# **IRAS e-Tax Guide**

**GST: GST and the Gold Jewellery Industry** 



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The information provided in the guide aims to provide a better understanding of taxpayers' tax obligations and is not intended to comprehensively address all possible tax issues that may arise. While every effort has been made to ensure that this information is consistent with existing law and practice, should there be any changes, IRAS reserves the right to vary our position accordingly.

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#### 1 Aim

- 1.1 This e-Tax Guide is for the gold jewellers<sup>1</sup>. The purpose of this e-Tax guide is to:
  - a) explain the GST principles applicable to the gold jewellery industry; and
  - b) illustrate with examples how GST should be accounted for some of the common scenarios applicable to the gold jewellery industry.
- 1.2 With effect from 1 Oct 2012, the import and supply of investment-grade gold and precious metals (IPM) in Singapore are exempted from GST. GST-registered businesses making supplies of IPM may need to attribute and apportion their input tax claims. Please refer to the GST e-Tax Guide "Guide on Exemption of Investment Precious Metals (IPM)" and "Partial Exempt Traders and Input Tax Recovery" for detailed information on IPM and apportionment of input tax claims respectively.

#### 2 At A Glance

- 2.1 With effect from 1 Jan 2011, a GST-registered jeweler should charge and account for GST on a supply made at the earlier of the following events.
  - a) When an invoice is issued or
  - b) When payment is received

#### 2.2 Sale of gold

The jeweler has up to 90 days after the date of delivery of the gold to issue a tax invoice and account for output tax if no payment is received before the issuance of the tax invoice. If price has not been fixed by the 90<sup>th</sup> day, the jeweller needs to account for output tax based on the open market value of the gold on that day.

#### 2.3 Trade-in of gold jewellery

The jeweler can charge GST on the difference between the value of the new gold jewellery and the value of the old gold jewellery, regardless of whether the customer is GST-registered.

#### 2.4 Export

For goods hand-carried out of Singapore via Changi International Airport the jeweler can zero-rate its supply of the goods if it maintains all the documents required under the Hand-Carried Exports Scheme.

<sup>&</sup>lt;sup>1</sup> This e-Tax guide replaces the IRAS' e-Tax guide on "GST: GST for the Gold Jewellery Industry (4<sup>th</sup> Edition) published on 1 Jan 2011.

#### **GST** and the Gold Jewellery Industry

#### 2.5 Gold payment to overseas supplier

If the jeweller makes payment to its overseas supplier in the form of gold, it has to report the value of the gold hand-carried or exported out of Singapore as zero-rated supplies.

#### 2.6 Refining of gold

For scrap gold sent to overseas refinery through an intermediary, the jeweller should charge GST on the local delivery of the gold if the ownership of the gold is transferred to the intermediary in Singapore. If not, the jeweller should declare the value of the gold exported as zero-rated supplies.

#### 3 Accounting for Output Tax

#### 3.1 General Time of Supply Rules

- 3.1.1 The time of supply of goods or services determines when a taxable person should charge and account GST on a supply made. With effect from 1 January 2011, the time of supply is treated as taking place at the earlier of the following events:
  - a) date when an invoice is issued or
  - b) the date when payment is received.

#### 3.2 <u>90-day Special Time of Supply Rules for the Gold Jewellery Industry</u><sup>2</sup>

- 3.2.1 The special time of supply rule applicable to sales of gold, will continue to apply despite the change to the general time of supply rule with effect from 1 January 2011. For sale of other jewellery or precious metals, the general time of supply rules in paragraph 3.1 apply.
- 3.2.2 Under the 90-day special time of supply rules, the jeweller has up to 90 days after the date of delivery of the gold to issue a tax invoice and account for output tax. This is provided that no payment is received before the issuance of the tax invoice. If price has not been fixed by the 90<sup>th</sup> day, the jeweller has to account for output tax based on the Open Market Value ("OMV") of the gold on that day.

