with the relevant parts or passages identified
  4. The financial period(s) and Year(s) of Assessment to which the application relates
  5. Other material or relevant matters or sources of information the Comptroller should be made aware of to ensure access to all the pertinent facts and law.

1. **Issue(s) to be considered**

List and elaborate on the issues to be addressed by the ruling.

1. **Propositions of the law**

State the propositions of law relevant to the issue(s) raised, including:

* 1. Relevant section(s) of the ITA
  2. Your interpretation of the said sections in relation to the issue(s)
  3. Appropriate case laws and legal reasons that support your interpretation
  4. Possible arguments contrary to the interpretation proposed and legal reasons and authoritative support, if any, for these arguments

1. **A draft ruling**

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| **IMPORTANT NOTES TO APPLICATION FOR ADVANCE RULING** |
| **1. CIT’s Power to Rule**  1.1 CIT may decline to make a ruling in the following scenarios:   1. the application for the ruling would require CIT to determine any question of fact; 2. CIT considers that the correctness of the ruling would depend on the making of assumptions, whether in respect of a future event or any other matter; 3. the matter on which the ruling is sought is subject to an objection or appeal, whether in relation to the applicant or any other person; 4. the applicant has outstanding debts relating to earlier ruling applications; or 5. the matter on which the ruling is sought is the subject of a return which has been or is due to be lodged under the ITA.    1. CIT must not make a ruling if: 6. at the time application is made or at any time before the ruling is issued, CIT considers that the person to whom the ruling is to apply is not seriously contemplating the arrangement for which the ruling is sought; 7. the application is frivolous or vexatious; 8. the matter on which the ruling is sought – 9. concerns tax (excluding estimated tax) that is due and payable, unless the application is received before the tax is due and payable; 10. involves the interpretation of a foreign law; or 11. is being dealt with, or in the CIT’s opinion should be dealt with, by one or both competent authorities of the parties to an Agreement for the avoidance of double taxation; 12. a ruling already exists on how the relevant provision of the ITA applies to the applicant and the arrangement, and the proposed ruling would apply to a period or a year of assessment to which the existing ruling applies; 13. an assessment (excluding an assessment of any estimated tax) relating to the applicant, the arrangement, and a year of assessment to which the proposed ruling would apply has been made, unless the application is received by CIT before the date of assessment is made; 14. CIT is undertaking an audit or investigation on how any provision of the ITA applies to the applicant, or to an arrangement similar to the arrangement which is the subject of the application, during any period for which the proposed ruling would apply were the ruling to be made; 15. in CIT’s opinion, insufficient information has been provided despite a request by the CIT for additional information; 16. in CIT’s opinion it would be unreasonable to make a ruling in view of the resources available to CIT; or 17. the ruling would require CIT to form an opinion as to a generally accepted accounting principle or a commercially acceptable practice.   1.3 In addition, CIT must not make a ruling on a provision of the ITA that authorises or requires CIT to:  a. impose or remit a penalty;  b. inquire into the correctness of any return or other information supplied by any person;  c. prosecute any person; or  d. recover any debt owing by any person.  1.4 If CIT considers that the correctness of a ruling would depend on assumptions being made about a future event or other matter, CIT may make the assumptions that CIT considers to be most appropriate.  1.5 When CIT declines to or cannot provide a ruling as requested, the CIT will inform the applicant in writing of the reason(s) why the ruling will not be issued.  **2. Procedures for Application**  2.1 You are required to complete and submit sections A to E of this application form with your written request for a ruling (please see the attached template at Appendix 1 for the written submission).  **3. Processing Time**  3.1 Applications for rulings will generally be processed on a first-come-first-serve basis. Generally, IRAS will endeavour to provide a ruling within eight weeks (or four weeks for ruling relating solely to ESR AR applications) from the date of receipt of (i) acceptance letter, (ii) payment for the estimated fees or (iii) complete information, whichever is later. However, if the request is a complex one and we require more time, we will keep you informed.  3.2 Generally, applicants are in the position to plan and put in an advance ruling application in a timely manner. Hence, as a norm, IRAS will not agree to requests for express rulings.  Only in exceptional circumstances where there are good and valid reasons for the request for express ruling and subject to the resources available to IRAS, would IRAS agree to the request for express ruling. The following are some reasons where IRAS will not accede to requests for express ruling:  a. The ruling is required to finalise the proposed structure / transaction so that the applicant can proceed with the next steps;   1. The listing of the proposed structure / proposed transaction is targeted to take place soon; or 2. To obtain certainty of the tax treatment of the proposed transaction before filing tax return/ completion of a deal/ Board meeting.   3.3 In the exceptional circumstance where IRAS has agreed to the request for express ruling, we will issue the Advance Ruling within six weeks from date of receipt of (i) acceptance letter, (ii) payment for the estimated fees or (iii) complete information, whichever is later. Request for express ruling is not applicable for ruling relating solely to ESR AR applications since the processing time is four weeks.  **4. Fees Chargeable for Rulings**  4.1 An initial application fee of S$660 (inclusive of GST) is payable upon application and is non-refundable even if the ruling request is rejected (e.g. where the arrangement is hypothetical). This non-refundable charge of S$660 takes into account the time to be taken to determine if CIT would accede to the request.  4.2 After the first 4 hours taken to provide the ruling, you will be charged a further time-based fee of an hourly rate of $165 (inclusive of GST) for each subsequent hour or part thereof taken.  4.3 You will also be charged with reimbursement fee for any costs and reasonable disbursements incurred by CIT in relation to the ruling, and any fees paid by CIT for external professional advice. Your agreement will be sought before CIT obtains any external professional advice.  4.4 In the exceptional circumstance where IRAS has agreed to the request for express ruling you will be charged an additional fee (in addition to the application fee and further time-based fee in paragraphs 4.1 and 4.2 respectively) of one time the aggregate of the mentioned application fee and further time-based fee.  4.5 Where a request for ruling is accepted, you will be informed of when you can expect the ruling to be issued and the estimated amount of total fees payable. You are required to confirm in writing your acceptance of the terms under which the ruling is to be issued and make payment for the difference between the estimated total fees and the initial application fee.  4.6 Payment for all fees is to be paid to Inland Revenue Authority of Singapore’s bank account as indicated in Section D6.   1. **Withdrawal of Request**   5.1 Following your written confirmation, you may withdraw your request for advance ruling before the ruling is issued. However, you will be charged for the hourly fees, reimbursement fee (if any) and additional fee (if applicable) in respect of the time spent on the review of the ruling request up to the time of receipt of your letter of withdrawal of request.   1. **Spontaneous exchange of information**   6.1 The Final Report on BEPS Action 5 “Countering Harmful Tax Practices More Effectively, taking into Account Transparency and Substance” published by the OECD in October 2015 sets out an agreed framework for the compulsory spontaneous exchange of information on certain rulings. Under this framework, Singapore has committed to spontaneously exchange the following categories of rulings:  Rulings relating to preferential regimes;  UAPAs or other cross-border unilateral rulings in respect of transfer pricing;  Cross-border rulings providing for a downward adjustment of taxable profits;  PE rulings; and  Related party conduit rulings.  Singapore will spontaneously exchange information with a jurisdiction only if that jurisdiction:    has a tax treaty or exchange of information arrangement with Singapore that provides for the spontaneous exchange of information;  has the necessary legal framework and safeguards to ensure confidentiality and appropriate use of the information exchanged; and  is similarly committed to compulsory spontaneous exchange of information under the framework.  As a general rule, the spontaneous exchange of information on rulings will take place with the following jurisdictions who meet the above criteria:  jurisdictions of residence of all related parties with which the taxpayer enters into transactions for which a ruling is granted or which gives rise to income from related parties benefitting from a preferential treatment (this rule also applies in a PE context); and  jurisdictions of residence of the taxpayer’s ultimate parent entity and the immediate parent entity, and in the case of PE rulings, the residence jurisdiction of the PE’s head office.  **7. Publication of Advance Rulings**  7.1 CIT will publish a summary of the ruling (i.e. a summary of the background, facts and issues raised in the application for advance ruling, as well as the rulings given) on IRAS’ website if:  a. you have given your consent for the publication of a summary of the ruling in Section E of this application form; and  b. the issue that is the subject of the ruling request does not relate to Advance Pricing Arrangements.  7.2 If the subject of the ruling request relates to characterisation of hybrid instrument and related issues, CIT may exclude the ruling from publication if similar summaries of ruling have been published on the IRAS website.  7.3 The summary of the ruling will be published in a form that does not set out the identity of the applicant, the arrangement or any other parties to the arrangement in the ruling, date of transaction or transaction values. Please refer to the [Publishing Income Tax Advance Rulings](https://www.iras.gov.sg/taxes/corporate-income-tax/specific-topics/advance-ruling-system-for-income-tax#title2) on the IRAS website for a sample format of the summary of a ruling that will be published.  7.4 Prior to publication, CIT will provide you with a draft copy of the ruling summary for your comments within eight weeks from the date of the ruling letter. You must review the draft summary carefully and notify IRAS of any proposed edits (with reasons) within six weeks. CIT will consider any comments and proposed changes made by you before the publication of the summary.  7.5 CIT will publish the summary of the ruling on the IRAS website at least nine months after the ruling is issued. Please refer to the [Timeline for Publication of Advance Rulings](https://www.iras.gov.sg/taxes/corporate-income-tax/specific-topics/advance-ruling-system-for-income-tax) on the IRAS website for the expected timeline for the publication of advance ruling.  7.6 No fee is chargeable for the time spent by CIT in preparing the summary of the ruling for publication. |

