

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**CONTROLLED PREMISES (SPECIAL PROVISIONS) ACT
(CHAPTER 60)**

1970 Ed. Cap. 267
Act
10 of 1969
Amended by
14 of 1972

REVISED EDITION 1985

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

1986

Controlled Premises (Special Provisions) Act

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Minister may declare any area to be a designated development area.
4. Recovery of possession of controlled premises for the purpose of development.
5. Compulsory acquisition of land where landlord fails to develop without reasonable cause.
6. Constitution, procedure and functions of Board.
7. Oath and affirmation.
8. Assessment of compensation to tenants.
9. Landlord may make compensation agreement with tenant, sub-tenant and occupier.
10. Circumstances where landlord not liable to pay compensation.
11. Power of Board to award compensation to occupiers.
12. Landlord may make ex gratia payments to persons using or occupying controlled premises who do not pay rent.
13. Order of Board to have effect to grant full and exclusive possession to landlord.
14. Effect of order as against persons using or occupying the controlled premises who do not pay rent.
15. Powers of Board to examine on oath, etc.
16. Review of orders of Board.
17. Power of Board to state special case for decision of High Court.
18. High Court may call for proceedings of Board.
19. Duty of Board to advise tenants, sub-tenants and occupiers of landlord's application.
20. Orders and awards of Board to be binding and final.
21. Register of Compensation Awards to be kept by Board.
22. Proof of order of Board.
23. Rules.

An Act to provide for the recovery of possession of premises for development purposes where the premises are subject to control under the Control of Rent Act (Chapter 58), for the establishment of a Board to hear applications for recovery of possession of those premises and to assess the amount of compensation to be paid to tenants, sub-tenants and occupiers on account of the recovery of possession and for purposes connected therewith.

[27th February 1970]

Short title.

1. This Act may be cited as the Controlled Premises (Special Provisions) Act.

Inter-
pretation.
14/72.

2. In this Act, unless the context otherwise requires —
“Board” means the Tenants’ Compensation Board constituted under section 6;

“controlled premises” or “premises” means any dwelling-house, flat, factory, warehouse, office, counting house, shop, school and any other building, whether of permanent or temporary construction in which persons are employed, and any part of any such building let or sublet separately and includes any land whereon any such building is or has been erected with the consent of the landlord that is subject to control pursuant to the provisions of the Control of Rent Act and is situated in a designated development area;

Cap. 58.

“Chairman” means the Chairman of the Board;

“designated development area” means an area designated for development by the Minister under section 3 (1);

“develop” means to carry out any building, engineering or other operations in, on or over land in accordance with a plan for development; and “development” shall be construed accordingly;

“landlord” means the landlord of controlled premises in respect of which a tenancy exists and includes the landlord of a statutory tenant;

“occupier” means the person referred to in section 11 (1);

“plan for development” means a plan for development approved by a public officer appointed by the

Minister for the purpose and includes any subsequent modifications or alterations to a plan for development that may be approved by that officer;

“rent” means the total amount paid by the tenant to the landlord in consideration of the enjoyment of the premises let to him, whether described as rent or not, and includes any sum paid as hire for the use of furniture where controlled premises are let furnished or where controlled premises are let and the furniture therein is hired by the landlord to the tenant;

“statutory tenant” has the same meaning as is assigned to that expression under Part IV of the Control of Rent Act; Cap. 58.

“tenancy” means any lease, demise, letting or holding of controlled premises whether in writing or otherwise, by virtue whereof the relationship of landlord and tenant is created, but does not include the letting or hiring of furnished rooms with board;

“tenant” means the tenant of controlled premises in respect of which a tenancy exists and includes a statutory tenant and in the case of a sub-tenancy a sub-tenant to whom the controlled premises or part thereof is sublet.

3.—(1) The Minister may, by notification in the *Gazette*, declare any part of Singapore to be a designated development area for the purposes of this Act. Minister may declare any area to be a designated development area.

(2) The notification referred to in subsection (1) shall state that a plan for development and more particular description of the part of Singapore that is referred to in the notification may be inspected at such place or places as are specified in the notification.