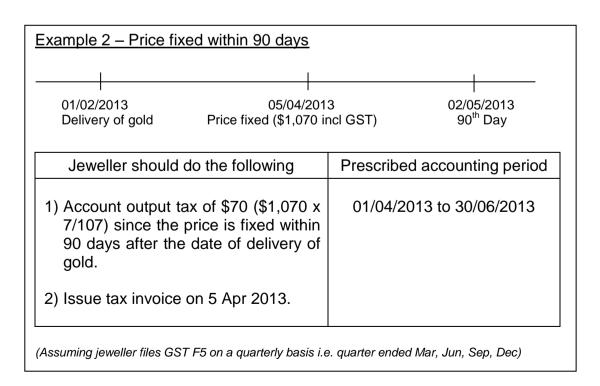
Due to the fluctuation of gold price in the international market, a common practice in the gold jewellery industry is for both the supplier and the customer to fix the gold price at some future time (also known as the "Price Fixing Arrangement").

In 1994 when GST was introduced in Singapore, IRAS received feedback from the industry that it is the customer who determines the time to fix the price of the gold. The price is usually fixed within 90 days from the date the gold is collected.

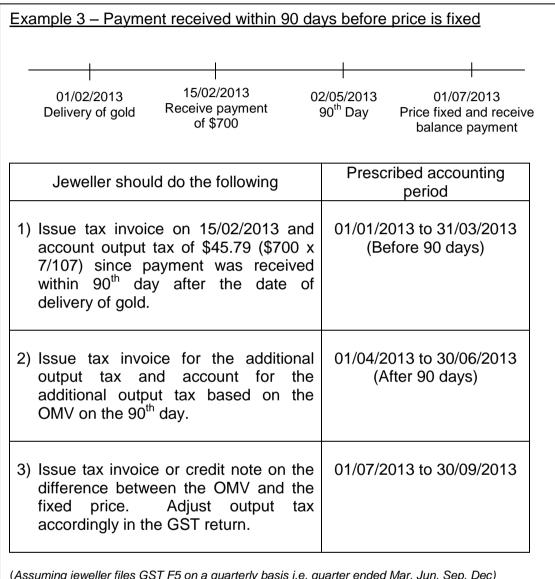
The Comptroller has given an administrative concession in 1994, referred to as the "90-Day special time of supply rules", in view of the widely practiced Price Fixing Arrangement.

Example 1 – Gold price not fixed and payment not received before 90 days			
	5/2013 Day	0 ., 0 .	//2013 ceive full payment
Jeweller should do the follo	wing	Prescribed ac	counting period
Issue a tax invoice and accouput tax based on the O     May 2013 (90 <sup>th</sup> day)		01/04/2013	to 30/06/2013
2) When the price is fixed and payment is received on 1 Jul 2013, issue an additional tax invoice or credit note on the difference between the OMV and the fixed price. Adjust output tax accordingly in the GST F5.		01/07/2013	to 30/09/2013

(Assuming jeweller files GST F5 on a quarterly basis i.e. quarter ended Mar, Jun, Sep, Dec)



3.2.3 If payment is received within 90 days after delivery of gold and price is only fixed after 90 days, output tax is accounted at the time the payment is received and on the 90<sup>th</sup> day.



(Assuming jeweller files GST F5 on a quarterly basis i.e. quarter ended Mar, Jun, Sep, Dec)

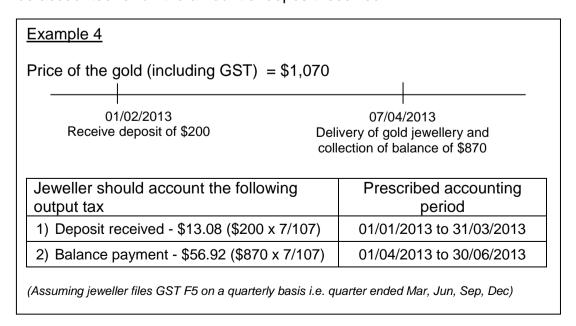
#### 3.3 Workmanship

- 3.3.1 The charge of workmanship (also known as labour cost) varies with the design of the jewellery. In the gold jewellery industry, the gold price and workmanship fees are charged separately.
- 3.3.2 The supplies of gold and workmanship are two separate supplies.

