



**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**HOUSING AND DEVELOPMENT ACT**

**(CHAPTER 129)**

**(Original Enactment: Ordinance 11 of 1959)**

**REVISED EDITION 2004**

(31st July 2004)

*Prepared and Published by*

THE LAW REVISION COMMISSION  
UNDER THE AUTHORITY OF  
THE REVISED EDITION OF THE LAWS ACT (CHAPTER 275)

Informal Consolidation – version in force from 2/1/2011 to 18/4/2013

# Housing and Development Act

## ARRANGEMENT OF SECTIONS

### PART I

#### PRELIMINARY

#### Section

1. Short title
2. Interpretation

### PART II

#### ESTABLISHMENT, INCORPORATION AND CONSTITUTION OF BOARD

3. Establishment and incorporation of Housing and Development Board
4. Common seal
5. Rules as to execution of documents
6. Constitution of Board
7. Disqualification from membership and vacation of office
8. Disclosure of interest in contract by member of Board
9. Salaries, fees, etc., payable to members of Board
10. Quorum
11. Vacancies
12. Proceedings of Board

### PART III

#### FUNCTIONS, DUTIES, PROPERTIES AND OFFICERS OF BOARD

13. Functions and duties of Board
- 13A. Symbol or representation of Board
- 13B. Use of name, etc., of Board
14. Power to vary rate of interest payable under mortgage
15. Power to incorporate private companies
16. Gifts
17. Additional functions of Board
18. Directions by Minister
19. Submission of proposals, plans and projects by Board
20. Contracts

## Section

21. Protection of Board and employees from personal liability
22. Power of Board to enter into agreements
- 22A. Power in respect of intellectual property rights
23. Board may make ex gratia payments
24. Power to purchase, sell, lease and exchange lands, etc.
25. *[Repealed]*
26. Compulsory acquisition of property before 15th April 1983 not to be called in question
27. Power to make rules
- 27A. Powers of composition
- 27B. Liability of owners of vehicles for parking offences
28. Power to make standing orders
29. Appointment of committees and delegation of powers
30. Conformity with Master Plan
31. Power to fix and vary rent, licence fees and maintenance fees
32. Transfer to Board of undertakings and assets of Singapore Improvement Trust
33. Transfer of properties, liabilities and obligations, etc.
34. Payment of compensation for transferred properties
35. HUDC dwellings
36. Transfer of rights and obligations relating to applications for HUDC dwellings
37. Charge on immovable property of Board
38. Appointment of Chief Executive Officer
39. Appointment of officers and employees
40. Officers not to be interested in contracts in Singapore
41. Transfer of other officers of Singapore Improvement Trust
42. Pension schemes, provident fund, etc.
43. *[Repealed]*
44. *[Repealed]*
45. Public servants

## PART IV

## SALE OF FLATS, HOUSES OR OTHER BUILDINGS

46. Power to sell and restrictions as to registration
47. Restrictions as to purchase
48. Power to vary terms and conditions
- 48A. Board and lessees to be discharged from certain restrictive covenant

## Section

- 48B. Execution of sale and other instruments by Board on behalf of certain purchasers of flats
- 49. Special provisions
- 49A. Prohibition of sale within minimum occupation period, etc.
- 50. Flat, house or other building not to be sold, mortgaged, etc., without consent of Board
- 50A. Purchase of flats, houses and other living accommodation by bodies corporate
- 51. Property not to be used as security or attached, etc., and no trust in respect thereof to be created without approval of Board
- 52. Transfer of flat, house or other building on death of owner
- 53. Establishment of management corporations
- 54. Board or company may exercise powers of management corporation
- 55. Determination of lease
- 56. Board may compulsorily acquire property sold subject to the provisions of this Part
- 57. Vesting of acquired property in Board
- 58. Payment of compensation
- 59. Taking possession
- 60. Giving false information
- 61. Unauthorised subletting
- 62. Direction of Minister to be conclusive evidence
- 63. Direction by Board to remove any article or object placed in a manner likely to cause damage to property, etc.
- 64. Notice to quit, etc., not waived by payment made to Board
- 65. Power to make rules

## PART IVA

## UPGRADING WORKS IN PRECINCTS

- 65A. Interpretation of this Part
- 65B. Declaration of precincts
- 65C. Upgrading works in a precinct
- 65D. Power to carry out upgrading works and to recover contribution
- 65E. Direction of Minister to carry out upgrading works in certain circumstances
- 65F. Payment of improvement contribution
- 65G. Transfer of additional floor area
- 65H. Recovery of improvement contribution from sale of flat
- 65I. Recovery of payments due to Board

## Section

- 65J. Power of entry and compulsory acquisition
- 65K. Power to make rules
- 65L. Savings

## PART IVB

## DESIGN-BUILD-AND-SELL SCHEME

- 65M. Interpretation of this Part
- 65N. Appointment of approved developers
- 65O. Approved developers to develop and sell housing accommodation
- 65P. Vesting of reversion, etc., in Board
- 65Q. Applicability of Part IV to housing accommodation sold under this Part
- 65R. Eligibility to purchase housing accommodation under this Part
- 65S. Purchaser dies before temporary occupation permit, etc., issued
- 65T. Power to make rules

## PART V

## FINANCIAL PROVISIONS

- 66. Borrowing powers
- 66A. Issue of shares, etc.
- 67. Annual financial statement
- 68. Budgets
- 69. Approval of budget by Minister
- 70. Supplemental budgets
- 71. Accounts
- 72. Powers of auditor
- 73. Presentation of financial statements and audit reports
- 74. Annual report
- 75. Bank account
- 76. Payments to be made in accordance with budget
- 77. Transfer of sums from one item to another
- 78. Power of investment

## PART VI

## MISCELLANEOUS

- 79. Penalties

## Section

- 80. Employee of Board may require evidence of identity in certain cases
  - 81. Fines to be paid to Board
  - 82. Conduct of prosecutions
  - 83. Service of summons, notices, etc.
    - First Schedule    — Housing and Urban Development Company
    - Second Schedule — Jurong Town Corporation
- 

An Act to constitute a Housing and Development Board for Singapore.

[1st February 1960]

PART I

PRELIMINARY

**Short title**

1. This Act may be cited as the Housing and Development Act.

**Interpretation**

- 2.—(1) In this Act, unless the context otherwise requires —

“authorised occupier” means a person who is —

- (a) named in an application made to the Board as the person who intends to reside in the flat, house or other living accommodation sold or to be sold by the Board under Part IV; or
- (b) authorised in writing by the Board to reside therein except that, where such a person has entered, stayed or remained in Singapore in contravention of any provision of any written law relating to immigration, he shall be deemed not to be an authorised occupier from the date of contravention;

“Board” means the Housing and Development Board established under section 3;

- “building” includes any house, flat, hut, shed, roofed enclosure or other accommodation, whether used for the purpose of human habitation or otherwise, and also any wall, fence, platform, staging gate, post, pillar, paling, frame hoarding, slip, dock, wharf, pier, jetty, landing-stage or bridge, or any structure or foundation connected to the foregoing;
- “buildings or works” includes waste materials, refuse and other matters deposited on land, and reference to the erection or construction of buildings or works shall be construed accordingly;
- “building operations” includes any building or erectional operations, rebuilding operations, structural alterations of or additions to buildings and other operations normally undertaken by a person carrying on business as a builder and the making of access roads, railways, waterworks, electrical installations and any road works preliminary or incidental to the erection of buildings;
- “Central Provident Fund Board” means the Central Provident Fund Board constituted under section 3 of the Central Provident Fund Act (Cap. 36);
- “Chairman” means the Chairman of the Board;
- “Chief Executive Officer” means the Chief Executive Officer appointed under section 38;
- “Collector” has the same meaning as in the Land Revenue Collection Act (Cap. 155);
- “commercial property” means any flat, house or building or any part thereof which is permitted to be used pursuant to the Planning Act (Cap. 232) or any other written law for the purpose of carrying on any business or which is lawfully so used;
- “common property” means so much of the developed land and all parts of the building as are not comprised in the flats in a building;

“developed land” means any land of the Board upon which a building has been erected;

“flat” means a horizontal stratum of any building or part thereof, whether the stratum or part is on one or more levels or is partially or wholly below the surface of the ground;

“Housing and Urban Development Company” means the Housing and Urban Development Company (Private) Limited incorporated in Singapore under the Companies Act (Cap. 50);

“Jurong Town Corporation” means the Jurong Town Corporation established by the Jurong Town Corporation Act (Cap. 150);

“lease” includes an agreement for a lease;

“Master Plan” has the same meaning as in the Planning Act;

“owner”, in relation to any property sold by the Board, includes a person who has purchased a leasehold interest in the property and also includes a purchaser under an agreement for a lease.

*[13/75; 25/79; 12/82; 21/86; 7/97; 17/2001; 11/2003]*

(2) References in this Act to a flat, house or other living accommodation shall be construed to include references to the land appurtenant to the flat, house or other living accommodation.

(3) In any other written law and in any other document whatsoever, unless the context otherwise requires, any reference to the Singapore Improvement Trust shall, except in respect of its planning functions, be construed as a reference to the Board.



## PART II

ESTABLISHMENT, INCORPORATION AND CONSTITUTION  
OF BOARD**Establishment and incorporation of Housing and Development  
Board**

3. There is hereby established a body to be known as the Housing and Development Board which is a body corporate and has perpetual succession and may sue and be sued in its corporate name.

**Common seal**

4.—(1) The Board shall have a common seal and that seal may from time to time be broken, changed, altered and made anew as the Board considers fit.

(2) Subject to subsection (3), all deeds, documents and other instruments requiring the seal of the Board shall be sealed with the seal of the Board in the presence of the Chairman, or the Deputy Chairman, or a member of the Board, and an officer of the Board authorised by the Board in that behalf, who shall sign every such deed, document or other instrument to which the seal is affixed, and such signing shall be sufficient evidence that the seal was duly and properly affixed and that it is the lawful seal of the Board.

[13/75]

(3) All deeds, documents and other instruments which relate to the sale, lease, assignment, mortgage or assurance whatsoever of any premises sold under the provisions of this Act may be sealed with the seal of the Board in the presence of any officer of the Board duly authorised by the Board to act in that behalf who shall sign every such deed, document or other instrument to which the seal is affixed, and such signing shall be sufficient evidence that the seal was duly and properly affixed and that it is the lawful seal of the Board.

[13/75]

(4) Section 11 of the Registration of Deeds Act (Cap. 269) shall not apply to any instrument purporting to have been executed under subsection (2) or (3).

[13/75]

**Rules as to execution of documents**

5. The Board may, with the approval of the Minister, make rules in regard to the execution of instruments of any description, the issue of any document and the signing of cheques and as to the proof of documents purporting to be executed, issued or signed by the Board or a member or an officer thereof.

**Constitution of Board**

6.—(1) The Board shall consist of —

(a) a Chairman;

(b) a Deputy Chairman; and

(c) not less than 3 but not more than 10 other members,

all of whom shall, subject to subsection (9), be appointed by the Minister and on such conditions as he may determine.

*[28/89; 11/91]*

(2) The Minister may, subject to subsection (9), appoint the Chief Executive Officer to be a member of the Board.

*[28/89; 11/91]*

(3) Members of the Board shall hold office for such period, not being more than 3 years from the date of their respective appointments, as the Minister may determine and shall be eligible for reappointment on completion of that period.

*[28/89]*

(4) The Minister may appoint a person to be a temporary member of the Board during the incapacity from illness or otherwise of any member.

(5) The Minister may appoint any member of the Board to be a temporary Chairman or temporary Deputy Chairman during the incapacity from illness or otherwise of the Chairman or the Deputy Chairman, as the case may be.

(6) The Minister may, at any time, accept the resignation of any member of the Board appointed by him.

(7) The Minister may, subject to subsection (9), at any time revoke the appointment of any member of the Board.

*[11/91]*

(8) On the death, bankruptcy, inability to act, resignation, absence from Singapore for more than 3 months or revocation of the appointment of any member of the Board, the Minister may, subject to subsection (9), appoint a new member who shall hold office for so long as the member in whose place he is appointed would have held office.

[11/91]

(9) No appointment under this section and no revocation of any such appointment shall be made without the President's concurrence under Article 22A(1)(b) of the Constitution.

[11/91]

(10) The Chairman may, by instrument in writing, authorise any member of the Board to exercise any power or perform any function, other than the functions referred to in section 4(2), conferred on the Chairman by or under this Act.

### **Disqualification from membership and vacation of office**

7.—(1) 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 convicted of an offence by a court of law in Singapore and sentenced to imprisonment for a term of not less than 6 months and has not received a free pardon; or
- (c) is mentally disordered and incapable of managing himself or his affairs.

[21/2008 wef 01/03/2010]

- (2) The office of a member of the Board shall become vacant —
- (a) on the death of the member;
  - (b) if the member, without sufficient cause acceptable to the Minister, fails to attend 3 consecutive meetings of the Board;
  - (c) if the member becomes subject to any of the disqualifications specified in subsection (1); or
  - (d) if the member resigns his office.

**Disclosure of interest in contract by member of Board**

- 8.**—(1) If any member of the Board has —
- (a) any beneficial interest in any land or building situated in an area comprised in any development or redevelopment plan or in any other project of the Board;
  - (b) any beneficial interest in any company or undertaking with which the Board proposes to make any contract; or
  - (c) an interest in any such contract,

he shall disclose to the Board the fact of his interest and the nature thereof.

(2) The disclosure under subsection (1) shall be recorded in the minutes of the Board, and the member shall take no part in any deliberation or decision of the Board relating to that plan, project or contract.

**Salaries, fees, etc., payable to members of Board**

**9.** There shall be paid to members of the Board, out of the funds of the Board, such salaries, fees and allowances or expenses as the Minister may from time to time determine.

**Quorum**

**10.**—(1) The quorum at all meetings of the Board shall be 4 of whom one shall be the Chairman or the Deputy Chairman, and, in the absence of the Chairman, the Deputy Chairman shall preside at its meetings.

(2) A decision of the majority of the members of the Board present and voting at a meeting of the Board shall be deemed to be a decision of the Board.

(3) In the event of the votes on any question being equal, the member presiding shall have a casting vote in addition to his original vote.

**Vacancies**

**11.** The Board may, subject to section 10(1), act notwithstanding any vacancy in its membership.

**Proceedings of Board**

**12.—**(1) The Chairman or other officers authorised by him shall, subject to such standing orders as may be made by the Board as provided in subsection (2), summon all meetings of the Board for the despatch of business.

(2) Subject to the provisions of this Act, the Board may make standing orders to regulate its own procedure and, in particular, the holding of meetings, the notice to be given of its meetings, the proceedings thereat, the keeping of minutes and the custody, production and inspection of the minutes.