(3) Upon publication of the notification in the *Gazette* that part of Singapore referred to in the notification shall become a designated development area for the purposes of this Act.

Recovery of possession of controlled premises for the purpose of development.

4.—(1) Notwithstanding the provisions of any written law but subject to the provisions of this Act, a landlord of any controlled premises may, upon payment of the prescribed fee, apply in writing to the Board for the recovery of the possession thereof if —

- (a) the controlled premises are situated in a designated development area; and
- (b) the landlord intends to effect or cause to be effected development under this Act in relation to the controlled premises, or any part thereof.

(2) Every application made under subsection (1) shall be supported by —

- (a) evidence that funds are or will be available for the purpose of putting into effect such development;
- (b) evidence that the landlord has obtained written approval for a plan of development;
- (c) an undertaking in writing that work for the purpose of putting into effect such development will commence within 6 months of the date when possession of the controlled premises has been obtained or such further period as the Board may determine in any particular case; and
- (d) an undertaking in writing that the landlord will deposit with the Board within 14 days of the date that he is notified by the Board that his application has been granted such amount of compensation as the Board in accordance with the provisions of this Act determines to be a fair and reasonable compensation to the tenant for any damage or loss which would be sustained or any reasonable expenses which would be incurred by the tenant as a result of the recovery of the controlled premises.

(3) The Board after considering the application made under subsection (1) and upon being satisfied as to the matters referred to in subsection (2) may grant the application and make an order accordingly for the landlord to recover possession of the controlled premises.

(4) The Board may make an order for the landlord to recover possession of the controlled premises under this

section (and the provisions of this Act including the provisions with regard to development shall then apply to the premises) notwithstanding the fact that a question of law concerning the landlord's liability to pay or a person's right to receive compensation has arisen on the application or in the course of the proceedings before the Board, and has been transmitted to the High Court for determination under section 17 or 18.

(5) Where a question of law, as described in subsection (4), is to be determined by the High Court, the Board may call upon the landlord to deposit such amount of money as it may decide is necessary to meet any award of compensation that might be made by the Board consequent upon the High Court's determination of the question of law.

(6) In the event of the High Court deciding the question of law in the landlord's favour the Board shall thereupon return the deposit to the landlord.

(7) Where the Board makes an order for the recovery of possession of any controlled premises the following provisions shall apply: ^{14/72.}

(a) the landlord shall within 14 days of the making of the order deposit with the Board the amount of compensation awarded in accordance with sections 8 and 11 and if he fails to deposit that amount the order shall, unless the Board otherwise determines, be deemed to be revoked and of no legal effect; and

(b) every tenant, sub-tenant and any person using or occupying the controlled premises shall vacate the controlled premises in question within 90 days of the making of the order or within such further period as the Board in any particular case may allow; and on vacating those controlled premises, or any part thereof, the tenant may remove any building or structure erected by him on those controlled premises.

(8) Upon vacating those controlled premises the compensation awarded under sections 8 and 11 and deposited under this section shall be paid by the Board to each of the persons entitled to compensation or any apportionment thereof under this Act. ^{14/72.}

(9) Where a tenant fails to vacate those controlled premises within the period of 90 days of the making of the order, or within such further period as the Board has allowed, the Board may, without further order, take such measures (including the calling for the assistance of the police) as are necessary to have the tenant evicted from the controlled premises.

(10) The premises vacated under this section shall not be used by the landlord for any purpose other than effecting development in accordance with the plan approved for that purpose and until such development is commenced the premises shall not be sold, leased, or otherwise disposed of, without the consent in writing of the Board.

(11) Any tenant who without just cause fails to vacate the controlled premises in contravention of an order made under this section and any landlord who in contravention of subsection (10) uses any premises, the possession of which is recovered under this section, otherwise than for the purpose of effecting development in accordance with a plan approved for that purpose, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding one year or to both and shall also be liable to a further fine of \$100 for every day during which the contravention continues.

Compulsory acquisition of land where landlord fails to develop without reasonable cause.

