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Singapore Budget 2022 and beyond

This document highlights the feedback and proposals that Grant Thornton has submitted to the Ministry of Finance for the 2022 Singapore Budget.

The suggestions are aimed at strengthening Singapore's position as a competitive business hub, building an inclusive and sustainable Singapore, supporting Covid-19 recovery, and simplifying and enhancing our tax system.



Contents

Our recommendations relating to:

Strengthening Singapore’s position as a competitive business hub	3
Global minimum corporate tax	4
Digital tokens and crypto assets	6
Building an inclusive and sustainable Singapore	7
Wealth taxes	8
Personal reliefs	10
Vehicle ownership	12
Supporting COVID-19 recovery	13
Rebooting the F&B industry	14
Tobacco and alcohol	14
Simplifying and enhancing our tax system	15
Employee share schemes	16
Goods and services tax	17
Transfer pricing	18
Legislation	19
Computation and payment of taxes	20
Contact us	22

Strengthening Singapore's position as a competitive business hub



Global minimum corporate tax

Incentives for financial services

We note that regulated financial services and pension funds are carved out from the 'two-pillar' solution to address the challenges of a digital economy. To encourage more banks to be based in or move back to Singapore, the financial sector incentive (FSI) tax rate should be made more attractive, such as lowering it to below 12%. In addition, the scope of the FSI should be expanded to include companies involved in financial technology (FinTech), such as blockchain and cryptocurrencies.

The trading of cryptocurrencies should also be included in the list of exempt qualifying activities for FSI incentives. In the same vein, further deductions could perhaps be allowed for expenses (for example, hiring of talent) incurred in generating FinTech income. These further deductions can be expanded beyond regulated banks but for any entity that is involved in FinTech activities.



Benefits

- Incentivises financial institutions to be based in Singapore
- Although the proposal results in a reduction in tax rates, there should be an overall increase in tax revenues through an increase in the tax base
- Improves Singapore's overall competitiveness in the FinTech space

Attracting international headquarters

Multinational enterprises (MNE) will be affected by the global minimum corporate tax rate if they are incorporated and tax resident in some countries.

Singapore can consider positioning itself as an attractive location for the holding company of the MNEs to be re-domiciled here or to be set up here. Amongst others, subject to meeting certain conditions, such companies will not be subject to the corporate minimum tax rate and may be granted certain tax and non-tax incentives.



Benefits

- Incentivises companies to set up HQ in Singapore
- Larger tax base



Considerations

Risk that Singapore may be categorised as a 'tax haven'



Attracting key decision makers

With the advent of a global minimum tax rate, the granting of tax incentives to encourage MNEs to set up in Singapore may no longer be a viable option for certain MNEs.

In order to build Singapore's economy, we strongly believe that Singapore must widen its tax base by growing the number of companies and entrepreneurs in Singapore.

Attention should be directed (as it always should have) to attracting decision makers of MNEs to operate in Singapore, rather than necessarily the business itself, by offering alternative incentives.

Making Singapore an attractive place for decision makers personally, will encourage them to 'reverse engineer' a case for the business being brought into and maintained in Singapore. This can be done through attractive reduced personal tax rates or exemption of certain benefits in kind. It has been done to good effect in other countries.

The Not Ordinarily Resident (NOR) Scheme provided an attractive tool to bring regional roles to Singapore and it, or a similar scheme, should be reintroduced.

One idea is to allow all employees, including Singaporeans, with regional roles in Singapore to benefit from a time apportionment if they meet the qualifying conditions. For example, remove the requirement to be not resident for three complete years to qualify for the scheme.

As with corporate tax incentive schemes, conditions such as a certain level of business spending and capital expenditure in Singapore may be imposed.



Benefits

- Incentivises companies to come to Singapore, in a way that side-steps the reach of the global minimum tax.
- The more business activity in Singapore, the more tax collected without the need to introduce new taxes.
- The effect is multiplied, as both the additional business and additional people (with more income) will increase spending on goods and services in Singapore.
- Better use of existing infrastructure



Considerations

The disparity of tax treatment between local and foreign business executives may be difficult to manage politically

Digital tokens and crypto assets

Recognition of digital tokens

Singapore prides itself as a mature yet cutting-edge international financial services centre that has embraced digital financial products more readily than other competing centres.

It should be clear that digital currencies – whether in the form of distributed or centralised ledgers – are here to stay, and are increasingly becoming part of mainstream financial products.