**PART III****FUNCTIONS, DUTIES, PROPERTIES AND OFFICERS OF BOARD****Functions and duties of Board**

**13.** Subject to the provisions of this Act, it shall be the function and duty of the Board —

- (a) to prepare and execute proposals, plans and projects for —
  - (i) the erection, conversion, improvement and extension of any building for sale, lease, rental or other purpose;
  - (ii) the clearance and redevelopment of slum and urban areas;
  - (iii) the development or redevelopment of areas designated by the Minister;
  - (iv) the development of rural or agricultural areas for the resettlement of persons displaced by operations of the Board or other resettlement projects approved by the Minister;

- (b) to manage all lands, houses and buildings or other property vested in or belonging to the Board;
- (c) to carry out all investigations and the surveys necessary for the performance of the functions and duties of the Board;
- (d) to provide loans, with the approval of the Minister, to enable persons to purchase —
  - (i) any developed land or any housing accommodation sold under Part IVB; or  
*[29/2005 wef 15/09/2005]*
  - (ii) any other land belonging to the Board for which planning permission to develop has been obtained under the Planning Act (Cap. 232),  
or any part thereof upon a mortgage of that land;
- (da) to provide technical and consultancy services within or outside Singapore, in respect of matters within its expertise acquired in the exercise of its functions under this Act, and to act as an agent for the Government or, with the approval of the Minister, as an agent for another public authority in the provision of such services;  
*[18/2010 wef 11/08/2010]*
- (e) to exercise such powers and perform such duties as may from time to time be conferred on or delegated to the Board by or under the provisions of any written law; and
- (f) to do all such other matters and things as are necessary for the exercise or performance of all or any of the functions and duties of the Board.  
*[30/84; 16/95]*

### **Symbol or representation of Board**

**13A.—**(1) The Board shall have the exclusive right to the use of such symbol or representation as the Board may select or devise and thereafter display or exhibit in connection with its activities or affairs.  
*[21/2000]*

(2) Any person who uses a symbol or representation identical with that of the Board, or which so resembles the Board's symbol or representation as to deceive or cause confusion, or to be likely to

deceive or cause confusion, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

[21/2000]

### **Use of name, etc., of Board**

**13B.**—(1) The Board may conduct its operations under its full name or under the acronym HDB.

[21/2000]

(2) A person other than the Board shall not —

- (a) use in connection with a business, trade, profession or occupation;
- (b) use as the name, or as part of the name, of any firm, body corporate or institution; or
- (c) use in relation to —
  - (i) services or products; or
  - (ii) the promotion, by any means, of the supply of services or products,

the name of the Board or the acronym HDB, or a name or acronym so closely resembling the name of the Board or the acronym HDB, as to be likely to be mistaken for it.

[21/2000]

(3) Any person who contravenes subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

[21/2000]

### **Power to vary rate of interest payable under mortgage**

**14.**—(1) Where loans are provided by the Board for the purchase of any property upon a mortgage of that property to the Board, whether such mortgage was entered into before or after 5th September 1986, the Board shall have the power, notwithstanding anything contained in the mortgage document, to vary the rate of interest payable under

the mortgage upon giving the mortgagor one month's notice of the Board's intention to do so.

[21/86]

(2) Any notice under subsection (1) shall be in writing and shall be deemed to be sufficiently served on the mortgagor if sent by ordinary post to the mortgagor at the address of the mortgaged property and shall be deemed to be served on the mortgagor at the time when the letter would, in the ordinary course of post, be delivered.

[21/86]

### **Power to incorporate private companies**

**15.—**(1) The Board may, with the approval of the Minister, form or participate in the formation of any private company (referred to in this section as the company) having such object as may be approved by the Minister.

[28/89]

(2) Notwithstanding the provisions of any written law for the time being in force relating to companies, there shall be registered with the memorandum of association of the company articles of association prescribing regulations for the company.

(3) Such articles of association of the company shall contain, amongst other things, such provisions relating to —

- (a) the capital and share structure of the company;
- (b) the qualification, appointment, remuneration, powers and proceedings of directors;
- (c) dividends and reserve funds; and
- (d) the winding up of the company,

as may be directed by the Minister, and shall also provide that such employees of the Board as are transferred to the company shall enjoy salaries and conditions of service as near as may be to those on which they were employed by the Board.

(4) The Board may, with the written approval of the Minister, grant loans to any company in which the Board holds any shares.

[28/89]



**Gifts**

**16.** The Board may accept gifts, legacies or donations and apply them for any of its functions or duties.

**Additional functions of Board**

**17.** In addition to the functions and duties imposed by this Act, the Board may undertake such other functions as the Minister may assign to the Board and, in so doing, the Board shall be deemed to be fulfilling the purposes of this Act and the provisions of this Act shall apply to the Board in respect of those functions.

**Directions by Minister**

**18.—(1)** The Minister may, after consultation with the Board, give to the Board general directions not inconsistent with the provisions of this Act and the Board shall give effect to all such directions.

(2) The Board shall furnish the Minister with such information with respect to its property and activities as he may from time to time require.

**Submission of proposals, plans and projects by Board**

**19.—(1)** The Board shall from time to time prepare and submit to the Minister proposals, plans and projects showing the nature of the work proposed to be executed and other steps proposed to be undertaken by the Board under sections 13, 17 and 18.

(2) The Minister may reject or approve any such proposal, plan or project or any part thereof either without modification or subject to such modification as he may think fit.

(3) Every such proposal, plan or project submitted by the Board under this section shall be in such form and contain such particulars as the Minister may direct.

**Contracts**

**20.—(1)** The Board may, in accordance with standing orders made under this Act, enter into such contracts as are necessary for the discharge of its functions and duties.

(2) In the case of contracts for the supply of goods or materials or for the execution of works, such standing orders shall —

- (a) require that, except as otherwise therein provided, notice of the intention to enter into such contracts shall be published and tenders invited; and
- (b) regulate the manner in which such notice shall be published and tenders invited.

(3) A person entering into a contract with the Board shall not be bound to inquire whether the standing orders have been complied with and all such contracts, if otherwise valid, shall have full force and effect notwithstanding that the standing orders applicable thereto have not been complied with.

### **Protection of Board and employees from personal liability**

**21.** No matter or thing done and no contract entered into by the Board and no matter or thing done by any member or by any employee of the Board or other person whomsoever acting under the direction of the Board shall, if the matter or thing was done or the contract was entered into bona fide for the purpose of carrying out the provisions of this Act, subject them or any of them personally to any action, liability, claim or demand whatsoever.

### **Power of Board to enter into agreements**

**22.** It shall be lawful for the Board to make and carry into effect any agreement whereby the Board undertakes to act as agent for the Government or any public authority in the erection of houses or other buildings, the carrying out of repairs, the collection of rents, in relation to any other services in connection with housing or buildings ancillary thereto or, with the approval of the Minister, in relation to any services not connected with housing or buildings ancillary thereto.

[41/98]

### **Power in respect of intellectual property rights**

**22A.** The Board may create, develop, apply for, acquire and hold intellectual property rights and enter into agreements (whether in Singapore or elsewhere) for the sale, licensing or commercial

application of such rights, on its own or in conjunction with other persons.

*[18/2010 wef 11/08/2010]*

### **Board may make ex gratia payments**

**23.** The Board may, with the approval of the Minister, make an ex gratia payment to any person sustaining any damage by reason of the exercise of any of the powers vested in the Board or its employees under and by virtue of this Act.

### **Power to purchase, sell, lease and exchange lands, etc.**

**24.—(1)** The Board may, with the approval of the Minister, purchase or lease any land required for any of the purposes of this Act.

(2) The Board may, with the approval of the prescribed approving authority (except for monthly leases), sell, surrender, lease or exchange any land or building belonging to the Board, either in block or in parcels as may be found most convenient or advantageous.

*[31/2002]*

(3) Subject to section 31, the Board may lease from month to month any land or building belonging to the Board at such rent and upon such terms and conditions as the Board thinks fit.

### **Compulsory acquisition of land**

**25.** *[Repealed by Act 28/89]*

### **Compulsory acquisition of property before 15th April 1983 not to be called in question**

**26.—(1)** Notwithstanding the repeal of section 25 by the Housing and Development (Amendment) Act 1989, no compulsory acquisition of any immovable property before 15th April 1983 shall be called in question in any court on the ground that the acquisition was not in compliance with the repealed section as in force before that date.

*[28/89]*

(2) Any action or proceedings pending after 15th April 1983 in any court in respect of any matter to which subsection (1) applies shall be

dismissed on application by any party, and the court may make such order as to costs as it thinks fit.

### **Power to make rules**

**27.—(1)** The Board may, with the approval of the Minister, make rules prescribing anything that is to be prescribed and generally for carrying out the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Board may, with the approval of the Minister, make rules for or in respect of all or any of the following matters:

- (a) regulating the use and enjoyment of common property and open spaces in any land vested in or held in trust for the Board;
- (b) prohibiting or regulating the parking of vehicles on such common property or in such open spaces other than parking places;
- (ba) regulating the carrying out of any renovation in any flat, house or other building sold under this Act;
- (bb) prescribing the form or forms of the contract or agreement that shall be used by every owner of any such flat, house or other building and a purchaser other than the Board;
- (bc) prescribing the conditions which, if used in any contract or agreement between any owner of any such flat, house or other building and a purchaser other than the Board, shall be void;
- (c) prescribing that any act or omission in contravention of any rule shall be an offence punishable by a fine not exceeding \$5,000;
- (d) prescribing the penalty (such penalty, if unpaid, to constitute a debt due to the Board and be recoverable as such) to be paid by the Board's tenant or licensee, an owner of any flat, house or other living accommodation sold by the Board or an owner of any HUDC dwelling for late payment of any of the following moneys due to the Board:

- (i) rent;
  - (ii) licence fees;
  - (iii) maintenance fees;
  - (iv) moneys due under any loan provided to such owner for his purchase of such HUDC dwelling, flat, house or other living accommodation; and
- (e) prescribing the penalty (such penalty, if unpaid, to constitute a debt due to the Board and be recoverable as such) to be paid by the person who leases a flat from the Board, for non-observance or non-compliance with any of the restrictions, conditions or requirements of the lease.

[18/2010 wef 11/08/2010]

[28/89; 16/95; 41/98]

- (2A) Any rules made under subsection (2)(ba) may prescribe —
- (a) the procedure and fees relating to the application by and grant of a licence to a lessee or contractor to carry out any renovation in any such flat, house or other building;
  - (b) the conditions of any such licence;
  - (c) the deposit of security to the satisfaction of the Board for the due performance of all or any of the obligations imposed on the licensee by the licence or by this Act; and
  - (d) the procedure for cancelling or suspending any such licence or forfeiting any such deposit of security, including a right of appeal to the Minister (whose decision shall be final) against any such proposed cancellation, suspension or forfeiture.

[41/98; 31/2002]

(3) All rules made under the provisions of this Act shall be presented to Parliament as soon as possible after publication in the *Gazette*.

### **Powers of composition**

**27A.**—(1) The Board or any officer of the Board who is authorised by the Board in that behalf may, in its or his discretion, compound any

offence under this Act or any rules made under section 27 which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence —

- (a) one half of the amount of the maximum fine that is prescribed for the offence; or
- (b) a sum not exceeding \$2,000,

whichever is the lower.

*[29/2005 wef 15/09/2005]*

(1A) On payment of such sum of money, no further proceedings shall be taken against that person in respect of the offence.

*[29/2005 wef 15/09/2005]*

(2) The Board may, with the approval of the Minister, make rules prescribing the offences which may be compounded and the method and procedure by which such offences may be compounded.

*[28/89]*

(3) All sums of money received for the composition of offences under this section shall be paid into the funds of the Board.

*[28/89]*

### **Liability of owners of vehicles for parking offences**

**27B.**—(1) When a parking offence is committed, the person who, at the time of the commission of the offence, is the owner of the vehicle in respect of which the offence is committed shall be guilty of an offence under the rules made under section 27 in all respects as if he were the actual offender guilty of the parking offence unless the court is satisfied that the vehicle was at the relevant time a stolen vehicle or a vehicle illegally taken or used.

*[28/89]*

(2) Nothing in this section shall affect the liability of the actual offender except that, where a penalty has been imposed on or recovered from a person in relation to any parking offence, no further penalty shall be imposed on or recovered from any other person in relation thereto.

*[28/89]*

(3) Notwithstanding subsection (1), no owner of a vehicle shall by virtue of this section be guilty of an offence if he —

- (a) within 7 days after service on him of a notice alleging that he has been guilty of the offence, furnishes by statutory declaration to the Board the name and address of the person who was in charge of the vehicle at all relevant times relating to the parking offence concerned;
- (b) satisfies the Board that he did not know and could not with reasonable diligence have ascertained such name and address; or
- (c) satisfies the court that he did not know and could not with reasonable diligence have ascertained such name and address.

[28/89]

(4) A statutory declaration made under subsection (3)(a) if produced in any proceedings against the person named therein and in respect of the parking offence concerned shall be prima facie evidence that the person was in charge of the vehicle at all relevant times relating to such parking offence.

[28/89]

(5) A statutory declaration which relates to more than one parking offence shall not be regarded as a statutory declaration under, or for the purposes of, subsection (3)(a).

[28/89]

(6) In this section —

“owner”, in relation to a vehicle, includes —

- (a) every person who is the joint owner or part owner of the vehicle and any person who has the use of the vehicle under a hire-purchase agreement but not the owner under any such agreement;
- (b) the person in whose name the vehicle is registered except where the person has sold or otherwise disposed of the vehicle and has complied with the provisions of the rules applicable to him in regard to such sale or disposal; and
- (c) in the case of a vehicle in respect of which a general licence is issued under section 28 of the Road Traffic

Act (Cap. 276), the person to whom the general licence is issued;

“parking offence” means an offence of parking a vehicle or of causing or permitting a vehicle to stand, wait or be parked in contravention of any rules made under section 27.

[28/89]

### **Power to make standing orders**

**28.** The Board may, with the approval of the Minister, make standing orders providing for any matter in regard to which standing orders may be made under this Act and, in particular, for the following:

- (a) the method of entering into contracts by or on behalf of the Board;
- (b) the delegation of powers to officers of the Board;
- (c) the opening, keeping, closing and internal audit of accounts of the Board;
- (d) the conduct and discipline of officers of the Board;
- (e) loans and allowances or gratuities to officers of the Board;
- (f) housing accommodation for officers of the Board; and
- (g) the professional and technical training of officers of the Board.

### **Appointment of committees and delegation of powers**

**29.—(1)** The Board may, in its discretion, appoint from among its own members or other persons who are not members such number of committees consisting of members or other persons, or members and other persons, for purposes which, in the opinion of the Board, would be better regulated and managed by means of such committees.

[13/75]

(2) The Board may, subject to such conditions or restrictions as it may impose, delegate to any such committee or the Chairman or the Chief Executive Officer one or more of the functions, duties and powers by this Act vested in the Board, except the power —



- (a) to borrow money;
- (b) to make any subsidiary legislation; and
- (c) to delegate under this section.

*[13/75; 31/2002]*

(2A) Any function, duty or power delegated under subsection (2) may be exercised or performed by such committee or the Chairman or the Chief Executive Officer, as the case may be, in the name and on behalf of the Board.