5.—(1) Where a landlord who has recovered possession of controlled premises pursuant to an order under section 4 fails or neglects without reasonable cause (the burden of proof whereof shall lie upon the landlord) —

- (a) to commence development in accordance with a plan for development approved for that purpose within 6 months of the date on which he recovered possession of the controlled premises, or such later date as the Board has allowed; or
- (b) to complete development in accordance with a plan for development approved for that purpose and within such time (such time being not less than 3 years and not more than 10 years) as the Board considers reasonable in any particular case,

the Minister, on the application of the Board, may request the President who may, if he thinks fit, direct the acquisition of the premises.

(2) Where a landlord satisfies the Board that reasonable cause exists for his not commencing development under subsection (1) (a) or completing development under subsection (1) (b), as the case may be, the Board may consider any scheme whether proposed by the landlord or another person whereby the development of the premises may be commenced and completed in accordance with the plan for development and may approve any such scheme subject to such modifications, alterations and conditions as it may decide.

(3) (a) In this section any question or dispute as to whether a landlord has commenced development or completed development shall be investigated by the Building Authority, who shall certify to the Board its opinion as to whether the development has been commenced or completed, as the case may be.

(b) In this subsection, "Building Authority" has the same meaning as is assigned to it in the Building Control Act. Cap. 29.

(4) Where a direction has been made under subsection (1) the premises may be acquired in accordance with any written law relating to the acquisition of land for residential, commercial or industrial purposes and any declaration required under any such law that the land is so needed may be made notwithstanding that compensation has been paid by the landlord to any tenant under this Act or an ex gratia payment made to any other person.

(5) Such a direction shall have effect as if it were a declaration that the premises are needed for residential, commercial or industrial purposes made under section 5 of the Land Acquisition Act, and the provisions of that Act shall, subject to subsection (6), apply mutatis mutandis to a direction under this section as they apply to a declaration under that Act. Cap. 152.

(6) Where premises are acquired pursuant to a direction of the President under this section the value of the premises shall be deemed to be the market value of the premises as on the date of the landlord's application to recover possession of the premises made under section 4.

6.—(1) For the purposes of this Act, there shall be constituted a Board called the Tenants' Compensation Board consisting of a Chairman and such number of Constitution,
procedure
and functions
of Board.

persons, not being less than 4 persons or more than 10 persons, as the Minister may think fit.

(2) The Chairman and every member of the Board shall be appointed by the Minister and upon appointment the name of the Chairman and every member of the Board shall be published in the *Gazette*.

Cap. 321.

(3) The Chairman shall possess the qualifications required of a District Judge by section 9 (3) of the Subordinate Courts Act and shall preside at all meetings of the Board.

(4) Five members of the Board of whom the Chairman shall be one shall form a quorum and the opinion of the majority of the members of the Board present shall be decisive upon any matter, providing that in the case of an equality of votes the Chairman shall give a casting opinion.

(5) No person shall be eligible to be appointed, or to remain, a member of the Board who —

- (a) is an undischarged bankrupt;
- (b) has been sentenced to imprisonment for a term exceeding 6 months and has not received a free pardon; or
- (c) is a person found or declared under any written law to be of unsound mind.

(6) Any person including the Chairman who is appointed to the Board shall except where his appointment is revoked by the Minister under subsection (7) be a member of the Board, unless he resigns during the period of appointment, for a period of 3 years or for such shorter period as the Minister may in any case determine but shall be eligible for reappointment.

(7) The Minister may at any time revoke the appointment of a member of the Board.

(8) Where a person ceases to be a member of the Board the Minister shall as soon as is reasonably practicable take steps to fill the vacancy but the existence of any vacancy in the Board shall not invalidate the acts of the Board.

(9) Every member of the Board when and so long as he is serving on the Board shall be deemed to be a public servant

within the meaning of the Penal Code and the proceedings of the Board shall be deemed to be judicial proceedings. Cap. 224.

(10) There shall be paid to the members of the Board such salaries, fees and allowances as the Minister may determine.