Scenario	Jeweller should
If the price of gold is not fixed at the time of delivery and payment is only received for the workmanship.	Charge and account for GST on the workmanship and issue a tax invoice for the supply of workmanship.
<ol> <li>If the price of gold is fixed subsequently and no payment has been received for the gold prior to price fixing.</li> </ol>	Charge and account for GST on the price of the gold in accordance to the 90-day special time of supply rules.
	Issue a separate tax invoice on the supply of gold jewellery reflecting GST charged solely on the fixed price of the gold.
If price of the gold is fixed subsequently and payment was received earlier.	Account GST based on the payment date (refer to Example 3).

#### 3.4 Deposit

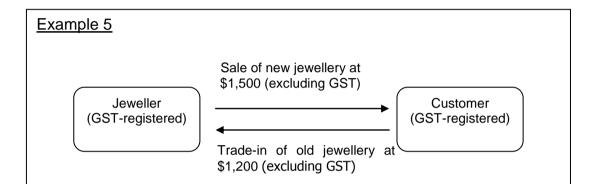
- 3.4.1 For retail sale of gold jewellery, there are instances where walk-in customers order gold jewellery that are not available off the shelf or require some modification works to be done on the gold jewellery. A deposit may be collected from the customer for such an item.
- 3.4.2 If the deposit forms part payment for the gold jewellery supplied, GST has to be accounted for on the amount of deposit received.



#### 3.5 Trade-In for All Goods

- 3.5.1 In a normal trade-in transaction between a jeweller and his customer, there are two separate supplies:
  - a) the supply of the new item by the jeweller to the customer and
  - b) the supply of the old item by the customer to the jeweller.

The jeweller should charge and account for GST on the full value of the new item supplied to the customer even if the customer was to use an old item to trade-in. The customer, if GST-registered, should also charge and account for GST on the value of the old item supplied to the jeweller.



The Jeweller and the Customer (both GST-registered) should charge and account for GST as follows:

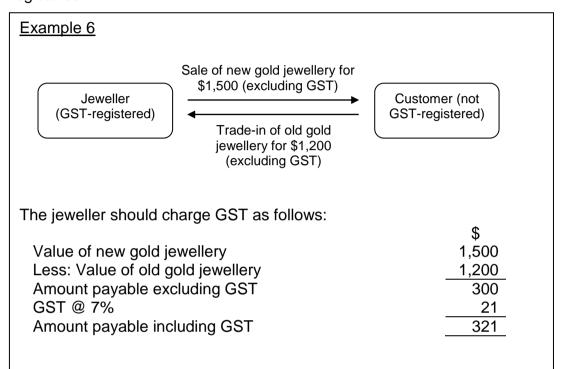
Jeweller	\$105 (7% x \$1,500)
Customer	\$84 (7% x \$1,200)

The Jeweller and the Customer should reflect the following in their tax invoices

<u>Jeweller</u>		Customer	
	\$		\$
Value of new jewellery	1,500	Value of old jewellery	1,200
GST 7%	105	GST 7%	84
Total including GST	1,605	Total including GST	1,284
		G	

#### 3.6 <u>Trade-In for Gold Jewellery</u>

3.6.1 As an administrative concession, jewellers are allowed to charge GST on the difference between the value of the new gold jewellery and the value of the old gold jewellery, regardless of whether or not the customer is GST-registered.<sup>3</sup>



The jeweller should report the following in the GST return.

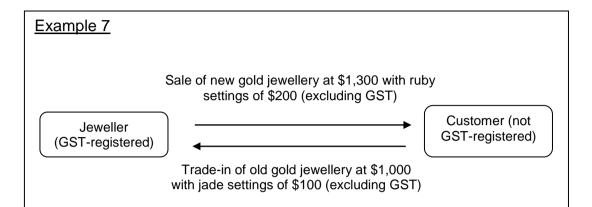
Value of standard-rated supplies	\$300
Output tax	\$21

If the Customer is GST-registered and is entitled to claim the input tax, he should report the following in his GST return

Value of taxable purchases	\$300
Input tax	\$21

Recognising that the inherent value of gold is high and that the trade-in arrangements are common for gold jewellery, the Comptroller has given this administrative concession in 1994

3.6.2 It should be noted that the trade-in concession is only applicable to gold jewellery. If the gold jewellery sold or traded-in includes other materials (e.g. setting of diamonds, ruby or other precious/semi precious stones, etc), those materials have to be excluded in determining the value of supply of the gold.