Singapore could take a great leap ahead in this area.

Currently, digital tokens such as Bitcoin, Ethereum and more are not an asset form recognised as ‘designated investments’ for the purposes of Singapore’s fund management tax exemption incentive regime. They should be. Based on our experience, there are a large number of knowledgeable people in the industry who would readily set up and manage their ‘crypto’ funds from Singapore.

Arguably, one interpretation of the existing legislation does admit to digital tokens being designated investments. Rather than dwell on this, we would suggest that this status be formally recognised.

Digital tokens as remuneration

Employees and a growing body of consultants in the cryptocurrency space are often remunerated in tokens issued by their employers or clients, or in other standard forms such as Bitcoin/Ethereum.

There are two requests here:

The first is that there should be some clarity around whether a right to acquire digital tokens equates with a right to acquire shares which is governed by section 10(6) of the Income Tax Act. The second is that the tax treatment should equally apply to consultants.

The question would then be what the tax point should be. Quite often, there are no formal restrictions over the sale of these tokens, which means they would be taxed by reference to the market value at the time of receipt or entitlement. However, although there are no formal restrictions over the sale, such a disposal could be viewed dimly, as a violation of trust, by the



Benefits

- Significant inflow of digital asset-backed funding into the fund management system in Singapore
- Substance and know-how added to the existing lead Singapore is taking in the digital payments and DeFi ecosystem
- Adds breadth to the range of asset classes offered by Singapore fund managers. Currently, these funds are either being run from places like Dubai, or through “digital nomads” elsewhere in Asia. This is an opportunity to attract that talent to Singapore.



Considerations

Investor risk is a concern, but one way to manage this is to restrict it to accredited investors, as with traditional forms of investment.



Benefits

Certainty and equity

Building an inclusive and sustainable Singapore



Wealth taxes



General background

Singapore is looking at taxes on wealth as a means of:

- recouping some of the fiscal damage wreaked by the COVID-19 response
- attempting to minimise the ever-increasing wealth gap, which has been exacerbated by COVID-19

There are three types of wealth tax:

- 1 Transaction taxes: capital gains tax, stamp duty
- 2 Ownership taxes: annual wealth tax, property tax, inheritance tax
- 3 Luxury taxes: import and excise duties, gambling taxes, GST on property/cars

Singapore's trajectory has been to reduce the number of taxes, not increase them.

Boxes to tick in designing a wealth tax or enhancing existing taxes on wealth:

- Easy to collect (so cost effective)
- Narrows wealth gap
- Politically aligned

Pure wealth tax

We would not recommend an annual pure wealth tax based on an individual's net assets.

It is a difficult tax to implement as it would require subjective annual valuations, as well paying tax annually on illiquid assets (for example, real estate or privately held companies). It would also impose incredible cost and inconvenience on individuals to keep track of their finances as if they were a business.

We have seen this challenge unravel globally as the number of countries who continue to have an annual wealth tax has dwindled.

For some countries that have implemented this, we have seen this tax be the driver for ultra high net worth individuals, who pay taxes and generate wealth for the country in other ways, to leave the country.

Vacant property tax

Residential real estate is non-productive, particularly if vacant. High property prices benefit nobody.

Hence, we suggest the following:

- Introduce a ‘capital gains tax’ on transactions in residential property with a Principal Private Residence (PPR) exclusion. The payer must elect PPR where they own multiple residential properties and prove residence.
- Introduce a new withholding obligations for purchasers of property where the seller is a foreign owner, similar to the withholding rules when paying to non-residents in section 45D.
- Re-introduce deemed rental income for unoccupied residential property owned by individuals (local and foreign)
- Increase property tax even further for unoccupied residential property owned by non-residents. This would reduce the demand from non-residents looking to park their money in Singapore real estate and increase the availability of rental properties in the market.



Benefits

- Stabilises prices for Singaporeans
- Foreigners pay for parking money in empty real estate
- Narrows wealth gap
- Enhances tax revenues
- Reduces capital versus revenue tax disputes
- Easy to collect as a tweak to income tax legislation, not a new tax



Considerations

Is it politically acceptable in context of amounts raised?

Inheritance tax

Gift and estate/inheritance tax might make more sense than an annual wealth tax as it is a one-off event and it is generally easier to administer than an annual wealth tax. Include a condition as part of probate to place the responsibility onto the executor.