(11) Any interested party may be represented before the Board —

- (a) by an advocate and solicitor of the Supreme Court;
- (b) subject to the provisions of the Legal Aid and Advice Act, by the Director, a Deputy Director or an Assistant Director of Legal Aid; or Cap. 160.
- (c) in any particular case in which the Board may at the request of that party and for good reason permit, by an agent acting without fee, gain, reward or any expectation thereof, as that party may appoint.

(12) Every summons and notice issued under the hand of the Chairman shall be deemed to be issued by the Board.

(13) The functions of the Board under this Act shall be —

- (a) to hear and determine applications by landlords for the recovery of controlled premises;
- (b) to award to tenants of controlled premises, possession of which is recovered by the landlord under this Act, such compensation as the Board considers fair and reasonable under section 8;
- (c) to determine and apportion compensation as between tenant and sub-tenant;
- (d) to execute any order made in a landlord's favour to recover possession of controlled premises; and
- (e) to perform such other functions as may be assigned to it under the provisions of this Act.

(14) The Minister may appoint a Secretary of the Board and such other officers and employees of the Board as may be necessary.

7.—(1) The Chairman shall take in the presence of the Chief Justice the oath or affirmation in the form set out in the rules made under section 23. Oath and
affirmation.
14/72.

(2) An oath or affirmation in the prescribed form shall be administered by the Chairman to every member of the Board. [6A

Assessment
of compensa-
tion to
tenants.

8.—(1) Where the Board has made an order under section 4 (3) in favour of a landlord of controlled premises, the following provisions with regard to quantum of compensation to be awarded by the Board to any tenant and sub-tenant shall apply:

- (a) in the case of controlled premises or any part thereof occupied or used for commercial purposes the amount of compensation to be awarded shall be such amount as the Board considers fair and reasonable except that any amount of compensation so awarded shall not be less than the total of 8 years' rent paid over the period of the 8 years preceding the date of the application by the landlord to the Board;
- (b) in the case of controlled premises or any part thereof that are occupied or used for residential purposes the amount of compensation to be awarded shall be such amount as the Board considers fair and reasonable except that any amount of compensation, so awarded, shall not be less than the total of 6 years' rent paid over the period of the 6 years preceding the date of the application by the landlord to the Board; and
- (c) in the case of controlled premises or any part thereof which when originally let consisted of vacant land but on which there has since been erected a building or buildings of a temporary character, the amount shall not be less than the total of 12 years' ground rental and the value of the building or buildings thereon as determined by the Board as being the market value at the date of the application by the landlord, or the cost of demolishing the building or buildings and transporting the materials derived from such demolition to another site, as the Board may reasonably allow.

(2) In determining the amount of compensation to be awarded to a tenant and sub-tenant under this section, the

Board, without prejudice to its right to consider any other relevant matter, shall have regard to the following matters:

- (a) in the case of controlled premises used or occupied for commercial purposes —
 - (i) loss of income attributable to the recovery of possession of the controlled premises;
 - (ii) loss of goodwill, if any, attributable to any change of location of the tenant's business;
 - (iii) cost of removal to another site;
 - (iv) annual rent paid for the controlled premises; and
 - (v) location and siting of the controlled premises; and
- (b) in the case of controlled premises, used or occupied for residential purposes, paragraph (a) (iii), (iv) and (v) only shall be taken into account.

(3) In apportioning an amount of compensation as ^{14/72.} between a tenant and his sub-tenants who are entitled to receive compensation under this Act, the Board may take into account the following matters:

- (a) the area of the floor space occupied or used by the tenant and each of his sub-tenants and the purpose for which the area has been used by the tenant and each of his sub-tenants; and
- (b) the amount of rent paid by the tenant and each of his sub-tenants less any amount of rent received by the tenant and each of his sub-tenants during the currency of the subletting.

(4) Where controlled premises, or any part thereof, are occupied or used partly for commercial purposes and partly for residential purposes, the amount of compensation to be awarded shall be such amount as the Board considers fair and reasonable under subsection (1) and that amount shall be apportioned by the Board in the manner described in subsection (5).