*[13/75]*

(3) The Board may, subject to such conditions or restrictions as it may impose, delegate to an employee of the Board one or more of the Board's functions, duties and powers by this Act vested in the Board, except the power —

- (a) to borrow money or to raise or grant loans or advances to or subscribe to stocks, shares, bonds or debentures of a company or corporation;
- (b) to make subsidiary legislation; or
- (c) to delegate under this section.

*[13/75; 31/2002]*

(3A) A function, duty or power delegated under subsection (3) may be exercised or performed by the employee in the name and on behalf of the Board.

*[13/75]*

(4) Subject to the approval of the Minister, the Board may delegate to —

- (a) any Town Council established under section 4 of the Town Councils Act (Cap. 329A);
- (b) any member of the Town Council;
- (c) any member of any committee of the Town Council appointed under section 31 of the Town Councils Act; or
- (d) any employee or agent of the Town Council,

one or more of the Board's powers under any rules made under section 27, subject to such conditions or restrictions as the Board may specify.

[28/89]

(4A) Any power so delegated under subsection (4) may be exercised by such Town Council, member, employee or agent in the name and on behalf of the Board.

[28/89]

(5) The Board may exercise any power conferred or perform any function or duty imposed upon it under this Act, notwithstanding the delegation of such function, duty or power under this section.

[13/75]

### **Conformity with Master Plan**

**30.** The Board shall, in all housing and development projects, act in conformity with the Master Plan.

### **Power to fix and vary rent, licence fees and maintenance fees**

**31.—**(1) The Board may from time to time with the approval of the Minister fix the amount of —

- (a) rent and licence fees payable in respect of any property provided under this Act which is subject to a tenancy or licence agreement; and
- (b) maintenance fees payable in respect of any property provided under this Act.

[21/86]

(2) Notwithstanding anything contained in any tenancy or licence agreement or sale and purchase agreement in respect of any property provided under this Act, the Board shall have the power to vary, with the approval of the Minister, the rent, licence fees or maintenance fees fixed under subsection (1).

[21/86]

(3) Any variation in the rent, licence fees or maintenance fees made under subsection (2) shall be published in the *Gazette* and shall take effect on such date as may be specified therein.

[21/86]

**Transfer to Board of undertakings and assets of Singapore Improvement Trust**

**32.**—(1) As from 1st February 1960, the undertakings of the Singapore Improvement Trust shall, except as provided in the Planning Act (Cap. 232), be transferred to and shall vest in the Board without further assurance.

(2) Without prejudice to the generality of subsection (1), that transfer includes —

- (a) all lands, buildings and other property, movable or immovable, and all assets, powers, rights and privileges held or enjoyed by the Singapore Improvement Trust in connection therewith, or appertaining thereto;
- (b) all rights and interests of the Singapore Improvement Trust in any other undertaking; and
- (c) all liabilities and obligations of the Singapore Improvement Trust.

(3) Any proceedings or cause of action pending or existing immediately before 1st February 1960 by or against the Singapore Improvement Trust in respect of its undertakings may be continued and enforced by or against the Board, as it might have been by or against the Singapore Improvement Trust if this Act had not been passed.

**Transfer of properties, liabilities and obligations, etc.**

**33.**—(1) On 1st May 1982, all the estates and interests of —

- (a) the Housing and Urban Development Company in the lands described in the First Schedule; and
- (b) the Jurong Town Corporation in the lands described in the Second Schedule,

shall vest in the Board without further assurance subject to the same conditions of tenure incident thereto and to any subsisting encumbrances.

[12/82]

(1A) The Board shall have the power to execute any instrument under the Land Titles Act (Cap. 157), disposing of or creating an interest in any of the lands so vested in the Board (referred to in this Act as transferred properties).

[12/82]

(2) On 1st May 1982, any land described in the Second Schedule which immediately before that date was held in trust for the Jurong Town Corporation shall be held upon the same trust for the Board.

(3) Without prejudice to the generality of subsection (1), on 1st May 1982, all the rights and liabilities of the Housing and Urban Development Company or the Jurong Town Corporation in connection with or pertaining to the transferred properties shall be transferred to the Board.

[12/82]

(4) All proceedings in respect of the transferred properties by or against the Housing and Urban Development Company or the Jurong Town Corporation which are pending on 1st May 1982 may be continued, completed and enforced by or against the Board.

[12/82]

(5) Every agreement relating to any of the transferred properties to which the Housing and Urban Development Company or the Jurong Town Corporation was a party immediately before 1st May 1982, whether or not of such nature that the rights and liabilities thereunder could be assigned, shall have effect as from that date as if —

- (a) the Board had been a party to such an agreement; and
- (b) for any reference to the Housing and Urban Development Company or the Jurong Town Corporation there were substituted in respect of anything to be done on or after 1st May 1982 a reference to the Board.

[12/82]

(6) Any flat, house or other living accommodation which has been built on any land vested in the Board under subsection (1)(b) and which has been sold by the Jurong Town Corporation under Part IV of the Jurong Town Corporation Act (Cap. 150) shall be deemed to be a flat, house or other living accommodation sold by the Board under Part IV of this Act.

[21/86]

(7) In all applications made to and registered with the Jurong Town Corporation prior to 1st May 1982 for the purchase of such flat, house or other living accommodation as is referred to in subsection (6), any reference to the Jurong Town Corporation shall be read as if it were a reference to the Board.

[21/86]

### **Payment of compensation for transferred properties**

**34.**—(1) The Board shall pay to —

- (a) the Housing and Urban Development Company for the estates and interests in the lands vested in the Board under section 33(1)(a) such compensation as may be agreed between the Board and the Housing and Urban Development Company; and
- (b) the Jurong Town Corporation for the estates and interests in the lands vested in the Board under section 33(1)(b) such compensation as may be agreed between the Board and the Jurong Town Corporation.

(2) Any dispute between the Board and the Housing and Urban Development Company or the Jurong Town Corporation as to the compensation to be paid under subsection (1) shall be referred to an arbitrator to be appointed by the Minister and the decision of the arbitrator shall be final and binding on the parties.

### **HUDC dwellings**

**35.** All dwellings erected before or after 1st May 1982 on those lands which immediately prior to that date were vested in the Housing and Urban Development Company and are vested in the Board under section 33(1)(a) shall be known as HUDC dwellings after that date.

[12/82]

### **Transfer of rights and obligations relating to applications for HUDC dwellings**

**36.**—(1) Subject to this section, on and after 1st May 1982, all the rights and obligations of the Housing and Urban Development Company with respect to the sale of its dwellings (referred to in this Act as HUDC dwellings) shall be transferred to the Board.

(2) In all applications made to and registered with the Housing and Urban Development Company prior to 1st May 1982 for the purchase of HUDC dwellings, any reference to the Housing and Urban Development Company shall be read as if it were a reference to the Board.

[12/82]

(3) The Board shall have power to vary the terms and conditions of any application made by an applicant and registered with the Housing and Urban Development Company prior to 1st May 1982 for the sale and purchase of a HUDC dwelling after that date.

(4) Where an applicant refuses or fails to accept the terms and conditions as varied by the Board under subsection (3), the Board may cancel his application and refund the registration fee paid to the applicant.

(5) No proceedings shall be instituted in any court by the applicant against the Board to recover any loss suffered, directly or indirectly, by the applicant arising out of or caused by the cancellation of his application under subsection (4).

### **Charge on immovable property of Board**

**37.—**(1) The Government shall be deemed to have a first charge, unless the Minister otherwise directs, on all immovable property at any time vested in or acquired by the Board to secure all moneys from time to time owing by the Board to the Government or lent by the Government to the Board.

(2) Subject to subsection (1) and excepting only such charges, and mortgages as were created, or made by the Board with the approval of the Minister before the moneys became owing to or were advanced by the Government, that charge shall have priority over all other charges and mortgages.

(3) The President by virtue of that charge may, at any time, so long as there are moneys owing by the Board to the Government —

- (a) sell the whole or any part of the immovable property of the Board, either by public auction or private contract, and on the sale execute a conveyance of the immovable property

sold, which conveyance shall, without the concurrence of the Board, vest that property in the purchaser;

- (b) by notification in the *Gazette* declare that the whole or any part of the immovable property of the Board shall, on a date to be mentioned in the notification, vest in the Government, and thereafter the immovable property of the Board described in the notification shall, on that date, vest in the Government for all the estate, right, title and interest of the Board, freed and discharged from all charges and mortgages created or made by the Board, saving only such charges and mortgages as are excepted in subsection (2) and are subsisting securities;
- (c) appoint some person to receive the rents and other income which the Board is entitled to receive, or any portion thereof, and to apply the same in discharge of the amount due and of all expenses incurred in respect of the appointment of that person, and of the recovery by him of the rents and income; and the person so appointed shall have for the recovery of the rents or other income, all and singular the powers conferred by this Act on the Board for that purpose.

(4) Whenever any declaration has been made under this section, notice thereof shall, in the case of registered land, be sent to the Registrar of Titles who shall thereupon enter in the land-register a memorial of the registration of the vesting of the land in the Government and in other cases to the Registrar of Deeds who shall thereupon make an entry in the books of the Registry of Deeds that the land described in the notification containing the declaration is vested in the Government.

### **Appointment of Chief Executive Officer**

**38.**—(1) The Board, with the approval of the Minister and the President's concurrence under Article 22A(1)(b) of the Constitution, shall appoint a Chief Executive Officer.

[11/91]

(2) If the Chief Executive Officer is temporarily absent from Singapore or temporarily incapacitated through illness or for any

other sufficient reason from the performance of his duties, another person may be appointed in the manner provided by subsection (1) to be the Chief Executive Officer during his temporary absence or other incapacity.

### **Appointment of officers and employees**

**39.**—(1) Subject to the disallowance under section 69(1) of any item or portion of any item in a budget, the Board may, from time to time, appoint and employ such officers as may be necessary for the purpose of this Act, and may from time to time dismiss them.

[11/91]

(2) Subject to this section —

(a) appointments and promotions of all employees shall be made by the Board; and

(b) determination of an appointment, dismissal and disciplinary control of the employees of the Board are vested in the Board.

(3) The Minister may, with the consent of the Public Service Commission, declare by notification in the *Gazette* that any appointment and promotion of an officer or class of officers as he thinks fit, and determination of an appointment, dismissal and disciplinary control of persons appointed as such officers, shall be vested in the Board acting on the advice of the Public Service Commission, and upon the declaration the Board shall exercise those functions on the advice of the Public Service Commission.

(4) Notwithstanding this section, the Chief Executive Officer may appoint persons temporarily for a period not exceeding 2 months.

(5) The Board shall, with the approval of the Minister, prescribe the rates of remuneration payable to persons employed by the Board, and no persons so employed shall be paid otherwise than in accordance with those rates.

### **Officers not to be interested in contracts in Singapore**

**40.**—(1) No person shall be eligible for employment as an officer of the Board who has, directly or indirectly, by himself or his partner,



any share or interest in any contract with, for or on behalf of the Board.

(2) Any officer of the Board who has or acquires any such share or interest shall be liable in the discretion of the Board to summary dismissal without notice.

(3) No officer shall be deemed to have or acquire any such share or interest by reason only that —

- (a) he is or becomes a member of an incorporated company which owns land situated in Singapore or has a contract with or executes work for the Board; or
- (b) he has or acquires a share in any loan issued by the Board or in any security for the same.

### **Transfer of other officers of Singapore Improvement Trust**

**41.**—(1) As from 1st February 1960, every officer of the Singapore Improvement Trust, not being an officer exclusively engaged in the planning functions of the Singapore Improvement Trust, shall be deemed to be transferred to the service of the Board at the same rate of pay and, as near as may be, on the same conditions of service, as those on which he was employed by the Singapore Improvement Trust.

(2) Nothing in this section shall be deemed to affect the right of the Board to terminate the employment of any such officer transferred to the service of the Board or to vary his rate of pay or conditions of service in the manner and to the extent that the Singapore Improvement Trust could have done had he continued in the service of the Singapore Improvement Trust.

### **Pension schemes, provident fund, etc.**

**42.**—(1) Subject to the approval of the Minister, the Board may make rules for the establishment of a scheme or schemes for the payment of pensions, gratuities, provident fund or other superannuation benefits to such officers or classes of officers of the Board as the Board may determine, on their death or retirement from the service of the Board or on their otherwise leaving the service of the Board.

(2) The following provisions shall apply to any scheme established under this section:

- (a) no assurance on the life of any contributor under any such scheme, and no moneys or other benefits payable under any such assurance, and no payment made under any such scheme to any person who has been employed by the Board, shall be assignable or transferable, or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim whatsoever, other than a debt due to the Board or to the Government;
- (b) no donation by the Board or contribution by its officers made under any such scheme and no interest thereon shall be assignable or transferable or liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever other than a debt due to the Board or to the Government;
- (c) no such donation, contribution or interest shall be subject to the debts of the contributor, nor shall such donation, contribution or interest pass to the Official Assignee on the bankruptcy of the contributor, but, if the contributor is adjudicated a bankrupt or is declared insolvent by a court, the donation, contribution or interest shall, subject to the provisions of this Act, be deemed to be subject to a trust in favour of the persons entitled thereto on the death of the contributor;
- (d) the bankruptcy of a contributor shall not affect the making of deductions from the salary of the contributor in accordance with any such scheme, but such deductions shall continue to be made notwithstanding the provisions of any written law, and the portion of salary so deducted shall not be deemed to form part of his after-acquired property;
- (e) subject to the provisions of any such scheme, all moneys paid or payable under any such scheme on the death of a contributor shall be deemed to be subject to a trust in favour of the persons entitled thereto under the will or

intestacy of the deceased contributor, or under a nomination in such form as may be prescribed in the scheme, and shall not be deemed to form part of his estate or be subject to the payment of his debts but shall be deemed to be property passing on his death for the purposes of the Estate Duty Act (Cap. 96);

- (f) any contributor may by a memorandum under his hand appoint a trustee or trustees of the moneys payable on his death out of any such scheme and may make provision for the appointment of a new trustee or new trustees of such moneys and for the investment thereof; such a memorandum shall be in the form prescribed in the scheme and shall be deposited with the Board;
- (g) if at the time of the death of any contributor or at any time afterwards, there is no trustee of such moneys or it is expedient to appoint a new trustee or new trustees, then and in any such case a trustee or trustees or a new trustee or new trustees may be appointed by the High Court or a Judge thereof; and
- (h) the receipt of a trustee or trustees duly appointed, or in default of any such appointment and of written notice thereof to the Board, the receipt of the legal personal representative of a deceased contributor shall be a discharge to the Board for any moneys payable on his death out of any such scheme.

### **Retirement of non-eligible officers and employees transferred to the service of Board**

43. [*Repealed by Act 11/2003*]

### **Safeguarding of Municipal Provident Fund benefits**

44. [*Repealed by Act 11/2003*]

### **Public servants**

45. All members and officers of the Board shall be deemed to be public servants within the meaning of the Penal Code (Cap. 224).