The GST-registered Jeweller should charge GST on the difference between the value of the new gold jewellery (i.e. \$1,300) and old gold jewellery (i.e. \$1,000) and the full value of the ruby (i.e. \$200).

\$

The jeweller should issue a tax invoice as follow:

	Ψ
Value of new gold jewellery	1,300
Less: Value of old gold jewellery	1,000
Price differential on gold	300
-	
Add: Other charges (i.e. ruby value)	200
Amount payable excluding GST	500
GST @ 7%	35
Amount payable including GST	535

The jeweller should report the following in the GST return.

Value of standard-rated supplies	\$500
Output tax	\$35

For purposes of payment, if the jeweller allows offsetting of the value of jade in the old gold jewellery traded-in, the net amount payable by the customer will be \$435 (\$535 - \$100). This is merely a payment arrangement and should not affect the GST that should be charged by the jeweller.

#### Example 8

If, in example 7 above, the customer is also GST-registered, the customer will be required to issue a tax invoice to the supplier for the value of the jade (i.e. \$100) and charge GST of \$7. The customer should report the following in the GST return.

Value of standard-rated supplies	\$100
Output tax	\$7

The value of supply made by the jeweller will not change (i.e. \$500) and he will still have to charge GST of \$35. The jeweller is required to report the following in the GST return.

Value of standard-rated supplies	\$500
Output tax	\$35

For purposes of payment, if the jeweller allows offsetting of the value of jade in the old gold jewellery traded-in, the net amount payable by the customer will be \$428 (\$535 - \$107). This is merely a payment arrangement and should not affect the GST that should be charged by both parties.

3.6.3 If the value of the new gold jewellery is less than the value of old gold jewellery traded-in, no GST is charged on the gold as the price differential is negative. GST will only be charged on the workmanship fee, if any.

Example 9			
<u> </u>	\$		
Value of new gold jewellery	1,500		
Less: Value of old gold jewellery	1,600		
Price differential on gold	(100)		
Workmanship fee	30.00		
GST @ 7%	2.10		
Amount payable including GST	32.10		

The jeweller should report the following in the GST return

Value of standard-rated supplies	\$30
Output tax	\$2.10

The net amount refundable to the customer will be \$67.90 (\$100 - \$32.10).

3.6.4 The following is an example of what <u>should NOT</u> be reflected in the tax invoice issued by a jeweller in a trade-in arrangement. The jeweller can only charge GST on his supply of new gold jewellery and should not reflect any GST being charged on the old gold jewellery traded-in by his customer.

Example 10 (This method of invoicing is incorrect)	
	\$
Value of new gold jewellery	1,500
GST @ 7% on new gold	105
	1,605
Less:	
Value of old gold jewellery	1,200
GST @ 7% on old gold	84
Amount payable including GST	321
[Note: refer to Example 6 for the correct invoicing method]	

3.6.5 Gold jewellers using the administrative concession should maintain documents showing the value of the old gold jewellery to substantiate the trade-in arrangement. Examples of the documents to be maintained include gold payment vouchers received from their customers or gold receipt vouchers issued to their customers.

#### 4 Exports

#### 4.1 Hand-Carried Goods

4.1.1 Where goods are hand-carried out of Singapore via Changi International Airport by the jeweller (including an employee or an appointed agent of jeweller) or his overseas customer (including a representative or an employee of overseas customer), the jeweller can zero-rate his supply of the hand-carried goods if he maintains all the following documents required under the Hand-Carried Exports Scheme<sup>4</sup> (HCES).

- a) A list of the invoices / tax invoices and export permits<sup>5</sup> issued;
- b) Copies of the invoices / tax invoices issued for the goods sold;

The HCES was implemented on 1 April 2009. The scheme is compulsory and applies to all GST-registered persons who export their goods by hand-carrying them out of Singapore via Changi International Airport and wish to zero-rate such supplies. Under this scheme, the carrier of the goods would be required to present an export permit and the goods to Singapore Customs for inspection at the airport. Upon successful inspection, Singapore Customs would endorse the permit. This permit should be returned to the GST-registered person in order to support his zero-rating of the supply.

<sup>&</sup>lt;sup>5</sup> Export permit is also known as 'Out Permit' or 'Cargo Clearance Permit'.