(5) Where, in respect of controlled premises that are occupied or used partly for commercial purposes and partly for residential purposes, there is —

- (a) no express condition in writing prescribing user of the premises;
- (b) no formal lease or tenancy agreement or other document evidencing user; or
- (c) a formal lease or tenancy agreement but the conditions thereof have, by the consent of the landlord and tenant, been modified so as to permit the controlled premises to be used partly for commercial purposes and partly for residential purposes,

the Board, when determining whether the controlled premises fall within subsection (1) (a), (b) or (c), shall have regard to the purposes for which the premises have been occupied or used with the consent of the landlord and apportion a part of the rent paid by the tenant as the rent paid in respect of the portion of the controlled premises used for commercial purposes and the balance of the rent paid by the tenant as the rent paid in respect of the portion of the controlled premises used for residential purposes.

(6) For the purposes of this section, “commercial purposes” means controlled premises used or occupied for the purposes of carrying on any business, trade, profession or vocation and includes the use or occupation of any controlled premises as a school or club or other like institution or association; and “residential purposes” means controlled premises used or occupied for purposes of human habitation. [7

Landlord may make compensation agreement with tenant, sub-tenant and occupier. 14/72.

9.—(1) Nothing in this Act shall preclude a landlord who has been granted an order to recover possession of controlled premises under this Act from making an agreement with a tenant, sub-tenant and occupier (if any) as to the quantum of compensation to be paid.

(2) If such an agreement is made and the compensation agreed upon has been paid to the tenant, sub-tenant and occupier (if any) the landlord shall inform the Board of the fact and the Board shall thereupon cause the agreement to be registered in the register kept for the purpose of registering compensation awards under this Act.

(3) Upon registration such an agreement shall operate in all respects and for all purposes as if it were an order of the Board as to compensation made under this Act. [8

10.—(1) Notwithstanding anything to the contrary in this Act, a tenant or sub-tenant of the whole or part of the controlled premises in respect of which an order has been made by the Board under section 4 shall not be entitled to compensation, or any apportionment thereof, if —

Circumstances where landlord not liable to pay compensation.

- (a) he has not been in continuous occupation of the controlled premises or part thereof at any time prior to 1st January 1968;
- (b) he has sublet the premises or any part thereof in breach of the terms of his tenancy with his landlord and his landlord has neither acquiesced in nor waived the breach; or
- (c) he has been convicted of an offence under section 21 of the Control of Rent Act.

Cap. 58.

(2) In this section “continuous occupation” means occupation of the controlled premises or part thereof prior to 1st January 1968, which has not been interrupted for any period longer than 6 months, or for such further period, not exceeding two years, as the Board may, in any particular case decide, having regard to the reasons advanced by the tenant or sub-tenant for failure to occupy the controlled premises or part thereof. [9

11.—(1) Notwithstanding anything in this Act or any written law or rule of law, but subject to this section and section 10, the Board may in its discretion award compensation to a person who is neither a tenant nor a sub-tenant if that person (referred to in this Act as the occupier) —

Power of Board to award compensation to occupiers. 14/72.

- (a) has been continuously using or occupying any part of the controlled premises prior to 1st January 1968;
- (b) has been paying to the landlord or a tenant, as the case may be, a sum of money, whether described as rent or not, as consideration for the use or occupation of such part of the controlled premises under an arrangement that does not constitute a tenancy;
- (c) is not by reason of such use or occupation in breach of any of the terms of a tenancy made between the landlord and the tenant, or if he is,

the breach has been waived or acquiesced in by the landlord;

- (d) is bound to vacate such part of the controlled premises consequent upon an order of the Board made in the landlord's favour under section 4.

(2) In determining any amount of compensation that the Board may decide to award to an occupier under this section, the Board, without prejudice to its right to consider any other relevant matter, may take into account the following matters:

- (a) the cost of removal to another site;
- (b) the number of years that an occupier has been using or occupying part of the controlled premises;
- (c) the consideration paid by the occupier to the landlord or the tenant, as the case may be, for the use or occupation of such part of the controlled premises;
- (d) the area of floor space occupied or used by the occupier and the purpose for which the area has been used.