Benefits

- Increases tax revenue
- Closes the wealth gap



Considerations

It is not a perfect tax as it can often be planned around, but it would help alleviate some of the wealth inequalities in society. It should be structured in a way to avoid deterring wealth people from moving to Singapore. It would also need to ensure exclusions that take into account Singapore’s expensive property market so that “ordinary” Singaporeans are not caught.

Personal reliefs

Dynamic SGD 80,000 cap to personal reliefs other than from working parents with eligible kids

Personal reliefs reduce the taxable income at the individual's marginal rate of tax. This reduces the progressiveness of the tax system. It also means that personal reliefs are more valuable for taxpayers paying tax at the higher marginal rate. Therefore, personal relief such as for voluntary contributions to CPF/SRS, although intended to encourage all taxpayers to save for retirement, may not encourage those on lower incomes to follow suit.

For example, a 22% taxpayer making CPF contributions will receive a reduction of 22% in their taxes. On the other hand, a 0% taxpayer making CPF contributions will receive no tax benefit from making them.

With this in mind, we would suggest amending the current SGD 80,000 cap on personal reliefs from a flat cap for everyone to one based on the individual's taxable income. For example, for individuals earning over SGD 300,000, their SGD 80,000 cap could be reduced by SGD 1 for every SGD 2 over and above SGD 300,000. Therefore, individuals earning over SGD 460,000 would not be entitled to any personal reliefs.



Benefits

Greater equality and increased progressiveness of the tax system



Considerations

There may be a concern amongst tax payers that this proposal will reduce savings for their retirement. However, the current tax relief system for CPF and SRS encourages higher rate taxpayers to save more than it encourages lower rate taxpayers to save. Accordingly, the impact of this will be on the higher rate taxpayer and mandatory contribution rates could simply be increased.

Working parents child relief and increase normal child relief

Currently, birth rates are low, especially in certain segments of the population. Given that fathers are increasingly involved in childcaring, the normal child relief amount set many years ago should be reviewed in light of the escalating cost of living, and to recognise their efforts.



Benefits

- Incentivises Singaporeans to have children
- Equity in taxation for both fathers and mothers



Considerations

The use of tax incentives to bolster birth rates might not necessarily work if reasons other than cost are the real reasons preventing couples from having more children.