- Original copy of the export permits endorsed by Singapore Customs;
   and
- d) Evidence of payment made to the customer for the refund of GST that was previously charged and collected from the customer at the time of sale (this is relevant for instances where the jeweller has previously standard-rated the supply and subsequently makes a refund to the customer upon receiving the export permit endorsed by Singapore Customs).

For more details on the conditions of the HCES, please refer to the e-Tax Guide "GST: Guide on Hand-Carried Exports Scheme"<sup>6</sup>.

- 4.1.2 For hand-carried exports via sea, land or Seletar airport, the Hand-Carried Exports Scheme described in paragraph 4.1.1 above does not apply. For such hand-carried exports, the jeweller can zero-rate his supply of the goods if he maintains all of the following documents listed in the e-Tax Guide "A Guide on Exports"<sup>3</sup>:
  - a) a sales invoice to overseas customer;
  - b) evidence of payment received from overseas customer;
  - c) a confirmation of receipt of goods by overseas customer;
  - d) a "Declaration of Carrier for Goods Hand-carried out of Singapore" form<sup>7</sup> fully completed and endorsed by both the carrier and the jeweller, showing the date of collection of goods and the name and passport number of each carrier;
  - e) copy of transport documents such as confirmed air / ferry ticket and boarding pass bearing the carrier's name as the passenger. A copy of airline excess baggage receipt (if applicable) for goods exported as accompanied baggage;
  - extract of the carrier's passport containing the personal details and photograph of the carrier and the relevant immigration endorsement of his exit from Singapore / entry to a foreign country;
  - g) for export via land, an export permit showing the jeweller as the exporter and the vehicle number;
  - h) endorsed export permit for temporary export of goods, if applicable.

You may download these e-Tax Guides from www.iras.gov.sg > Quick Links > e-Tax Guides > GST.

The form "Declaration of Carrier for Goods Hand-carried out of Singapore" can be found in the e-Tax Guide "A Guide on Exports".

In cases where the goods sold are hand-carried out by more than one carrier, the jeweller must maintain the documents in paragraph 4.1.2 (d) to (f) for each carrier involved.

#### 4.2 Gold Payment to Overseas Suppliers

- 4.2.1 When a jeweller imports gold jewellery from his overseas supplier, he has to pay import GST to the Singapore Customs at the point of importation. There may be situations where the overseas supplier allows payment to be made in the form of gold (i.e. gold bars or scrap gold). The overseas supplier or the jeweller may hand-carry the gold bars or scrap gold out of Singapore.
- 4.2.2 For GST reporting purposes, the gold jeweller has to report the value of the gold hand-carried out of Singapore as zero-rated supplies in Box 2 "Total Value of Zero-rated Supplies" of the GST return and maintain the export documents highlighted in paragraph 4.1.1 or 4.1.2 above.
- 4.2.3 The trade-in concession in paragraph 3.6 does not apply to exports of gold.

#### 5 Refining of gold

#### 5.1 Background

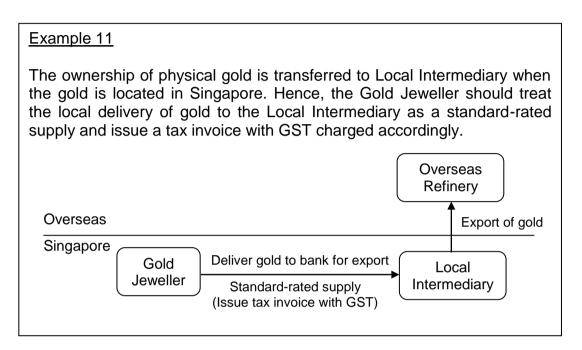
- 5.1.1 Some jewellers may send scrap gold to overseas refinery and in return they are paid the value of the refined gold. This is usually done through an intermediary in Singapore (e.g. a bank, gold bullion broker or gold bullion dealer).
- 5.1.2 The sequence of events are as follows:
  - 1) Gold jeweller delivers scrap gold to a local intermediary:
  - 2) The local intermediary exports scrap gold to an overseas refinery;
  - 3) The overseas refinery refines the scrap gold to ascertain the weight and fineness of the gold;
  - 4) After the refining process, the overseas refinery will send a report (i.e. assay result) to the local intermediary detailing the weight and fineness of the gold; and
  - 5) Based on the report, the intermediary will pay the gold jeweller in cash or in paper gold (e.g. Loco London gold) via the jeweller's gold account maintained with a bullion company.