**PART IV****SALE OF FLATS, HOUSES OR OTHER BUILDINGS****Power to sell and restrictions as to registration**

**46.**—(1) The Board may, with the approval of the Minister, sell any developed land or part thereof.

(2) The Registrar of Deeds and the Registrar of Titles shall not, without the written consent of the Board, register any assurance relating to any developed land or part thereof which has been sold under the provisions of this Part.

(3) The certificate of the Board that any developed land or part thereof has been sold under the provisions of this Part shall be conclusive evidence of that fact.

**Restrictions as to purchase**

**47.**—(1) No person shall be entitled to purchase any flat, house or other living accommodation sold subject to the provisions of this Part if such person, his spouse or any authorised occupier —

- (a) is the owner of any other flat, house, building or land or has an estate or interest therein; or
- (b) has, at any time within 30 months immediately prior to the date of making an application to the Board to purchase the same, or between the date of such application and the date of completion of the purchase of the flat, house or other living accommodation, sold any flat, house, building or land of which he was the owner, or divested himself of any interest therein.

*[13/75; 25/79]*

(2) Where a person purchases a flat, house or other living accommodation in contravention of subsection (1), he shall not present for registration under the provisions of the Registration of Deeds Act (Cap. 269) or the Land Titles Act (Cap. 157) the assurance of the flat, house or other living accommodation.

*[13/75]*

(2A) The Board shall on discovery of such a purchase —

- (a) serve a written notice upon the purchaser of the flat, house or other living accommodation of its intention to lodge with the Registrar of Deeds or the Registrar of Titles, as the case may be, an instrument under subsection (3) for the vesting in the Board of the title to or the estate or interest in that flat, house or other living accommodation; or
- (b) where no lease has been registered in favour of the purchaser, serve a written notice of the intention of the Board to terminate the agreement for a lease and to re-enter upon the flat, house or other living accommodation or part thereof in the name of the whole and thereupon any interest of the purchaser shall absolutely determine.

[13/75]

(2B) The purchaser may, within 14 days after the service of the notice, appeal to the Minister whose decision shall be final and shall not be called in question in any court.

[13/75]

(3) Where an appeal has been made to the Minister under subsection (2B), the Board shall not proceed to vest the title to or the estate or interest in the flat, house or other living accommodation in itself, or to repossess the flat, house or other living accommodation, until the appeal has been disposed of.

[13/75]

(4) The Registrar of Deeds or the Registrar of Titles, as the case may be, shall register any instrument, lodged under subsection (3), without being concerned to inquire into its regularity or validity.

(4A) Upon its registration the title to or the estate or interest in the flat, house or other living accommodation shall vest in the Board without further assurance free from all encumbrances (save such subsisting covenants, conditions or restrictions, if any, as may be binding on the Board) for such title, estate or interest as the Board would have had on the date of the registration of the instrument, if there had been no sale of the flat, house or other living accommodation.

(5) Upon the registration of such an instrument —

- (a) in the case of a flat, house or other living accommodation, registered under the provisions of the Registration of Deeds Act (Cap. 269), the Registrar of Deeds shall make an entry in the books of the registry that the flat, house or other living accommodation has vested in the Board in accordance with subsection (4A), and upon that entry being made, the flat, house or other living accommodation shall vest in the Board free from all encumbrances, subject to such subsisting covenants, conditions or restrictions, if any, as may be binding on the Board; or
- (b) in the case of a flat, house or other living accommodation, registered under the provisions of the Land Titles Act (Cap. 157), the flat, house or other living accommodation shall vest in the Board free from all encumbrances, subject to such subsisting covenants, conditions or restrictions, if any, as may be binding on the Board, and the Registrar of Titles shall cancel the registration of any mortgage, charge or lease thereby overreached.

(6) The Board may, in its discretion, forfeit any moneys paid or deposited in respect of the purchase of any flat, house or other living accommodation from the Board if the Board discovers that the person who has purchased or seeks to purchase the flat, house or other living accommodation has acted in contravention of subsection (1).

[13/75]

(7) The Board may, in its discretion or on the direction of the Minister, exempt any person or class of persons from all or any of the provisions of this section.

[12/82]

(8) Notwithstanding subsection (1), the Board may sell or lease a flat, house or other living accommodation to any person, notwithstanding that such person, his spouse or any authorised occupier has purchased or acquired, with the prior written consent of the Board, any commercial property not exceeding in value \$250,000 or such higher value as the Minister may allow, and that commercial

property is used or intended to be used by any such person for business purposes.

[25/79]

(9) Without prejudice to any other rights, contractual or otherwise, which the Board may exercise, the Board may cancel an application to the Board, whether registered before or after 5th September 1986, for the purchase of a flat, house or other living accommodation where —

- (a) the applicant has made any misrepresentation of a material fact or false statement in a material particular, whether innocently or otherwise, in relation to his application;
- (b) the applicant, his spouse or any person above the age of 14 years listed in his application as intending to reside in the premises applied for has been convicted of an offence under section 304A, 336, 337 or 338 of the Penal Code (Cap. 224) in connection with the throwing of any matter or thing from any property belonging to, sold by or leased from the Board;
- (c) the applicant has paid in full or partially the purchase price or any loan for the purchase of the flat, house or other living accommodation with any cash grant made by the Government to the owner and paid into the owner's account with the Central Provident Fund pursuant to section 14 of the Central Provident Fund Act (Cap. 36) and the applicant fails or refuses to return the money to the Government when he is required to do so under the terms of the grant; or
- (d) the applicant, his spouse or any person listed in his application as intending to reside in the premises applied for has been convicted of an offence under any written law relating to immigration for giving food or shelter to any person who has entered, remained or stayed in Singapore in contravention of any written law relating to immigration or for assisting such person in any way to evade apprehension.

[21/86]

**Power to vary terms and conditions**

**48.**—(1) The Board shall have power to vary the terms and conditions of any application made by an applicant and registered with the Board, whether before or after 5th September 1986, for the sale and purchase of any flat, house or other living accommodation sold subject to the provisions of this Part.

[21/86]

(2) Where an applicant refuses or fails to accept the terms and conditions as varied by the Board under subsection (1), the Board may cancel his application and refund the deposit and administrative fees paid by the applicant.

[21/86]

(3) No proceedings shall be instituted in any court by the applicant against the Board to recover any loss suffered, directly or indirectly, by the applicant arising out of or caused by the cancellation of his application under subsection (2).

[21/86]

**Board and lessees to be discharged from certain restrictive covenant**

**48A.**—(1) Notwithstanding the provisions of any written law but subject to subsection (3), the Board and every lessee of any flat comprised in any building comprising flats sold by the Board shall be discharged, respectively, from the following covenant:

(a) in the case of a lessee, from any covenant in the lease —

- (i) restricting or prohibiting the use of the flat for any trade, business, manufacture or commercial purpose;
- (ii) prohibiting the erection or putting up of any signboard, advertisement, billboard or other sign on the exterior of the flat; or
- (iii) which would impede the reasonable use of that flat for any commercial purpose; and

(b) in the case of the Board, from any covenant in the lease requiring the Board —



- (i) to grant any lease of any other flat comprised in that same building subject to any covenant referred to in paragraph (a)(i), (ii) or (iii); or
- (ii) to enforce any covenant referred to in paragraph (a)(i), (ii) or (iii) on behalf of any lessee of any flat comprised in that same building.

[21/2000; 31/2002]

(2) No proceedings shall be instituted in any court by any person entitled (whether before or after 1st April 1992) to the benefit of any covenant referred to in subsection (1) to recover any loss or disadvantage suffered by that person in consequence of the discharge of that covenant.

[19/92; 21/2000]

(3) Notwithstanding subsection (1), a lessee shall not use or allow to be used his flat or any part thereof for any purpose that is not permitted by the lease unless he has the prior written approval of the Board.

[31/2002]

### **Execution of sale and other instruments by Board on behalf of certain purchasers of flats**

**48B.**—(1) Where —

- (a) a flat is sold by the Board to any person under this Part or a loan is granted by the Board to any person under section 13(d); and
- (b) the person has failed, refused or neglected to execute any instrument relating to the sale or mortgage of the flat required for registration under the Land Titles Act (Cap. 157) or the Registration of Deeds Act (Cap. 269) after the Board has sent a notice requiring him to execute the instrument,

the Board may execute the instrument on behalf of the person.

[19/92]

(2) The Board shall be deemed to be the duly appointed attorney of the person referred to in subsection (1) for the purpose of effectuating any sale or mortgage of the flat under the instrument that is required

to be registered under the Land Titles Act or the Registration of Deeds Act.

[19/92]

(3) The execution of any instrument under subsection (1) by the Board on behalf of the lessee, assignee or mortgagor of any flat comprised in the instrument shall be deemed to have been properly effected.

[19/92]

(4) The Registrar of Titles, the Registrar of Deeds and any purchaser of the flat shall not be concerned to enquire into the regularity or validity of the instrument referred to in subsection (3) in so far as it affects the Board's execution of the instrument in its representative capacity under this section.

[19/92]

### **Special provisions**

**49.**—(1) Where —

- (a) a flat is sold by the Board to any person under the provisions of this Part; or
- (b) any estate or interest in such flat is —
  - (i) subsequently transferred by or to any person with the written consent of the Board; or
  - (ii) surrendered to the Board,

and a solicitor is not employed by such person to act for him in the transaction, the Board may by its duly authorised officer act for such person.

[4/78]

(2) Where the Board acts for such person as is mentioned in subsection (1), then for the purposes of the registration of any instrument relating to the sale of the flat or the transaction in respect of the flat —

- (a) in the case of an instrument which is required to be registered under the Registration of Deeds Act (Cap. 269), section 11 of that Act shall not apply if a duly authorised officer of the Board certifies that such flat has been sold under the provisions of this Part; and

(b) in the case of an instrument which is required to be registered under the provisions of the Land Titles Act (Cap. 157), a certificate of an officer of the Board duly authorised by the Board to act for such person as is mentioned in subsection (1) shall be sufficient for the purposes of section 59(3) of that Act.

[4/78]

(3) In this section —

“flat” means any flat, house or other building or living accommodation sold by the Board under the provisions of this Part;

“transfer”, with reference to a flat, means the conveyance, sale, purchase, assignment, mortgage, charge or the disposal in any manner of any estate or interest in a flat and includes a discharge of a mortgage, or a reconveyance, or the devolution of the rights of a deceased owner of a flat to another person, and “transferred” shall be construed accordingly.

[4/78]

(4) Section 33 of the Legal Profession Act (Cap. 161) shall not apply to any officer of the Board acting for any party to the transactions referred to in subsection (1).

[4/78]

### **Prohibition of sale within minimum occupation period, etc.**

**49A.**—(1) Except with the prior written consent of the Board, no owner of any flat, house or other building which has been sold by the Board under the provisions of this Part shall, within the prescribed minimum occupation period, by contract, agreement or otherwise, sell or agree to sell his flat, house or other building or any estate or interest therein to any other person.

[41/98]

(2) Unless otherwise authorised by the Board, every contract, agreement or other document relating to the sale of any such flat, house or other building which is made between the owner of the flat, house or other building and a purchaser other than the Board shall be in the prescribed form.

[41/98]

(3) Any contract, agreement or other document which is made on or after 20th November 1998 in contravention of subsection (1) or (2) shall be null and void.

[41/98]

**Flat, house or other building not to be sold, mortgaged, etc., without consent of Board**

**50.**—(1) No flat, house or other building which has been sold by the Board under the provisions of this Part shall be sold, leased, mortgaged or disposed of without the prior written consent of the Board.

[15/71]

(2) Where any assignment, mortgage, transfer, charge or lease of any such flat, house or other building which is executed by or on behalf of the owner thereof without the prior written consent of the Board is registered under the provisions of the Registration of Deeds Act (Cap. 269) or the Land Titles Act (Cap. 157), the Board may, by an instrument lodged with the Registrar of Deeds or the Registrar of Titles, as the case may be, declare such assignment, mortgage, transfer, charge or lease to be void.

[13/75]

(3) The Registrar of Deeds or the Registrar of Titles, as the case may be, shall register the instrument without being concerned to inquire into its regularity or validity, and upon registration thereof shall cancel the registration of any such assignment, mortgage, transfer, charge or lease.

[13/75]

(4) Any assignment, mortgage, transfer, charge or lease by an owner of a flat, house or other building sold subject to the provisions of this Part which would not be void but for this section, shall be deemed to be valid for the purposes of any legal proceedings instituted by the Board under sections 55, 56 and 61.

[13/75]

**Purchase of flats, houses and other living accommodation by bodies corporate**

**50A.**—(1) Notwithstanding section 47, the Minister may, by order published in the *Gazette*, declare any body corporate established by

any written law to be entitled to purchase any flat, house or other living accommodation sold subject to the provisions of this Part.

[17/96]

(2) Where an order is made under subsection (1) in relation to any body corporate, the provisions of this Part shall apply with such modifications as may be specified in the order.

[17/96]

**Property not to be used as security or attached, etc., and no trust in respect thereof to be created without approval of Board**

**51.**—(1) Subject to subsection (4), any contract or agreement to directly or indirectly use protected property (or the proceeds of sale of protected property) as security or collateral for any debt, obligation or claim shall be null and void.

(2) Any act (including the deposit of title deeds), deed, instrument or document that purports to protect rights under or give effect to any contract or agreement that is null and void under subsection (1) shall be of no effect and shall not result in or create any interest in land or be capable of being registered under the provisions of the Registration of Deeds Act (Cap. 269) or the Land Titles Act (Cap. 157).

(3) Where any deed, instrument or document referred to in subsection (2) is registered under the provisions of the Registration of Deeds Act or the Land Titles Act —

- (a) the Board may, by an instrument lodged with the Registrar of Deeds or the Registrar of Titles, as the case may be, declare such deed, instrument or document to be null and void; and
- (b) the Registrar of Deeds or the Registrar of Titles shall register the instrument lodged by the Board under paragraph (a) without being concerned to inquire into its regularity or validity, and upon registration thereof shall cancel the registration of such deed, instrument or document declared by the Board to be null and void.

(4) Subsection (1) does not apply if the security or collateral is to be created or granted in favour of —

- (a) the Board;
  - (b) an approved financial institution; or
  - (c) any person or person belonging to a class of persons prescribed by the Minister as a person to whom, or a class of persons to which, subsection (1) will not apply.
- (5) No protected property shall vest in the Official Assignee on the bankruptcy of the owner thereof.
- (6) No protected property shall be attached in execution of an order of any court unless the order of the court is obtained by —
- (a) a mortgagee in exercise of his rights under a mortgage created with the prior written consent of the Board over that property; or
  - (b) a chargee in exercise of his rights under a charge under any written law over that property.
- (7) Subsections (5) and (6) shall not apply if the sole owner of any protected property is not a citizen of Singapore or, where there is more than one owner, all the owners are not citizens of Singapore.
- (8) No trust in respect of any protected property shall be created by the owner thereof without the prior written approval of the Board.
- (9) Every trust which purports to be created in respect of any protected property without the prior written approval of the Board shall be null and void.
- (10) No person shall become entitled to any protected property (or any interest in such property) under any resulting trust or constructive trust whensoever created or arising.
- (11) In this section —
- “approved financial institution” means —
- (a) any bank licensed under the Banking Act (Cap. 19);
  - (b) any finance company licensed under the Finance Companies Act (Cap. 108);
  - (c) any direct insurer registered under the Insurance Act (Cap. 142); and

- (d) any merchant bank approved as a financial institution under the Monetary Authority of Singapore Act (Cap. 186);

“proceeds of sale”, in relation to any property, means the proceeds from any transaction involving the sale, transfer, conveyance, assignment, mortgage, charge or the disposal in any manner of the property or an estate or interest in the property;

“protected property” means any flat, house or other building that has been sold by the Board under the provisions of this Part;

“Registrar of Deeds” means the Registrar of Deeds appointed under the Registration of Deeds Act (Cap. 269) and includes any Deputy Registrar of Deeds;

“Registrar of Titles” means the Registrar of Titles appointed under the Land Titles Act (Cap. 157) and includes any Deputy Registrar of Titles and Assistant Registrar of Titles.