(3) Where an occupier uses or occupies part of the controlled premises under an arrangement with a tenant who receives consideration for such use or occupation from the occupier and the Board decides that the occupier is entitled to receive compensation, such compensation as the Board decides is fair and reasonable shall be paid by the Board to the occupier out of such amount of compensation as the Board has determined should be awarded to the tenant pursuant to section 8; and the total amount of compensation that is to be paid to the tenant shall accordingly be reduced by the amount that is to be awarded to the occupier.

(4) The total amount of compensation to be awarded to an occupier under this section shall not in any event exceed such amount as would have been payable if he had occupied part of the controlled premises under a tenancy.

(5) In this section, "continuously using or occupying" means use or occupation of any part of the controlled

premises prior to 1st January 1968, which has not been interrupted for any period longer than 3 months or for such further period not exceeding 6 months as the Board may in any particular case decide having regard to the reasons advanced by the occupier for failure to use or occupy that part of the controlled premises. [9A

12.—(1) Nothing in this Act shall preclude a landlord from making an ex gratia payment to any person (other than a tenant or sub-tenant) using or occupying any part of the controlled premises and not paying to the landlord any rent for that use or occupation under a tenancy, who is bound to vacate that part of the controlled premises consequent upon an order of the Board made in the landlord's favour under section 4.

Landlord may make ex gratia payments to persons using or occupying controlled premises who do not pay rent.

(2) The ex gratia payment referred to in subsection (1) shall be such sum as the landlord considers adequate to meet the cost of demolition or removal of any buildings erected by that person and such other charges as may reasonably be incurred in the removal of that person to another place in Singapore. [10

13. Every order of the Board made in a landlord's favour enabling him to recover possession of controlled premises under this Act shall, subject to this Act, be effective to grant to the landlord full and exclusive possession of those controlled premises. [11

Order of Board to have effect to grant full and exclusive possession to landlord.

14.—(1) Where, pursuant to an order of the Board made under this Act, a landlord recovers, and enters into, possession of controlled premises that order shall, notwithstanding anything in any written law, be enforceable against any person using or occupying the controlled premises who does not pay rent to, and has no tenancy with, the landlord in respect of that use or occupation.

Effect of order as against persons using or occupying the controlled premises who do not pay rent.

(2) Where any person so using or occupying the controlled premises fails to deliver up possession and vacate the controlled premises within such period as the Board may determine (being a period not exceeding two months from the date of the order of the Board) the Board may take such measures (including the calling for the assistance of the police) as are necessary to have that person evicted from the controlled premises.

(3) Any person who fails or neglects to deliver up possession and vacate the controlled premises in contravention of the order of the Board shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding one year or to both and shall be liable to a further fine of \$100 for every day during which the contravention continues.

(4) This section shall not prejudice, restrict, or in any way affect, any right of the landlord to pursue any action or remedy that is available to him under the general law relating to eviction of trespassers from land. [12

Powers of
Board
to examine
on oath, etc.

15. The Board shall have powers to examine any witness on oath, to summon any person to appear before it and to require any interested party or witness to produce any relevant document which the Board may require. [13

Review of
orders of
Board.

16.—(1) An order or award of compensation of the Board may be reviewed, varied or set aside by the Board in the following circumstances:

- (a) where an award of compensation or any order was made in consequence of any fraud, misrepresentation or mistake;
- (b) where fresh evidence of a material nature which could not by the exercise of reasonable diligence have been produced when an award of compensation or any order was made is available;
- (c) where an award of compensation or any order was made in the absence of any necessary or proper party whose absence was not due to any default or neglect on his part;
- (d) where in the opinion of the Board some substantial wrong or miscarriage of justice is occasioned by an award of compensation or any order.

(2) No order shall be reviewed, varied or set aside by the Board under subsection (1) unless any party aggrieved by the order applies to the Board not later than two years from the date of the order. [14

17.—(1) The Board may at any stage of an application or proceeding before it, either on its own motion or on the written application of any party to the proceeding, reserve for the consideration of the High Court any questions of law arising in the application or proceeding, in the form of a special case which shall —

Power of Board to state special case for decision of High Court.