#### 5.2 GST Treatment

5.2.1 Whether the gold jeweller should charge GST on the delivery of the gold to the intermediary in Singapore will depend on when the ownership of the gold is transferred. The parties' privy to the contractual arrangement will be in

the best position to determine the question of when the ownership of gold passes and apply the correct GST treatment accordingly.

5.2.2 If the ownership of the physical gold is transferred to the intermediary in Singapore, the gold jeweller should treat the local delivery as a standard-rated supply and charge GST accordingly.



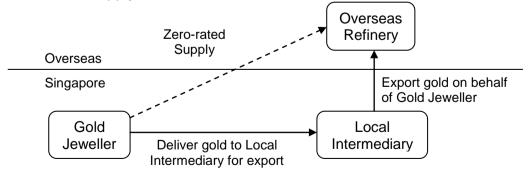
- 5.2.3 If the ownership of the physical gold is not transferred to the intermediary in Singapore before it is exported and the intermediary in Singapore is merely exporting the gold on behalf of the gold jeweller, the gold jeweller is treated as the exporter of the gold and should declare the value of gold exported as zero-rated supplies in Box 2 "Total Value of Zero-rated Supplies" of his GST return.
- 5.2.4 Due to the high value of the gold being exported, it is common for the local intermediary to engage the service of a security transport company to transport the gold. The gold jeweller is required to maintain the following documents to support the export of the gold:
  - a) trust receipt issued by the security transport company with the following details:
    - (i) name and signature of the gold jeweller's employee who handed over the gold to the security transport company;
    - (ii) name and signature of the security transport company's employee who received the gold;
    - (iii) serial number of seal tag used to seal bag containing the gold;
  - b) written instructions from the local intermediary to the freight forwarder to collect the gold (with description and weight of gold) from the security transport company and deliver to the overseas refinery; and

- c) air waybill reflecting the serial number of seal tag used to seal the gold, weight, description of the gold and etc.
  - If the local intermediary consolidates shipment of gold from various customers, zero-rating can be based on the subsidiary export certificate issued by the freight forwarder instead. The local intermediary is allowed to endorse the name and address of the exporter (i.e. local customer) on the subsidiary certificate. The details to be contained in the subsidiary export certificate issued by the freight forwarder are as follows:
  - (i) the freight forwarder's name, address and GST registration number, with the signature and designation of the person who issues it:
  - (ii) the details of the goods received from the security transport company's officer such as the seal number, description and weight of gold etc;
  - (iii) the words "FOR EXPORT ONLY";
  - (iv) details of flight such as flight number, date of departure and the master air waybill number.

#### Example 12

The ownership of physical gold is not transferred to the Local Intermediary when the gold is located in Singapore. The ownership of the gold is only transferred after the gold has been refined outside Singapore.

The Local Intermediary is acting as an agent to export the physical gold on behalf of the Gold Jeweller. The Gold Jeweller is treated as the exporter of the gold and should declare the value of gold exported as his zero-rated supply.



5.2.5 As mentioned earlier, after the refining process, the Singapore intermediary may pay the gold jeweller in paper gold (e.g. Loco London gold) via the jeweller's gold account maintained with a bullion company. In some cases,

the gold jeweller is allowed to withdraw physical gold bars from the gold account. In this case, there is a separate supply of gold made by the bullion company to the gold jeweller, which is subject to GST if the gold is delivered locally.