*[18/2010 wef 11/08/2010]*

### **Transfer of flat, house or other building on death of owner**

**52.**—(1) The transmission on the death of the owner, whether testate or intestate, or any transfer by the personal representatives of a deceased owner of a flat, house or other building that has been sold subject to the provisions of this Part shall not be registered under the provisions of the Registration of Deeds Act or the Land Titles Act without the written consent of the Board.

*[13/75]*

(1A) Where the Board refuses to give its consent, the Board may lodge an instrument with the Registrar of Deeds or the Registrar of Titles, as the case may be, to have the flat, house or other building vested in the Board.

*[13/75]*

(2) Where —

- (a) no representation has been taken out under a will or on the intestacy of a deceased owner of a flat, house or other building within 12 months from the death of the owner;

- (b) representation has been taken out but the personal representatives do not apply for the written consent of the Board for the transmission or transfer of the flat, house or other building within 6 months from the date of representation; or
- (c) representation has been taken out and the personal representatives have the written consent of the Board referred to in paragraph (b), but the sale or transfer of the flat, house or other building is not completed within 12 months from the date of that written consent,

*[29/2005 wef 15/09/2005]*

the Board may lodge an instrument with the Registrar of Deeds or the Registrar of Titles, as the case may be, to have the flat, house or other building vested in the Board.

*[13/75]*

(3) Where, on the death of the owner of a flat, house or other building that has been sold subject to the provisions of this Part —

- (a) the lease in favour of the owner has not been registered under the provisions of the Registration of Deeds Act (Cap. 269) or the Land Titles Act (Cap. 157); or
- (b) no representation has been taken out under a will or on the intestacy of a deceased owner of such flat, house or other building within 12 months from the death of the owner,

the Board may rescind the agreement for the lease of such flat, house or other building.

*[13/75]*

(4) Where the Board decides to lodge an instrument under subsection (1A) or (2) to have the flat, house or other building vested in itself or to rescind an agreement for a lease under subsection (3), the Board shall —

- (a) serve a written notice on the personal representatives of the deceased owner of, and on all persons known or believed to have an interest or estate in, the flat, house or other building; and



- (b) in the case where no representation is taken out, serve a notice on the flat, house or other building and on all persons known or believed to have an interest or estate in the flat, house or other building,

of its intention to lodge with the Registrar of Deeds or the Registrar of Titles, as the case may be, an instrument of vesting under subsection (1A) or (2) or of its decision to rescind the agreement for a lease and of the compensation to be paid therefor and the date on which the instrument will be lodged, or the date the rescission is to take effect, not being a date earlier than 28 days after the date of the service of the notice.

[13/75]

(5) The personal representatives and any person who is interested in the estate of the deceased owner may, within 28 days after the date of the service of the notice, appeal to the Minister whose decision shall be final and shall not be called in question in any court.

[13/75]

(6) Where an appeal is made to the Minister pursuant to subsection (5), the Board shall not proceed to lodge an instrument of vesting under subsection (1A) or (2) until the appeal is disposed of.

[13/75]

(7) The Registrar of Deeds or the Registrar of Titles, as the case may be, shall register any instrument lodged under subsection (1A) or (2) without being concerned to inquire into its regularity or validity and —

(a) in the case of a flat, house or other building registered under the provisions of the Registration of Deeds Act (Cap. 269), the Registrar of Deeds shall make an entry in the books of the Registry that the flat, house or other building has been vested in the Board; and

(b) in the case of a flat, house or other building registered under the provisions of the Land Titles Act (Cap. 157), the Registrar of Titles shall register the instrument on the relevant folio of the land-register without the necessity of the production of the duplicate certificate of title.

[13/75]

(7A) Upon the making of the entry or upon registration under subsection (7)(a) or (b), the title to and the estate or interest in the flat, house or other building shall vest in the Board free from all encumbrances, subject to such subsisting covenants, conditions or restrictions, if any, as may be binding on the Board, and the Registrar of Deeds or the Registrar of Titles, as the case may be, shall cancel the registration of any mortgage, charge or lease thereby overreached.

[13/75]

(8) Where an appeal has been determined by the Minister or on the expiry of a period of 28 days after the service of the notice referred to in subsection (4) and —

- (a) the personal representatives do not consent to receive the compensation;
- (b) where representation has not been taken out under a will or intestacy of the deceased owner; or
- (c) where there are conflicting claims to the compensation to be paid by the Board,

the Board shall apply to the High Court *ex parte* by originating summons, supported by an affidavit, for an order to deposit the amount of the compensation in Court and, notwithstanding anything to the contrary in the Rules of Court for the time being in force, the High Court may make such an order.

[13/75]

(9) The compensation to be paid by the Board for any flat, house or other building vested in the Board under this section shall be determined by the Board.

[13/75]

### **Establishment of management corporations**

**53.**—(1) The owners of flats in any building of the Board shall, as soon as possible after they are directed by the Board in writing, establish a body corporate under the name of “The Management Corporation for flat numbers . . . of the Housing and Development Board building situate in Lot number . . . in Town Sub-Division or Mukim . . .”.

(2) The Board shall not, without the prior approval in writing of the Minister and without consulting all the owners of the flats in any building, make any direction, under subsection (1), upon owners of the flats of the Board in any building.

(3) Where a direction of the Board under subsection (1) is not carried out, the Board may, with the approval of the Minister, by notification in the *Gazette*, authorise a company, incorporated under the provisions of any written law for the time being in force relating to companies, to exercise the functions, duties and powers of a management corporation.

(4) The Board may, in its discretion, with the approval of the Minister, by notification in the *Gazette* revoke any authorisation granted to a company under subsection (3) without assigning any reason.

(5) A management corporation shall be constituted by an order made by the Minister, which shall be published in the *Gazette*.

(6) Upon the constitution of a management corporation and so long as one exists in relation to a building, every owner of a flat in the building shall be —

- (a) a member of the management corporation; and
- (b) entitled to such voting rights as may be prescribed.

(7) A management corporation, constituted under subsection (5), shall have perpetual succession and may sue and be sued in its name and do all other matters and things incidental or appertaining to a body corporate and not inconsistent with the provisions of this Act.

(8) A management corporation shall establish and maintain a fund for administrative purposes sufficient in the opinion of the corporation for the control, management and administration of the common property, for the payment of any rent, rates and premiums of insurance and the discharge of any other obligations of the corporation.

(9) For the purposes of establishing and maintaining a fund in accordance with subsection (8), the management corporation may —

- (a) determine from time to time the amounts to be raised for the purposes referred to in that subsection;
  - (b) raise amounts so determined by levying contributions on the owners in such proportions as may be prescribed; and
  - (c) recover from any owner by an action in any court of competent jurisdiction any sum of money expended by the management corporation for rents, rates, premiums, maintenance or conservancy, or for repairs to his flat done by the management corporation or at its direction.
- (10) Subject to subsection (13), any contribution levied under subsection (9) shall be due and be payable —
- (a) on the passing of a resolution to that effect and in accordance with the terms of that resolution; or
  - (b) if the Board or a company, as the case may be, is performing the functions of a management corporation and has been vested with its powers, under section 54 on the service of a written notice and in accordance with the terms of that notice.
- (11) Any such contribution may be recovered by the management corporation or the company, as the case may be, in an action in any court of competent jurisdiction from the owner of the flat at the time when the resolution or notice, as the case may be, was passed or served and from the owner of the flat at the time when the action is instituted, both jointly and severally.
- (12) A certificate of the Board shall be conclusive evidence of the amount that may be due to the Board under subsection (10).
- (13) A management corporation shall, on the application of any owner of a flat or any person authorised in writing by him, certify —
- (a) the amount determined as the contribution of the owner;
  - (b) the manner in which that contribution is payable;
  - (c) the extent to which his contribution has been paid by the owner; and

(d) the amount of any rates paid by the management corporation and not recovered by it.

(14) In favour of any person dealing with the owner referred to in subsection (13), such a certificate shall be conclusive evidence of the matters certified therein.

(15) A management corporation constituted under subsection (5) shall not be wound up except by an order made by the Minister cancelling the order by which it was constituted.

(16) Such an order shall be published in the *Gazette* and shall provide for the winding up of the management corporation and for its dissolution.

### **Board or company may exercise powers of management corporation**

**54.** The functions and duties of a management corporation may be performed and its powers shall be vested and may be exercised by —

- (a) the Board —
  - (i) where a management corporation has not been constituted under section 53(5); or
  - (ii) where a management corporation, which had been constituted under section 53(5), has been wound up by an order under section 53(15); or
- (b) a company authorised by the Board under section 53(3).

### **Determination of lease**

**55.—**(1) Where a flat, house or other building has been sold by the Board under the provisions of this Act, the Board may re-enter upon the flat, house or other building or part thereof in the name of the whole and thereupon the lease shall absolutely determine —

- (a) if the rent reserved by the lease or any part thereof is unpaid for 3 calendar months after becoming payable and the Board has sent a demand in writing by registered post addressed to the purchaser at the flat, house or other

- building (whether the demand has been received by the owner or not);
- (b) if the owner has committed any breach of a condition against assigning, underletting or parting with possession of the flat, house or other building or any part thereof or has committed a breach of any other condition the breach of which is not capable of remedy and the Board has sent a notice in writing by registered post addressed to the owner or purchaser at the flat, house or other building (whether the notice has been received or not);
  - (c) if any condition (being a condition the breach of which is capable of remedy) on the part of the owner is not performed or observed within 2 weeks after a notice in writing has been sent by the Board to the owner addressed to the owner at the flat, house or other building drawing the attention of the owner to the non-performance or non-observance of the condition (whether the demand has been received by the owner or not);
  - (d) if the owner has submitted a false statement in his application form for the purchase of the flat, house or other building;
  - (e) if the owner has, in the opinion of the Board, committed a breach of any of the rules made under section 65(1)(f); or
  - (f) if the owner has, without the prior written approval of the Board, used or allowed the use of the flat, house or other building otherwise than for the purpose permitted by the lease.

[31/2002]

(2) Any determination of a lease under subsection (1) shall be without prejudice to any right of action or remedy of the Board in respect of any such breach or any other breach of the conditions contained in the lease.

**Board may compulsorily acquire property sold subject to the provisions of this Part**

**56.—(1)** The Board may compulsorily acquire any flat, house or other living accommodation sold subject to the provisions of this Part, whether before or after 2nd June 1975 —

- (a) if the owner thereof and his spouse, if any, has, in the opinion of the Board, ceased to occupy the same;
- (b) if the owner thereof, his spouse or any authorised occupier has at any time, whether before or after 2nd June 1975, acquired whether by operation of law or otherwise any title to or an estate or interest in any other flat, house or building or land;
- (c) if the flat, house or other living accommodation has, without the prior written approval of the Board, been used otherwise than for the purpose permitted by the lease;
- (d) if the owner thereof has permitted any person other than an authorised occupier to reside or stay in the flat, house or other living accommodation;
- (e) if the owner thereof has failed to perform or observe any condition contained in the lease to be performed or observed on the part of the owner after a notice in writing has been sent by the Board drawing his attention to the non-performance or non-observance of the condition in the lease;
- (f) if the owner thereof has made a misleading or false statement in his application to the Board for the purchase of the same;
- (g) if the owner thereof has made a misrepresentation of a material fact, whether innocently or otherwise, to the Board relating to the purchase of the flat, house or other living accommodation;
- (h) if the owner thereof assigns, underlets or parts with the possession of the same or any part thereof without

obtaining the prior written consent of the Board as required by the lease;

- (i) if, in the opinion of the Board, the flat, house or other living accommodation is not being occupied by such minimum number of persons or by such persons as the Board may require;
- (j) if the owner thereof has at any time, whether before or after 2nd June 1975, ceased to be a citizen of Singapore or if the owner thereof has, at any time whether before or after 1st May 1982, ceased to be a permanent resident of Singapore;
- (k) if the rent or any payment or any part thereof due to the Board reserved under the lease or mortgage remains unpaid for 3 calendar months after it is due and payable and the Board has sent a notice of demand in writing to the owner thereof;
- (l) if the purchase price or any loan for the purchase of the flat, house or other living accommodation has been paid in full or partially with any cash grant made by the Government to the owner and paid into the owner's account with the Central Provident Fund pursuant to section 14 of the Central Provident Fund Act (Cap. 36) and the owner refuses or fails to return the money to the Government when he is required to do so under the terms of the grant;
- (m) if the owner thereof, his spouse or any authorised occupier above the age of 14 years has on or after 1st March 1984 been convicted of an offence under section 304A, 336, 337 or 338 of the Penal Code (Cap. 224) in connection with the throwing of any matter or thing from any property belonging to, sold by or leased from, the Board; or
- (n) if the owner thereof, his spouse or any authorised occupier has been convicted of an offence under any written law relating to immigration for giving food or shelter to any person who has entered, remained or stayed in Singapore in contravention of any written law relating to immigration



or for assisting such person in any way to evade apprehension.

*[13/75; 25/79; 12/82; 21/86; 31/2002]*

(2) Subsection (1)(b) shall not apply to any owner or his spouse or any authorised occupier who has purchased or acquired, with the prior written consent of the Board, any commercial property not exceeding in value \$250,000 or such higher value as the Minister may allow, and that commercial property is used or intended to be used by any such person for business purposes.

*[25/79]*

(3) Where the Board intends to exercise its powers of compulsory acquisition conferred by this section, the Board shall serve a notice in writing on the owner of the flat, house or other living accommodation and all persons known or believed to be interested in claiming all or any part of the compensation to be paid for the flat, house or other living accommodation (referred to in this Part as an interested person) stating the intention of the Board to acquire the premises and the compensation to be paid therefor.

*[13/75]*

(4) Any owner or interested person who objects to a proposed acquisition by the Board may, within 28 days after the service of a notice referred to in subsection (3), submit in writing to the Board precisely the grounds upon which he objects to the acquisition and the compensation offered by the Board.

*[13/75]*

(5) The Board shall consider the objection and may either disallow it or allow it either wholly or in part, and shall serve the owner or interested person by post or otherwise with a written notice of its decision.