- (a) be drawn up by the Chairman and shall set out shortly the facts on which the law is to be applied and the question or questions of law to be determined;
- (b) be sent by the Chairman to the Registrar of the Supreme Court; and
- (c) be set down for argument in such manner as the High Court directs.

(2) The High Court shall hear and determine the question or questions of law arising on the special case and shall thereupon remit the matter to the Chairman with the opinion of the Court thereon and that opinion shall be binding on the Board.

(3) The costs of the proceedings in the High Court shall be in the discretion of the Court and may be dealt with by the order of the Court, provided that no member of the Board shall be personally liable to any costs in respect thereof. [15

18.—(1) The High Court, either on its own motion or on the application within 14 days of any party aggrieved by a decision of the Board on the ground that it is wrong in law, may call for the proceedings and the grounds of the order and give such order thereon, either by directing a fresh hearing or otherwise, as seems necessary to secure that substantial justice is done.

High Court may call for proceedings of Board.

(2) The powers of review conferred upon the High Court in this section shall not extend to a decision of the Board as to the quantum of compensation awarded or apportioned under section 8 or 11.

14/72.

(3) There shall be no further right of appeal from the decision of the High Court under this section and under section 17. [16

Duty of Board to advise tenants, sub-tenants and occupiers of landlord's application.

19.—(1) Upon an application being made by a landlord to recover possession of controlled premises under section 4 (1) and before any order is made in the landlord's favour under section 4 (3) the Board shall cause a notice in the Malay, Chinese, Tamil and English languages to be exhibited in the controlled premises in question.

14/72.

(2) That notice shall inform every person who is in occupation of the controlled premises that —

- (a) the landlord has made an application to the Board to recover possession of the controlled premises;
- (b) the Board intends to consider the application on the date and at the place stated in the notice; and
- (c) if the landlord obtains an order for possession of the controlled premises the Board proposes to determine the quantum of compensation to be awarded under this Act to every tenant, sub-tenant and occupier of the controlled premises.

(3) The notice shall further inform every tenant, sub-tenant and occupier that he may attend the proceedings of the Board on the date and at the place specified in the notice and, if he so attends, he shall have an opportunity of being heard and producing such evidence, oral or documentary, as seems relevant to the Board. [17

Orders and awards of Board to be binding and final.

20.—(1) Any order of the Board made under section 4 shall be binding on any landlord, tenant and sub-tenant and any person using or occupying the controlled premises who does not pay rent to the landlord and has no tenancy with the landlord.

14/72.

(2) Any award of compensation made by the Board under section 8 or 11 shall be binding upon the landlord, tenant, sub-tenant and occupier, as the case may be.

(3) Subject to sections 16, 17 and 18 any order or award made by the Board under this Act shall be final and shall not be challenged, appealed, quashed or called in question in any court and shall not be subject to certiorari, prohibition, mandamus or injunction in any court on any account. [18

21.—(1) The Board shall cause to be kept a register called the “Compensation Awards Register” and shall record in that Register details of every award of compensation made under this Act including such details as the names of the landlord, tenant, sub-tenant and occupier, the address of the controlled premises, the amount of compensation awarded to the tenant, sub-tenant and occupier and the date of the award.

Register of Compensation Awards to be kept by Board. 14/72.

(2) That Register shall be available for inspection by the public without payment of fee at the office of the Chairman.

(3) Any member of the public may apply to the Board for a copy of any award of compensation registered under this section and the Board shall furnish a copy of the award upon payment of such fee as may be prescribed. [19

22. Any order of the Board may be proved in any court by the production of a copy thereof duly signed by the Chairman. [20

Proof of order of Board.

23.—(1) The Minister may make rules generally for carrying out the provisions of this Act and for the guidance of officers in all matters connected with this Act.

Rules.

(2) Without prejudice to the generality of subsection (1) the Minister may make rules —

- (a) prescribing the practice and procedure of the Board;
- (b) prescribing the fees to be charged in dealing with applications for recovery of possession of controlled premises under this Act; and
- (c) prescribing the places where and the times at which applications for the recovery of possession of controlled premises under this Act shall be heard by the Board.

(3) All such rules shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication. [21