1. In this form, the term “agent” includes tax agent and counsel. [↑](#footnote-ref-1)
2. For ESR AR applications, please also submit the [Form for Income Tax Advance Ruling on the Adequacy of Economic Substance](https://www.iras.gov.sg/media/docs/default-source/uploadedfiles/docx/esr-application-form.docx) (“ESR Form”) and the [Annex to the ESR Form](https://www.iras.gov.sg/media/docs/default-source/uploadedfiles/xlsx/annex-to-esr-form.xlsx) (for joint applications only). [↑](#footnote-ref-2)
3. Please refer to paragraph 6 of the Important Notes to Application for Advance Ruling. [↑](#footnote-ref-3)
4. PE rulings are rulings concerning the existence or absence of a PE, and/or the attribution of profits to a PE. [↑](#footnote-ref-4)
5. For the purpose of spontaneous exchange of information (see paragraph 6 of Important Notes to Application for Advance Ruling), two parties would be considered related if the first person has a 25% or greater shareholding in the second person or there is a third person that holds a 25% or greater shareholding in both. A person will be treated as holding a percentage shareholding in another person if that person holds directly or indirectly through a shareholding in other persons, that percentage of the voting rights of that person or of the value of any equity interests of that person. The same threshold will apply for other entities such as partnerships and trusts. This rule also applies in a PE context. [↑](#footnote-ref-5)
6. For joint applicants, please indicate the name of the applicant to whom the invoice should be addressed, as the advance ruling fees will only be billed to one applicant. [↑](#footnote-ref-6)
7. Please see paragraph 7 of the Important Notes to Application for Advance Ruling for more details on the publication of advance rulings. [↑](#footnote-ref-7)
8. This consent excludes the consent for the publication of the issues which are related to Advance Pricing Arrangements. [↑](#footnote-ref-8)