*[13/75]*

(6) Any appeal by any owner or interested person aggrieved by the decision of the Board shall be made to the Minister within 28 days after the date of service of such decision on the owner or interested person and the decision of the Minister shall be final and not open to review or challenge on any ground whatsoever.

*[21/86]*

(7) This section shall not limit or affect the powers conferred upon the Board by any other provision of this Act or under any other

written law to exercise its right of forfeiture and right of re-entry for a breach of the conditions of a lease.

[13/75]

(8) The compensation to be paid by the Board for any flat, house or other living accommodation compulsorily acquired by the Board under this section shall be determined by the Board.

[13/75]

(9) The Minister may direct the Board to exempt any person or class of persons from all or any of the provisions of this section.

[12/82]

### **Vesting of acquired property in Board**

**57.—**(1) When the Board has made a decision under section 56 to compulsorily acquire a flat, house or other living accommodation, the Board may —

- (a) lodge an instrument with the Registrar of Deeds or the Registrar of Titles, as the case may be, for the vesting in the Board of the title to or the estate or interest in that flat, house or other living accommodation —
  - (i) in the case where no objection has been made pursuant to section 56(4), on the expiry of a period of 28 days after the date of service of the notice referred to in section 56(3); and
  - (ii) in the case where an appeal has been made to the Minister, at any time after the appeal has been determined by the Minister or when the appeal is withdrawn, as the case may be; and
- (b) in the case where no lease has been registered in favour of the owner, serve a written notice to terminate the agreement for a lease and to re-possess the flat, house or other living accommodation or part thereof in the name of the whole and thereupon any interest of the purchaser shall absolutely determine.

[13/75; 25/79]

(2) The Registrar of Deeds or the Registrar of Titles, as the case may be, shall register any instrument lodged under subsection (1)

without being concerned to inquire into its regularity or validity and —

- (a) in the case of a flat, house or other living accommodation registered under the provisions of the Registration of Deeds Act (Cap. 269), the Registrar of Deeds shall make an entry in the books of the Registry that the flat, house or other living accommodation has been vested in the Board; or
- (b) in the case of a flat, house or other living accommodation registered under the provisions of the Land Titles Act (Cap. 157), the Registrar of Titles shall register the instrument on the relevant folio of the land-register without the necessity of the production of the duplicate certificate of title.

[13/75]

(3) Upon the making of the entry or upon registration under subsection (2)(a) or (b), the title to and the estate or interest in the flat, house or other living accommodation shall vest in the Board free from all encumbrances, subject to such subsisting covenants, conditions or restrictions, if any, as may be binding on the Board, and the Registrar of Deeds or the Registrar of Titles, as the case may be, shall cancel the registration of any mortgage, charge or lease thereby overreached.

[13/75]

### **Payment of compensation**

**58.**—(1) The Board shall pay the compensation determined by the Board or varied by the Minister on an appeal to an owner or to both an owner and an interested person in such proportion as the Board may decide or as may be varied by the Minister.

[30/84]

(2) Where any person entitled to the compensation refuses to accept it or cannot with due diligence be found or where there is any dispute as to the apportionment of the compensation, the Board shall apply to the High Court *ex parte* by originating summons, supported by an affidavit for an order to deposit the amount of compensation or any

part thereof in Court and, notwithstanding anything to the contrary in the Rules of Court, the High Court may make such an order.

[30/84]

(3) The Board may withhold any compensation payable in respect of any flat, house or other living accommodation vested in the Board under this Act to any person until the Board has taken possession of the flat, house or other living accommodation.

[13/75]

### **Taking possession**

**59.**—(1) Where any flat, house or other living accommodation has been vested in the Board pursuant to section 47, 52 or 57, the Board may proceed to take possession of the flat, house or other living accommodation on the expiry of a period of 30 days after the service of a notice on the owner thereof.

[13/75]

(2) If any of the officers of the Board is opposed or impeded in taking possession under this section of any flat, house or other living accommodation, the Board may take such measures (including the calling for the assistance of the police) as are necessary to have the occupants evicted from and to enforce the surrender of the flat, house or other living accommodation and to remove all things and other movable property found therein.

[13/75]

### **Giving false information**

**60.** Any person who —

- (a) in relation to the purchase, mortgage, sale or transfer by such person or any other person of a flat, house or other living accommodation; or
- (b) in relation to any application (whether by the person or on behalf of another) to the Board for its permission, consent, approval or licence under this Act or any subsidiary legislation made thereunder,

makes (whether orally, electronically, in writing or otherwise) any statement to the Board which is false, and which he either knows or believes to be false or does not believe to be true, 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 6 months or to both.

*[29/2005 wef 15/09/2005]*

### **Unauthorised subletting**

**61.**—(1) Any person who, being the lessee of a flat, house or other living accommodation sold by the Board subject to the provisions of this Part, assigns, underlets or parts with the possession of the flat, house or other living accommodation or any part thereof without obtaining the prior consent of the Board as required by the lease 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 6 months or to both.

*[13/75]*

(2) Any person who abets the commission of an offence under this section shall be punished with the punishment provided for the offence.

*[13/75]*

### **Direction of Minister to be conclusive evidence**

**62.**—(1) If any dispute arises or should a ruling be required as to whether any property is a commercial property within the meaning of this Act, a direction by the Minister to the effect that the property is, or is not, a commercial property shall be conclusive evidence for all purposes.

*[25/79]*

(2) Every direction under subsection (1) shall be final and shall not be called in question in any court or tribunal.

*[25/79]*

### **Direction by Board to remove any article or object placed in a manner likely to cause damage to property, etc.**

**63.**—(1) The Board may by notice in writing direct any owner, lessee or occupier of any flat, house or other living accommodation sold or leased under the provisions of this Act to remove any article or object placed by any window or on any balcony of or outside such

premises in a manner which is likely to cause any damage to property or injury to life.

[21/86]

(2) Any person who fails to comply with the direction of the Board given under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 and, in the case of a continuing offence, to a further fine of \$100 for every day during which the offence continues after conviction.

[21/86]

### **Notice to quit, etc., not waived by payment made to Board**

**64.** Where the Board has given notice to quit or notice of breach of condition, covenant or undertaking under a lease or licence agreement or any other agreement or notice of intention to compulsorily acquire, forfeit or re-enter any property provided under this Act, any money paid to the Board after such notice has been given shall not be construed as a waiver of such breach or intention to compulsorily acquire, to terminate a lease or licence agreement or to forfeit or re-enter.

[21/86]

### **Power to make rules**

**65.—**(1) The Minister may make rules for giving effect to the provisions of this Part and, in particular, for or with respect to all or any of the following matters:

- (a) the terms and conditions for the sale of any flat, house or other building under the provisions of this Part;
- (aa) the terms and conditions which the Board may impose in granting its consent under section 50 to any sale, lease, mortgage or disposal of a flat, house or other building; and those rules may provide that in specified circumstances, the Board shall be deemed for the purposes of that section to have granted its prior written consent subject to such terms and conditions;
- (b) the person to whom the flat, house or other building may be sold and the persons who are allowed to stay in it, including the qualifications as to income, the minimum

number in the family, citizenship of and ownership of any other properties by all or any such persons;

- (c) a scheme of savings, by a prospective purchaser of a flat, house or other building, with the Board for the first minimum payment on a flat, house or other building;
- (d) the minimum first payment on the purchase of a flat, house or other building and the maximum period that may be allowed for the payment of the balance of the purchase price, together with the prescribed interest;
- (e) the functions, duties and powers of a management corporation;
- (f) regulating the use, management and control of flats, houses or other buildings of the Board, that have been sold under the provisions of this Part, and the common property;
- (g) prescribing the fees to be charged by the Board for acting for any person in the sale, purchase, transmission of the interest of a deceased owner, transfer, assignment, mortgage, discharge of a mortgage, reconveyance or surrender, of a flat sold under the provisions of this Part or for acting for any surviving joint owner of such a flat in his application to register his entitlement consequent upon the death of the other joint owner; and
- (h) prescribing the penalty (such penalty, if unpaid, to constitute a debt due to the Board and be recoverable as such) to be paid by the owner of any flat, house or other living accommodation sold under the provisions of this Part or by any applicant for any such flat, house or other living accommodation for non-observance or non-compliance with any of the restrictions, conditions or requirements of section 47, 55 or 56 where the Board does not institute proceedings against him under any of those sections.

[15/71; 13/75; 4/78; 25/79; 20/80; 31/2002]

(2) All such rules shall be presented to Parliament as soon as possible after publication in the *Gazette*.

## PART IVA

## UPGRADING WORKS IN PRECINCTS

**Interpretation of this Part**

**65A.** In this Part, unless the context otherwise requires —

“flat” does not include such property as may be prescribed;

“flat upgrading works” means —

- (a) such items of upgrading works as are specified by the Board to be carried out —
  - (i) within a flat comprised in a building;
  - (ii) within a building or any part thereof not comprised in a flat for the provision of a service in relation to water, sewerage, drainage, gas, electricity, garbage or conditioned air, or other services relating to telephone, radio, television or any other means of telecommunication, that are reasonably necessary for or connected with the enjoyment of any flat comprised in such a building; or
- (b) such other items of upgrading works approved by the Minister, being works to be carried out within a building or any part thereof not comprised in a flat, to —
  - (i) facilitate the access to, and use of, the building and its facilities by persons with physical disabilities; or
  - (ii) improve the fire safety or other safety features of the building or such other performance requirements for buildings as may be prescribed by any other written law,

but does not include any specified upgrading works;

*[1/2008 wef 20/06/2008]*



“general upgrading works” means any upgrading works to be carried out in a precinct other than specified upgrading works, special upgrading works and flat upgrading works;

“improvement contribution” means the costs in respect of general upgrading works, specified upgrading works, special upgrading works or flat upgrading works that are recoverable by the Board from the owner of a flat or a Town Council under section 65D(2) or (2A), as the case may be;

“precinct” means a precinct declared by the Minister under section 65B;

“residential flat” means a flat which is permitted to be used pursuant to the Planning Act (Cap. 232) or any other written law wholly for the purpose of human habitation, and “non-residential flat” means any flat other than a residential flat;

“special upgrading works” means —

- (a) any items of work necessary or ancillary to installing any lift or additional lift within or in relation to any building or part thereof; or
- (b) such other items of upgrading works prescribed by the Minister, being works to be carried out within or in relation to any building or part thereof (other than any part comprised in a flat) within a precinct for the erection, construction or installation of functional facilities for the convenience of residents of that building in general or a section thereof;

“specified upgrading works” means such items of upgrading works specified by the Board to be carried out in a building or part thereof within a precinct as a result of which the floor area of a flat in the building will be increased, but does not include any special upgrading works and flat upgrading works;

*[1/2008 wef 20/06/2008]*

“Town Council” means a Town Council established under the Town Councils Act (Cap. 329A);

“transfer” means a conveyance, sale, purchase, assignment, legal or equitable mortgage, charge, surrender or disposal in any manner of any estate or interest in a flat and includes a discharge of a mortgage, a reconveyance or the devolution of the rights of a deceased owner of a flat to another person;

“upgrading works” includes any building operations, repair, demolition or installation works carried out for the purposes of improving or upgrading any flat, building or land and any addition to, or alteration in, landlord’s fixtures and fittings;

“value”, in relation to a prescribed owner of any flat, means the value determined in the prescribed manner for that owner in respect of his vote.

[19/92, 16/95; 21/2000; 31/2002]

### **Declaration of precincts**

**65B.**—(1) The Minister may, after consulting the Board, from time to time by order published in the *Gazette*, declare any housing estate of the Board or any part thereof to be a precinct for the purposes of carrying out any upgrading works in the precinct.

[19/92]

(2) Any order made under subsection (1) shall include a plan with a description of the housing estate and the buildings within the precinct.

[19/92]

(3) The Minister may, by order published in the *Gazette*, revoke or amend any order made under subsection (1).

[19/92]

(4) In this section, any reference to the Minister shall include a reference to a Minister of State for the Ministry of National Development.

[23/2005 wef 15/08/2005]

### **Upgrading works in a precinct**

**65C.**—(1) Where a precinct has been declared under section 65B, the Board shall —

- (a) make arrangements to conduct in the manner prescribed a poll (in combination with another poll or otherwise) of prescribed owners of the flats within the precinct with a view to establishing their opinions about any proposal to carry out any of the following:
- (i) general upgrading works within the precinct together with specified upgrading works (if any) in any building within the precinct;
  - (ii) special upgrading works within a building, or in relation to more than one building, in the precinct;
  - (iii) flat upgrading works within any building in the precinct; and
- (b) do such other things as the Minister may direct.

*[1/2008 wef 20/06/2008]*

(1A) A poll conducted in connection with any proposal to carry out special upgrading works within a building, or in relation to more than one building, in a precinct shall be a poll of the prescribed owners of prescribed flats within the building or buildings, as the case may be, being flats the occupants of which directly benefit from the special upgrading works.

*[29/2005 wef 15/09/2005]*

(1B) A poll conducted in connection with any proposal to carry out any flat upgrading works within any building in a precinct shall be a poll of the prescribed owners of prescribed flats within the building.

*[1/2008 wef 20/06/2008]*

(2) The Board may, with the approval of the Minister, carry out general upgrading works within a precinct if it appears from a poll conducted under subsection (1)(a) of the prescribed owners of flats within the precinct that 75% or more of the total value in votes of all prescribed owners of all flats within the precinct have been cast in favour of the proposal to carry out those upgrading works.

*[16/95]*

(3) Where the Minister has approved the carrying out of general upgrading works in a precinct under subsection (2), and —

- (a) in the case of a building comprising wholly of residential flats — it appears from a poll conducted under

subsection (1)(a) of the prescribed owners of flats comprised in the building that 75% or more of the total value in votes of all prescribed owners of all flats in the building have been cast in favour of any proposal to carry out any specified upgrading works in the building; or

(b) in the case of a building comprising residential and non-residential flats —

(i) it appears from a poll conducted under subsection (1)(a) of the prescribed owners of residential flats comprised in the building that 75% or more of the total value in votes of all prescribed owners of all such residential flats have been cast in favour of any proposal to carry out any specified upgrading works in the part of the building comprising residential flats; and

(ii) it appears from another poll conducted under subsection (1)(a) of the prescribed owners of non-residential flats comprised in the same building that 75% or more of the total value in votes of all prescribed owners of all such non-residential flats have been cast in favour of any proposal to carry out any specified upgrading works in the part of the building comprising non-residential flats,

the Board may, with the further approval of the Minister, carry out those specified upgrading works in the building within the precinct.

[16/95]

(4) Notwithstanding subsection (3), where it appears from the polls referred to in subsection (3)(b) that the minimum percentage of value in votes have been cast in favour of the proposal to carry out any specified upgrading works in a building by the prescribed owners of residential flats in the building but not by the prescribed owners of non-residential flats comprised in that building, the Board may, with the approvals of the Minister referred to in subsection (3), carry out the specified upgrading works in the part of the building comprising residential flats.