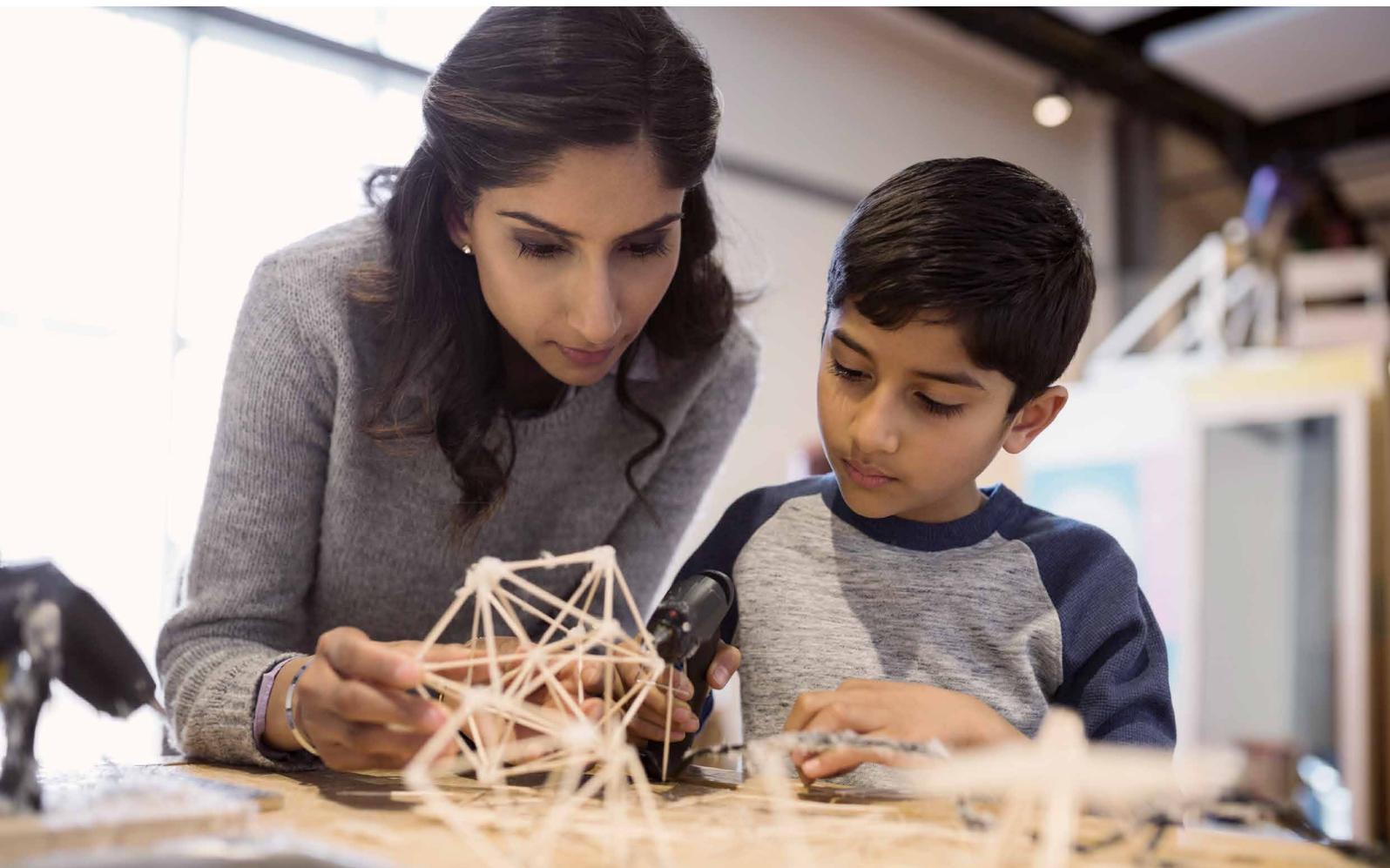
Caregiver support

In view of Singapore's aging population, more should be done to lighten the burden of paying for caregivers. Foreign domestic worker levy relief, which is currently granted to mothers with school-going children, should be extended to cover caregivers as well.



Benefits

Support tax payers with elderly parents or older dependants



Vehicle ownership

Car-related taxes

Currently, electric cars cost more than petrol cars. Although there are already rebates on road tax and reduced additional registration fees (ARF), the significant cost of owning a vehicle comes from the cost of the certificate of entitlement (COE). Thus, for existing car owners to switch to an electric car, the COE quota for electric cars could be increased and that of petrol cars reduced.



Benefits

Change in behaviour towards owning green vehicles



Considerations

COE is based on market conditions so this would require government intervention.

Green vehicles

Another hurdle preventing existing petrol-run car owners from switching to electric cars is the fact that there are insufficient charging points on the island, and the time taken to charge them. Thus, rebates and further tax deductions should be granted to property developers and property owners to encourage them to install community electric car charging stations.



Benefits

Makes owning a green vehicle more viable





Supporting COVID-19 recovery

Rebooting the F&B industry

The food and beverage (F&B) industry has been struggling, and continues to do so as a result of the COVID-19 restrictions. We acknowledge that the Government has continued to provide financial support to this sector, yet feel that this can be done in a more effective manner.

To combat the financial impact of the restrictions with a view to reducing the number of F&B outlets and brands being lost in Singapore, we would propose a temporary reduction in the rate of goods and services tax (GST) applicable to the F&B industry.



Benefits

This helps to ensure that Singapore manages a strong F&B industry, and subliminally incentivises consumers to patronise F&B outlets as a trigger for the re-growth of the sector. The temporary reduction will also enable the Government to curb the blanket financial support/grants currently being provided. A thriving F&B industry also supports the tourist industry significantly.



Considerations

- Reduces the current wide tax base
- Requires clear industry classification and use of transitional rules

However, both of these can be overcome with appropriate planning and care.

Tobacco and alcohol

The two important pillars of the tourist industry in Singapore are the casinos and F&B. In particular, F&B has taken a beating throughout the COVID-19 lockdowns and is in serious need of resuscitation. In this context, we would suggest the following:

Tobacco duties should be increased. Smoking has a relatively inelastic demand and so the increased revenues go to the bottom line. Also, as F&B outlets do not allow smoking, the F&B industry will not be affected. There is also a health narrative.