### 6 Frequently Asked Questions

Q1	Must I charge GST on sale of gold to a tourist?
A1	Yes, you must treat the sale of gold to a tourist as a local supply and charge GST at the prevailing GST rate. This is notwithstanding that the gold may subsequently be hand-carried out of Singapore by the tourist. You must report the value of sale in Box 1 "Total Value of Standard-rated Supplies" and the corresponding GST in Box 6 "Output Tax Due".
Q2	How can a tourist obtain a refund of the GST paid on the gold?
A2	If you operate the electronic Tourist Refund Scheme as an affiliated retailer with a central refund agency or as an independent retailer, the tourist may obtain a refund of the GST paid on the gold purchased from you. For more details on how to operate the Scheme and make a refund to the tourist, please download the e-Tax Guide "Guide to Retailers Operating Tourist Refund Scheme" from www.iras.gov.sg > Quick Links > e-Tax Guides > GST.
Q3	Must I charge GST on sale of gold to a local customer who subsequently exported the gold to his overseas customer?
A3	You must standard-rate the supply as you have sold and delivered the gold to a local customer in Singapore. You are only allowed to zero-rate your supply if you (not your local customer) export the gold and maintain the necessary documents as per the e-Tax Guide "A Guide on Exports".
Q4	I passed an IPM (gold bar) to a manufacturer to make into jewellery. When I collectthe jewellery, does the manufacturer need to charge me GST?
A4	The manufacturer will only need to charge you service / labour cost, which is subject to GST as he is only providing the service of manufacturing the IPM into jewellery. You will have to charge GST on the subsequent sales of the jewelley.
	Note: Once the "form" has been changed (gold bar to jewellery), it is no longer considered as IPM.

Q5	If I use IPM to pay my manufacturer for the purchase of jewellery (barter trade), does the manufacturer need to charge GST based on the full value of the jewellery or he should only charge GST for the service / labour cost?
A5	If you are using IPM as a payment, it will not be an exempt supply of the manufacturer. The manufacturer, who sells the jewellery to you, would need to charge GST based on the full value of the jewellery.
Q6	Can I sell IPM with a mark-up (premium)?
A6	Yes, you are allowed to sell IPM with a premium (without having to charge GST on the premium) as long as the bar/coin meets the IPM qualifying criteria.
Q7	Is it necessary to state the name and address of the customer in the invoice?
A7	It is mandatory under the law to state the name and address of the customer who purchased the IPM in the invoice.
Q8	For the "name of the refiner" as required in the invoice for the sale of IPM, can I just state either the "Name of the refiner" or its "mark"?
	E.g Pamp SA – Castel San Pietro, Ticino Mark : PAMP SA SWITZERLAND
A8	It is a requirement to state the name of refiner in the invoice. You cannot choose to show either the name of the refiner or its mark.
Q9	The invoice should be issued within 30 days of the time of supply of IPM. How does this affect the current IRAS' 90-day time of supply rules applicable to gold based on the price fixing arrangement practice in the industry?
A9	The 30 days requirement does not affect the current "90-Days Special Time of Supply". The invoice for the supply of IPM should still be issued within 30 days of the time of supply.
Q10	Can I use my existing invoice printed with the words "Tax Invoice" for sale of IPM?
A10	Yes, you may use the invoice with the words "Tax Invoice" printed for sale of IPM.

Q11	For trading-in of IPM for non-IPM, for example, a customer wishes to trade-in an IPM (S\$1,200) for a jewellery worth S\$1,000, do I charge the customer GST of S\$70, this being 7% of the full price of S\$1,000?
A11	Yes, you need to charge and account GST of S\$70 for the sale of the jewellery for S\$1,000.
Q12	If a 1Kg IPM bar is sliced into pieces whereby each piece bears a different description, can it still qualify as IPM?
A12	The gold bar can no longer qualify as IPM since it has changed its form after being sliced.
Q13	What if the IPM is being sliced in such as way that the fineness, marking and serial number can still be found in one of the sliced pieces (specifically, the top portion)? Can that particular piece still be considered as IPM?
A13	As the IPM bar has changed its form after being sliced, it cannot qualify as IPM.
Q14	If a consumer buys an IPM wafer from me and requests to frame the IPM into a pendant, does the gold wafer still qualify as IPM?
A14	Yes, the gold wafer still qualifies as IPM and you only need to charge GST on the "frame". This is on condition that there is no change in the form of the IPM and the sales of IPM and the frame are separately itemized for the purpose of invoicing.
Q15	How do I report the exempt supply of IPM in my GST return (GST F5)?
A15	For export of IPM, you must fill in the export value in Box 2 "Total Value of Zero-Rated Supplies" of the GST return.
	For local sale of IPM, you must fill in the sales value in Box 3 "Total Value of Exempt Supplies" of the GST return.

#### 7 Contact Information

If you have any enquiries on this e-Tax Guide, please contact:

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