[16/95]

(5) The poll referred to in subsection (3)(b)(ii) shall be conducted in relation to a building if it appears from the poll referred to in subsection (3)(b)(i) that 75% or more of the total value in votes of all prescribed owners of all residential flats in the building have been cast in favour of the proposal to carry out specified upgrading works in the part of the building comprising residential flats, but not otherwise.

[16/95]

(5A) The Board may, with the approval of the Minister, carry out special upgrading works within a building, or in relation to more than one building, within a precinct if, and only if —

- (a) it appears from a poll of the owners referred to in subsection (1A) that 75% or more of the total value in votes of such owners within the building or buildings, as the case may be, have been cast in favour of the proposal to carry out special upgrading works within that building or in relation to those buildings; and
- (b) where the proposal is for the special upgrading works to be carried out within or in relation to any building in the precinct together with any general upgrading works within the precinct, it also appears from a poll of prescribed owners referred to in subsection (2) that 75% or more of the total value in votes of all such owners of all flats within the precinct have been cast in favour of the proposal to carry out the general upgrading works in the precinct.

[29/2005 wef 15/09/2005]

(5B) The Board may, with the approval of the Minister, carry out any flat upgrading works within any building or buildings within a precinct if, and only if, it appears from a poll of the owners referred to in subsection (1B) that 75% or more of the total value in votes of such owners of flats within each such building have been cast in favour of the proposal to carry out the flat upgrading works within that building.

[1/2008 wef 20/06/2008]

(6) No poll shall be invalid by reason of any failure to comply with any provision of this Part or any rules made thereunder relating to the conduct of a poll if it appears that the poll was conducted in

accordance with the principles laid down in that provision, and that the failure did not affect the result of the poll.

[16/95]

(7) In this section, “owner” includes the Board in respect of any flat which the Board has not sold the leasehold interest therein.

[16/95]

(8) Any poll conducted by the Board before 1st April 1992 in any housing estate of the Board or any part thereof with a view to establishing the opinions of owners of the flats within the housing estate about proposals to carry out general upgrading works or specified upgrading works shall be deemed to be a poll conducted in accordance with this section.

[19/92]

### **Power to carry out upgrading works and to recover contribution**

**65D.**—(1) As soon as practicable after the Minister has given his approval under section 65C(2), (3), (5A) or (5B), the Board shall carry out, in such manner as the Board thinks fit —

- (a) the general upgrading works within the precinct and, where applicable, the specified upgrading works in any building within the precinct;
- (b) the special upgrading works within a building, or in relation to more than one building, in a precinct; or
- (c) the flat upgrading works within any building in the precinct,

as the case may be.

[1/2008 wef 20/06/2008]

(2) Where the Board has completed any general upgrading works or specified upgrading works in a precinct under this section, the Board may recover from —

- (a) the owner of every flat within the precinct the costs incurred by the Board in respect of the general upgrading works and the specified upgrading works (if any); and
- (b) the Town Council responsible for the maintenance of the common property within the precinct the costs incurred by

the Board in respect of the general upgrading works carried out on the common property.

[19/92]

(2A) Where the Board has completed any special upgrading works or flat upgrading works in a building in a precinct under this section, the Board may recover the costs incurred by the Board in respect of the special upgrading works or flat upgrading works from —

- (a) every owner of such flats in the building as are referred to in section 65C(1A) in the case of special upgrading works or section 65C(1B) in the case of flat upgrading works; and
- (b) the Town Council responsible for the maintenance of the common property comprised in the building if the special upgrading works or flat upgrading works have been carried out on such common property.

[21/2000]

[1/2008 wef 20/06/2008]

(3) The amount of improvement contribution payable by the owner of a flat and a Town Council under subsection (2) or (2A) shall be determined by the Board whose decision shall be final.

[19/92; 21/2000]

(4) In this section and section 65F, “owner”, in relation to any flat sold by the Board —

- (a) means the person who is the owner of the flat at the time the improvement contribution is determined by the Board under subsection (3); and
- (b) includes an equitable owner, a person who has purchased a leasehold interest in the flat and a purchaser under an agreement for a lease.

[19/92]

### **Direction of Minister to carry out upgrading works in certain circumstances**

**65E.**—(1) Notwithstanding anything in this Part, where the Minister considers that the living conditions in a precinct or the physical state and design of the buildings therein can be improved by the carrying out of any upgrading works, the Minister may direct the

Board to carry out such upgrading works in the precinct as he thinks fit.

[19/92]

(2) Where the Minister has given a direction under subsection (1), the Board shall as soon as practicable carry out such upgrading works as may be specified in the direction in such manner as the Board thinks fit.

[19/92]

(3) All costs incurred by the Board in respect of any upgrading works in a precinct under this section shall be paid out of the funds of the Board.

[19/92]

### **Payment of improvement contribution**

**65F.**—(1) Any owner of a flat and any Town Council liable to pay any improvement contribution under section 65D shall, upon a written demand by the Board, pay to the Board the improvement contribution not later than one month from the date of the written demand.

[19/92; 31/2002]

(2) Where —

(a) no representation has been taken out under a will or on the intestacy of a deceased owner of a flat; or

(b) representation has been taken out but the personal representatives fail to apply for the written consent of the Board for the transmission or transfer of the flat,

the Board may, for the purposes of recovering any improvement contribution, require the spouse, if any, of the deceased owner or any beneficiary of his estate who has attained the age of 21 years to pay the improvement contribution as if it is a debt owed by him and recoverable from him as such, and such person may recover the sums paid by him to the Board from the estate of the deceased owner.

[19/92]

(3) If any improvement contribution or any part thereof is not paid by the owner of a flat or a Town Council, as the case may be, on the date due, the owner of the flat, the Town Council or any person liable to pay the improvement contribution shall pay interest and a penalty



in accordance with the rates prescribed and such interest and penalty, if unpaid, shall constitute a debt due to the Board and be recoverable as such.

[19/92]

### **Transfer of additional floor area**

**65G.**—(1) Where the floor area of a flat is increased as a result of any upgrading works carried out by the Board under this Part, the title to such additional floor area shall vest in the owner of the flat in the following manner:

- (a) where such additional floor area of the flat is constructed over land registered under the Registration of Deeds Act (Cap. 269), the title to the additional floor area shall vest for the same estate and interest as that subsisting over the flat in the owner for the time being of the flat upon the acceptance by the Registrar of Deeds of the notice of vesting of the additional floor area presented by the Board for notification in the Registry of Deeds; and
- (b) where such additional floor area of the flat is constructed over land registered under the Land Titles Act (Cap. 157), the title to the additional floor area shall vest in the registered proprietor or owner for the time being of the subsidiary strata lot comprising the flat for the same estate and interest subsisting in respect of that subsidiary strata lot upon the acceptance by the Registrar of Titles of an instrument to vest the additional floor area presented by the Board for notification in the Registry of Titles.

[19/92; 31/2002]

(2) For the purposes of recording the vesting of the title to the additional floor area of a flat under subsection (1), the Registrar of Deeds or the Registrar of Titles, as the case may be, shall notify such additional floor area in the books of the Registry of Deeds or on the affected lease of the flat or on the relevant folio of the land-register, as the case may be.

[19/92]

(3) Where there is a subsisting mortgage, charge or other encumbrance on a flat, the additional floor area of the flat shall

form part of the security of the mortgage subject to the same terms and conditions stipulated therein upon the acceptance by the Registrar of Deeds or the Registrar of Titles, as the case may be, of the notice of vesting of the additional floor area or the instrument to vest the additional floor area presented by the Board for notification in the Registry of Deeds or Registry of Titles.

[19/92; 31/2002]

(4) Any transfer or dealing in respect of a flat on or after the acceptance by the Registrar of Deeds or the Registrar of Titles, as the case may be, of the notice of vesting of the additional floor area of the flat or the instrument to vest the additional floor area of the flat presented by the Board for notification in the Registry of Deeds or Registry of Titles shall be deemed to include the additional floor area.

[19/92; 31/2002]

(5) Any power exercised by the Board under section 65D or 65E in respect of any flat shall be deemed to have been properly exercised and the Registrar of Titles, the Registrar of Deeds and any purchaser of the flat shall not be concerned to inquire into the regularity or validity of the exercise of the power.

[19/92]

(6) For the purposes of notification or registration of any instrument under this section, the Registrar of Deeds or the Registrar of Titles, as the case may be, may dispense with the production of the duplicate lease of the flat or the duplicate subsidiary certificate of title in respect of the flat, as the case may be.

[19/92]

### **Recovery of improvement contribution from sale of flat**

**65H.**—(1) Where any improvement contribution payable in respect of any flat to the Board under section 65D remains unpaid on the expiry of the period of 3 months after the Board has served on the owner of the flat a written demand of such contribution under section 65F(1), the improvement contribution (including any interest and penalty thereon) shall constitute a charge on the flat on the expiry of that period in favour of the Board.

[19/92]

(2) Upon the constitution of the charge on a flat under subsection (1), the Board shall have the power of sale and all other

powers relating or incidental thereto to sell and effectually transfer the title to the flat to any purchaser as if the Board is a registered mortgagee notwithstanding that the charge is not registered under the Land Titles Act (Cap. 157).

[19/92]

(3) Any charge on a flat constituted under subsection (1) shall be subject to all encumbrances registered or notified prior to the date of the constitution of the charge and to all moneys due to the Board or the Central Provident Fund Board before and after the date of the constitution of the charge under the lease of the flat.

[19/92]

(4) Subject to subsection (5), the Board may, by notice of sale to be served or published in the prescribed manner —

(a) declare its intention of selling, on the expiry of the period of 3 months from the date of the notice of sale, any flat which is subject to a charge constituted under subsection (1); and

(b) if on the expiry of that period, any improvement contribution (including any interest and penalty thereon) or any part thereof has not been paid or satisfied, sell the flat.

[19/92]

(5) The Board shall not proceed under subsection (4) to sell any flat in respect of which any improvement contribution (including any interest and penalty thereon) or any part thereof is due if there is upon the flat and liable to be seized and sold by the Board by writ of seizure and sale any movable property belonging to the owner of the flat of a value estimated by the Board to be sufficient to realise the sum required to satisfy such unpaid improvement contribution.

[19/92]

(6) Where the Board has sold any flat under subsection (4), neither the purchaser of the flat nor the Registrar of Titles shall be concerned to inquire into the regularity or validity of the sale or transfer.

[19/92]

(7) For the purpose of registration of a transfer of any flat sold under subsection (4), the Registrar of Titles may dispense with the

production of the duplicate lease of the flat or the duplicate subsidiary certificate of title in respect of the flat, as the case may be.

[19/92]

(8) The moneys received by the Board in exercise of its power of sale under subsection (4), after discharge of the prior encumbrances and the payment of moneys due to the Board specified in subsection (3) and all charges of any Town Council constituted under section 44 of the Town Councils Act (Cap. 329A), shall be held by it in trust to be applied —

- (a) firstly, in payment of all costs and expenses properly incurred by it as incidental to the sale or any attempted sale, or otherwise;
- (b) secondly, in discharge of the improvement contribution and interest and penalty accrued and due to the Board at the date of the sale;
- (c) thirdly, in discharge of the conservancy and service charges and interest accrued and due to a Town Council at the date of sale;
- (d) fourthly, in payment of subsequent mortgages and charges (if any) in the order of their priority; and
- (e) the residue of such moneys so received shall be paid to the person who appears from the land-register kept under the Land Titles Act (Cap. 157) to be entitled to the flat sold or to be authorised to give receipts for the proceeds of the sale thereof.

[19/92]

(9) Any charge on a flat constituted under subsection (1) shall —

- (a) continue in force until all the improvement contribution (including any interest and penalty thereon) secured by the charge have been paid; and
- (b) upon payment of the improvement contribution (including any interest and penalty thereon) and any necessary incidental expenses to the Board before it has exercised its powers of sale under subsection (4), be discharged and the owner of the flat shall be entitled to a certificate of

discharge executed and acknowledged by the Board as to the receipt of such payment.

[19/92]

### **Recovery of payments due to Board**

**65I.** Any improvement contribution, interest and penalty payable to the Board under this Part —

- (a) may be recovered by the Board by an action for a debt in any court of competent authority; and
- (b) shall for the purposes of the Small Claims Tribunals Act (Cap. 308) be deemed to be moneys payable under a contract for the provision of services and the Board may lodge a claim for the payment of such improvement contribution, interest and penalty with a Small Claims Tribunal in accordance with the provisions of that Act.

[19/92]

### **Power of entry and compulsory acquisition**

**65J.—(1)** Any officer or person authorised by the Board may at any reasonable time, on giving 48 hours notice of his intention to the occupier and producing, if so required, some duly authenticated document showing his authority, enter any flat or building within a precinct for the purpose —

- (a) of carrying out any upgrading works within the flat or building;
- (b) of taking any action authorised or required by this Part or any rule to be taken by the Board; or
- (c) generally, of the performance by the Board of its function under this Part or any rule.

[19/92]

(2) If it is shown to the satisfaction of a Magistrate's Court on sworn information in writing that there is reasonable ground for entry into any premises for any of the purposes mentioned in subsection (1) and —

- (a) that admission to the premises has been refused, or that refusal is apprehended; or

- (b) that the premises are unoccupied or the occupier is temporarily absent,

the Magistrate's Court may by warrant authorise the Board by any authorised officer or person to enter the premises forcibly, if necessary.

[19/92; 31/2002]

(3) A warrant shall not be issued unless the Magistrate's Court is satisfied —

- (a) that notice of the intention to apply for a warrant has been given to the occupier; or

- (b) that the premises are unoccupied, the occupier is temporarily absent and the case is one of urgency.

[19/92]

(4) Any officer or person authorised by the Board entering any premises by virtue of this section, or of a warrant issued under this section, may take with him such other persons as may be necessary; and on leaving any unoccupied premises which he has entered by virtue of such a warrant shall leave them as effectually secured against trespassers as he found them.

[19/92]

(4A) Any officer or person authorised by the Board entering any premises by virtue of a warrant issued under this section may do all or any of the following:

- (a) break open any outer or inner door or window leading to the premises;

- (b) forcibly enter such premises and every part thereof;

- (c) remove by force any obstruction to such entry.

[31/2002]

(5) A warrant issued under this section continues in force until the purpose for which the entry is necessary has been satisfied.

[19/92]

(6) Any person who wilfully obstructs a person acting in the execution of this Part or of any rule or warrant shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a continuing offence, to a further fine of

\$100 for every day during which the offence continues after conviction.

[19/92]

(7) After the Minister has given his approval under section 65C(2) or (3) in relation to any upgrading works in a precinct, the Board may compulsorily acquire the whole of any particular flat in the precinct for the purpose of those upgrading works to be carried out in that precinct.

[41/98]

(8) Where the Board intends to exercise its powers of compulsory acquisition conferred by subsection (7), the Board shall serve a notice in writing on the owner of the flat and all persons known or believed to be interested in claiming all or any part of the compensation to be paid for the flat (referred to in this section as an interested person) stating the intention of the Board to acquire the flat and the compensation to be paid therefor.