Duties on alcohol should be moderated or reduced. This will help to bolster the F&B industry (and indirectly the tourism industry), as alcohol is generally an otherwise high margin product. High alcohol prices encourage tourists to stay in Europe (a study of Hong Kong may be in order).

We are neutral towards gambling taxes.



Benefits

- Increased revenue for government
- Improves public health
- Supports the F&B industry and indirectly, the tourism industry

Simplifying and enhancing our tax system





Employee share schemes

Corporate tax deductions

The current employee share options (ESOP) and employee share ownership (ESOW) rules create a mismatch between the income tax position for the employee (market value of the shares less cost to employee at the tax point) and the corporate tax deduction (broadly the cost to the Singapore company in acquiring or issuing the shares). We propose to align the corporate tax deductions with the individual income tax point, such that whenever income is taxed on the employee, the company obtains a corporate tax deduction.



Benefits

Supports companies in remaining globally competitive when remunerating and securing the loyalty of key employees

Clarity on sale of shares by employees

The current ESOP and ESOW schemes leave some ambiguity in relation to when restrictions over the sale of shares are in place. It also poses challenges to new start-ups and growth companies trying to implement schemes to attract talent, as their shares are not readily tradeable. Therefore, even though no sales restrictions may exist, the individual may be stuck with an illiquid asset that they cannot sell. Despite this, tax will still have to be paid.

We would therefore welcome more clarity around what ‘subject to any restriction on the sale of the shares’ means, maybe with examples for privately held companies. We would also welcome a scheme that allows tax incentives for equity schemes for key management to attract management to Singapore. This could be limited to a certain value, i.e. tax-free ESOPs up to SGD 100,000 or limited to certain people (for example, up to five employees earning more than SGD 150,000).



Benefits

As noted earlier, a business is usually located where their key people are living and working. Therefore, if we are able to attract key people to Singapore, this would lead to more businesses coming and more revenue being booked in Singapore which will ultimately mean more tax revenue.



Considerations

None for the clarity around sales restrictions. Tax incentives for equity could be seen as giving tax incentives to the wealthy. However, the benefits that this will bring to the wider population should far outweigh the benefits provided to the ESOP holders.

Goods and services tax

Future of the GST return

Singapore considers itself a highly digitised and smart city. The same should be true of the tax authority. Many tax authorities in other jurisdictions have, or are, seriously reconsidering the 'future of the tax return'. Is there a need for taxpayers to prepare periodic GST returns from scratch?

Overseas tax authorities have been looking to alleviate the need for periodic GST (or VAT in some cases) returns in a two-step process. Firstly, use of e-invoicing, which facilitates pre-filing of GST returns. And secondly, use of technology for real-time data transmission and the use of data auto-matching and verification of purchase invoices through government regulated invoicing systems.



Benefits

- Opportunity to learn and leverage from the front runners to ensure Singapore keeps pace in the area and maintain its status as a digital city
- Reduces risk of fraudulent transactions and GST gap
- Provides IRAS with more data for tax investigations and compliance and enforcement actions (i.e an increase in tax collection)



Considerations

- Significant time and financial investment required upfront
- Singapore prides itself on the ease of doing business, and this will increase compliance requirements (at least in the short term)

Clarity on GST rate increase

Any GST rate increase will come with additional compliance costs for businesses as they would need to update various cogs in the wheel such as systems, contracts, pricing. Businesses will need sufficient lead time to prepare their systems for the rate change and the plan for the transitional provisions.

Since businesses will need to plan for the transition, a single 2% rise will be less cumbersome for businesses as they would not have to make transitional provisions for two years. With the government's commitment to delaying the impact of the GST rate hike for the middle and lower income groups, when looking at the whole picture, raising the GST in one step may be the better option.

Transfer pricing

One-time amnesty for transfer pricing documentation failures

The IRAS introduced regulations mandating Singapore tax payers to maintain contemporaneous transfer pricing documentation (where applicable) effective Year of Assessment (YA) 2019. The IRAS also introduced penal provisions for failure to maintain such documentation. It is possible that several smaller tax payers may have failed to maintain appropriate documentation for some of the years either due to incorrect

interpretation of the regulations or due to lack of resources. It is recommended that such taxpayers be given a one-time amnesty to protect them from penal provisions (against documentation penalties), provided they can demonstrate that their transfer pricing documentation for all past years have been brought up to date by 31 March 2022.





Legislation

Simplify legislation

A progressive tendency towards complex drafting of legislation has not gone unnoticed. As examples, the productivity and innovation credit (PIC) legislation was largely incomprehensible, and sections such as section 34AA of the Income Tax Act (ITA) - a legislative change originally that was meant to help businesses - is long and rambling. In setting legislation, policy makers and draftsmen should be aware of the need for clarity and simplicity whereas the trend seems to be in the opposite direction - more in the vein of Organisation for Economic Co-operation and Development (OECD) style navel gazing.

Remove medical expense restriction calculations

Legislative quick fixes

There are some low hanging fruit which could be accessed quickly with disproportionately large benefit.

Firstly, dispense with the medical expense claim restriction. The time spent on analysis and calculation is completely disproportionate to the amounts involved. Arguably, the original perceived need for it has also passed.

Secondly, make the application of section 34AA of the ITA voluntary. The purpose of the original legislation was to make life and compliance easier for non-banking businesses that dealt in large volumes of transactions in financial instruments



Benefits

Reduces costs of compliance for businesses

(FI). This was because accessing historical cost information could be difficult and time-consuming. Companies that had few such transactions or owned few assets of this nature could continue, at their option, to be taxed under normal taxing principles (when a profit was realised). This noble cause has been totally undermined by the obligatory nature of the new legislation. Its application significantly complicates compliance for low FI volume companies, as well as, more often than not, accelerating their tax liabilities (particularly in a bull market). The legislation is also unnecessarily complex as noted above, even for those for whom it was supposed to be making life simpler.

Computation and payment of taxes

Aligning tax submission timelines to the financial year end of a company

Tax computation and return submission deadlines should be set by reference to the taxpayer company's year end, rather than a blanket 30 November filing deadline for all companies in the YA. We suggest that the standard period should be 11 months after the year end.



Benefits

This is better for IRAS, Tax Agents and clients as it spreads the workload evenly and equitably. Tax agents are largely currently powerless to compel clients with inordinate amounts of time within which to prepare and submit computations to do anything other than wait until the last minute. Some formal legislative assistance would help ensure more orderly processes going forward.



Considerations

IRAS will need to issue the Form C / Form C-S earlier.

Risk-based approach to paying taxes

For both corporates and individuals, Singapore should consider finally moving income tax to a self-assessment system. With self-assessment, the penalties for errors can typically be set higher. However, a slicker advance ruling system would be a pre-requisite.



Benefits

- Reduces costs of collection
- Increases compliance as the taxpayer has to calculate their own taxes and typically face higher penalties for non-compliance



Considerations

Some transition time is needed for taxpayers to adapt

Pay-as-you-earn system and estimated taxes

In order to boost Singapore's cashflow from the collection of taxes, as well as compliance, we would suggest introducing a pay-as-you-earn (PAYE) system whereby employers will have to withhold income tax from their employees' monthly earnings. Employers already have to withhold Central Provident Fund (CPF) contributions (and other amounts) through payroll, and therefore there should only be a small increase in administration for the employer. It will at the same time reduce the risk of employees forgetting to pay or not having the cash to pay income tax after the end of the year. It will therefore reduce the risk of non-collection of tax for tax clearance cases.

This should also be extended to ESOP and ESOW events to minimise the risk of employees underpaying tax at the appropriate time. It forces the employee to ensure that they have the liquidity to pay the tax at the point it arises. For example, employees may have to sell a portion of the shares so that they can cover the tax.

This minimises the chances of employees finding themselves in a position where they wait over a year for the notice of assessment only to find out then that they cannot afford the tax bill because they were relying on the share to hold its value and it has either fallen in value or the exchange rates have moved against them.

For those who have income that is not subject to PAYE, such as self-employment and rental income, we suggest having an estimated tax regime to collect taxes as the income is earned.

All of these ultimately encourage compliance, as taxpayers would be paying tax as they earn the income rather than over 12 months later. This could be combined with a harsher penalty regime for incorrect payroll, and desktop reviews could cover both PAYE and CPF obligations.



Benefits

- Cash flow for government
- Increased compliance or reduce the risk of employees forgetting to pay or not having the cash to pay income tax at the end of the year
- Individuals do not have to continue paying once they retire or take a break from work, or have a catch up payment for tax clearance cases



Considerations

Tighter cash flow for individuals in 1st year of implementation and so transitional rules would be required

Contact us

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