[41/98]

(9) Any owner or interested person may, within 28 days after the service of a notice referred to in subsection (8), submit in writing to the Board his objections to the compensation offered by the Board, stating precisely the grounds upon which he objects.

[41/98]

(10) The Board shall consider the objection and may either disallow it or allow it either wholly or in part, and shall serve on the owner or interested person by post or otherwise with a written notice of its decision.

[41/98]

(11) Any appeal by any owner or interested person aggrieved by the decision of the Board shall be made to the Minister within 28 days after the date of service of such decision on the owner or interested person, and the decision of the Minister shall be final.

[41/98]

(12) The compensation to be paid by the Board for any flat compulsorily acquired by the Board under this section shall be determined by the Board.

[41/98]

(13) This section shall not limit or affect the powers conferred upon the Board by any other provision of this Act or under any other

written law to exercise its right of forfeiture and right of re-entry for a breach of the conditions of a lease.

[41/98]

(14) Sections 57, 58 and 59 shall apply, with the necessary modifications, to any exercise of the power of compulsory acquisition under this section.

[41/98]

### **Power to make rules**

**65K.** The Minister may make rules for giving effect to the provisions of this Part and for the due administration thereof, and, in particular, for or with respect to all or any of the following matters:

- (a) prescribing the manner and procedure for obtaining the opinion of owners of flats for upgrading works;
- (b) prescribing the value in votes of owners of flats, including different values in respect of general upgrading works and specified upgrading works, and in respect of different classes of owners;
- (c) prescribing the manner for recovering the improvement contribution from owners of the flats and Town Councils;
- (d) prescribing the interest and penalty to be paid by any person for the late payment of any improvement contribution; and
- (e) prescribing anything that may be prescribed.

[19/92; 16/95]

### **Savings**

**65L.—**(1) Nothing in this Part shall be construed to affect the right of the Board to enforce any breach of covenant, condition or undertaking under any licence, lease, tenancy or mortgage or any other agreement in respect of any flat or the right of the Board to compulsorily acquire, vest or forfeit any flat under this Act.

[19/92]



(2) No such right of the Board shall be deemed prejudiced by reason only of the Board's exercise of any power or performance of any act under this Part.

[19/92]

## PART IVB

### DESIGN-BUILD-AND-SELL SCHEME

[29/2005 wef 15/09/2005]

#### **Interpretation of this Part**

**65M.** In this Part, unless the context otherwise requires —

“approved developer” means a developer appointed by the Minister under section 65N;

“common property” means so much of the land developed under this Part, and all parts of any building built under this Part, as are not comprised in any housing accommodation;

“develop” means to construct or cause to be constructed any housing accommodation, common property or commercial property, including any building operations in, on, over or under any land for the purpose of erecting any housing accommodation, common property or commercial property;

“housing accommodation” means a horizontal stratum of any building or part thereof, whether such stratum is on one or more levels or is partially or wholly below the surface of the ground, which is wholly constructed, adapted or intended for human habitation or residential use;

“purchaser”, in relation to any housing accommodation built or sold under this Part, includes a person who has purchased a leasehold interest in the housing accommodation;

“relevant date”, in relation to any housing accommodation built by an approved developer under this Part, means the date a temporary occupation permit or certificate of statutory completion is issued by the Commissioner of Building Control under the Building Control Act (Cap. 29) in

respect of that housing accommodation, whichever date is the earlier.

### **Appointment of approved developers**

**65N.**—(1) The Minister may, from time to time, for the purposes of this Part, appoint one or more developers as approved developers, subject to such conditions as the Minister may impose.

(2) Notice of any appointment of an approved developer shall be published in the *Gazette*.

(3) Every appointment under this section shall continue in force for such period as may be specified by the Minister unless earlier terminated by the Minister.

### **Approved developers to develop and sell housing accommodation**

**65O.**—(1) It shall be the function and duty of an approved developer —

- (a) to develop public housing on such parcels of land held under a State lease as the Minister may specify; and
- (b) to sell in accordance with this Part a lease of any housing accommodation built or to be built by the approved developer on that land.

(2) An approved developer shall not, without first obtaining the consent of the Minister, use any unsold housing accommodation built or to be built by the approved developer under this Part, or any part of such unsold housing accommodation, for a purpose that is not a prescribed purpose.

(3) An approved developer shall be exempt from the provisions of —

- (a) the Housing Developers (Control and Licensing) Act (Cap. 130) with regard to the form of the contract or agreement for the sale between an approved developer and a purchaser of any housing accommodation; and

(b) Part IV of the Building Maintenance and Strata Management Act 2004 (Act 47 of 2004),

with regard to its carrying out of any development, and to the sale of any housing accommodation it builds, under this Part.

### **Vesting of reversion, etc., in Board**

**65P.**—(1) At any time on or after the relevant date in respect of the housing accommodation built on any parcel of land by an approved developer under this Part, the Minister may, by notification in the *Gazette*, declare that —

(a) the following shall vest in the Board:

- (i) the reversion immediately expectant on the lease of every housing accommodation sold by the approved developer;
- (ii) the entire estate in any commercial property built by the approved developer on that same parcel of land; and
- (iii) the entire estate in the common property, if any, built by the approved developer on that same parcel of land; and

(b) a lease of each unsold housing accommodation shall vest in the approved developer.

(2) Upon the publication of a notification referred to in subsection (1) —

- (a) the reversion immediately expectant on every lease referred to in subsection (1)(a)(i) shall vest in the Board, and the Board shall have all powers, rights and remedies to which the approved developer as the reversioner was by law entitled, and shall be subject, to all the covenants and conditions in the lease to be performed and observed by or on the part of the approved developer;
- (b) the entire estates in the commercial property and common property referred to in subsection (1)(a)(ii) and (iii),

respectively, shall vest in the Board free from all encumbrances; and

- (c) a lease of each unsold housing accommodation referred to in subsection (1)(b) shall vest in the approved developer.

(3) An approved developer whose land is the subject of a notification referred to in subsection (1) shall be entitled to receive such compensation as is agreed (whether before, on or after the declaration is registered) between the Board and the approved developer.

(4) After a notification referred to in subsection (1) is published, the Board may take possession of the commercial property and common property described in that notification.

(5) For the avoidance of doubt, this section shall not prejudice the enforcement —

- (a) by any purchaser of any housing accommodation or any other person of any right or claim against an approved developer; or
- (b) by the approved developer of any right or claim against any purchaser of any housing accommodation or any other person,

arising out of or concerning any matter or thing done before the date the notification referred to in subsection (1) is published.

### **Applicability of Part IV to housing accommodation sold under this Part**

**65Q.**—(1) Except where expressly provided in this Part, the provisions of this Act affecting any flat sold or to be sold by the Board under Part IV shall apply (so far as relevant) to any housing accommodation sold or to be sold by an approved developer under this Part as if the housing accommodation were a flat sold or to be sold by the Board under Part IV pursuant to an application to the Board, with such prescribed exceptions, modifications and adaptations as the differences between Parts IV and IVB require.

(2) Any reference in any provision in this Act to any flat or property sold by the Board under Part IV shall include a reference to any

housing accommodation sold by an approved developer under this Part, with such prescribed exceptions, modifications and adaptations as the differences between Parts IV and IVB require.

(3) The provisions of any other existing law that relate to any flat or property sold by the Board under Part IV shall have effect as if any reference therein to any such flat or property also includes a reference to any housing accommodation sold by an approved developer under this Part, with such exceptions, modifications and adaptations as the differences between Parts IV and IVB require.

(4) In this section, “existing law” means any written law having effect as part of the law of Singapore immediately before the commencement of section 11 of the Housing and Development (Amendment) Act 2005.

### **Eligibility to purchase housing accommodation under this Part**

**65R.**—(1) Unless otherwise allowed by the Minister, a person —

- (a) shall not be eligible to purchase from an approved developer any housing accommodation under this Part; and
- (b) shall cease to be eligible to be a purchaser of such a housing accommodation,

if such person or his spouse is not entitled to purchase from the Board any flat, house or other living accommodation under Part IV or ceases to be entitled to be such a purchaser.

(2) A person shall not present for registration under the Land Titles Act (Cap. 157) the assurance of the housing accommodation he has purchased under this Part if —

- (a) the person purchased the housing accommodation when he was not eligible to do so under subsection (1); or
- (b) the person has ceased to be eligible to be a purchaser of such a housing accommodation under subsection (1).

(3) Where the approved developer is notified by the Board that a purchaser has purchased a housing accommodation from the approved developer when he is not eligible to do so under

subsection (1), or the purchaser has ceased to be eligible to be an owner of such a housing accommodation under that subsection, the approved developer shall —

- (a) serve a written notice upon the purchaser of the housing accommodation of its intention to lodge with the Registrar of Titles an instrument under subsection (6) for the vesting in the approved developer of the title to or the estate or interest in that housing accommodation; or
- (b) where no assurance has been registered in favour of the purchaser, unless otherwise directed by the Board, cancel the purchaser's application and serve a written notice upon the purchaser of the housing accommodation of its intention to terminate the sale and purchase agreement.

(4) An approved developer shall not be liable to any purchaser or former purchaser, as the case may be, for any loss suffered, directly or indirectly, by the purchaser or former purchaser solely on account of the cancellation of his application, or the termination of the sale and purchase agreement, by the approved developer in accordance with subsection (3).

(5) Any purchaser of a housing accommodation sold under this Part who is aggrieved by the service of a written notice under subsection (3) in respect of his housing accommodation may, within 14 days after service of the notice, appeal to the Minister whose decision shall be final and shall not be called in question in any court.

(6) Where an appeal has been made to the Minister under subsection (5), the approved developer shall not proceed to lodge any instrument for the vesting of the title to or the estate or interest in the housing accommodation in itself until the appeal has been disposed of.

(7) The Registrar of Titles shall register any instrument referred to in subsection (6) without being concerned to inquire into its regularity or validity, and upon its registration —

- (a) the title to or the estate or interest in the housing accommodation shall vest in the approved developer

without further assurance free from all encumbrances (except such subsisting covenants, conditions or restrictions, if any, as may be binding upon the approved developer); and

- (b) the Registrar of Titles shall cancel the registration of any mortgage, charge or assurance thereby overreached and any caveat protecting a mortgage, charge or assurance registered or notified on the land-register.

(8) Where an approved developer has lodged any instrument referred to in subsection (6) in respect of any such housing accommodation, the approved developer may, in accordance with the sale and purchase agreement for the housing accommodation, forfeit such portion of any moneys paid or deposited in respect of the purchase of that housing accommodation, and any balance thereof, less any administrative and legal costs reasonably incurred by the approved developer in connection with the sale and resale of the housing accommodation and with the discharge of all prior legal encumbrances, shall be refunded to the purchaser of the housing accommodation and such other persons as are entitled to the moneys.

(9) If any question arises as to whether any particular person is eligible to purchase from an approved developer any housing accommodation under this Part, or has ceased to be eligible to be a purchaser of such a housing accommodation, a certificate signed by an officer of the Board authorised for this purpose stating that the person is not eligible to purchase from the Board any flat, house or other living accommodation under Part IV shall be conclusive evidence of that fact stated in that certificate.

**Purchaser dies before temporary occupation permit, etc., issued**

**65S.** Where any purchaser of any housing accommodation under this Part dies before the relevant date in respect of the housing accommodation, the approved developer shall, unless the Minister otherwise directs, cancel the deceased purchaser's application and terminate the sale and purchase agreement (if any), and all moneys paid or deposited by or on behalf of the deceased purchaser, less any administrative and legal costs reasonably incurred by the approved

developer, shall be refunded to the person or persons entitled to the moneys.

### **Power to make rules**

**65T.**—(1) The Minister may make rules as appear to him to be necessary or expedient for carrying out the purposes and provisions of this Part and for any matter which is required under this Part to be prescribed.

(2) Without prejudice to the generality of subsection (1), the Minister may make rules for or in respect of all or any of the following matters:

- (a) the terms and conditions for the sale by an approved developer of any housing accommodation, including the form of the contract or agreement between an approved developer and a purchaser of such a housing accommodation;
- (b) prescribing the conditions which, if used in any such contract or agreement between an approved developer and a purchaser of such a housing accommodation, shall be void; and
- (c) prescribing such exceptions, modifications and adaptations to the provisions of the Act as may be necessary to apply those provisions to any housing accommodation sold or to be sold by an approved developer under this Part as if it were a flat sold or to be sold by the Board under Part IV.

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

## **PART V**

### **FINANCIAL PROVISIONS**

#### **Borrowing powers**

**66.**—(1) The Board may, from time to time, for the purposes of this Act, raise loans —

- (a) from the Government;



- (b) with the approval of the Minister and subject to the provisions of any written law, within or outside Singapore by any of the methods set out in subsection (3); or
- (c) from such other source within or outside Singapore as the Minister may direct.

[41/98]

(2) The Board shall pay interest on such loans at such rate and at such times, and shall make such provisions for the mode and time or times of repayment of principal, as may be approved by the Minister.

(3) The Board may, where the approval of the Minister has been obtained to borrow money under subsection (1), raise the money by —

- (a) mortgage;
- (b) charge, whether legal or equitable, on any property vested in the Board or on any revenue receivable by the Board under this Act or any other Act; or
- (c) the creation and issue of debentures, stocks or bonds or otherwise.

[41/98]

(4) For the purposes of this section, the power to raise loans shall include the power to make any financial agreement whereby credit facilities are granted to the Board for the purchase of goods, materials or things.

[41/98]

### **Issue of shares, etc.**

**66A.** As a consequence of the vesting of —

- (a) any property, rights or liabilities of the Government in the Board under this Act; or
- (b) any capital injection or other investment by the Government in the Board in accordance with any written law,

the Board shall issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

[5/2002]

**Annual financial statement**

**67.**—(1) The Board shall, at the end of every financial year transmit to the Minister a statement showing —

- (a) the amount of any loan outstanding at the end of that year; and
- (b) the amount standing to the credit of any sinking fund formed for the purpose of repayment of any loan and the manner in which that amount is for the time being invested.

(2) The annual statement referred to in subsection (1) shall be published in the *Gazette*.

**Budgets**

**68.**—(1) The Board shall, in every financial year, cause to be prepared in a form to be approved by the Minister a budget to be forwarded to the Minister not later than 15th November containing estimates of the income and expenditure of the Board for the ensuing financial year.

[30/84]

(2) In this Part, “financial year” means a period of 12 months ending on 31st March in any year.

[33/73]

**Approval of budget by Minister**

**69.**—(1) The Minister may approve or disallow any item or portion of any item shown in the budget, and shall return the budget as amended by him to the Chairman.

(2) Where the Minister has approved the budget pursuant to subsection (1) with or without amendments, the Board shall present the budget to the President for his approval under Article 22B of the Constitution.

[11/91]

(3) The budget as approved by the Minister and the President shall be published in the *Gazette* and the Board shall be bound thereby.

[11/91]

### Supplemental budgets

**70.**—(1) The Board may at any time cause to be prepared a supplemental budget to provide, subject to section 76(2)(d), for unforeseen or urgently required expenditure containing —

- (a) a revised estimate of the income for the current financial year;
- (b) a revised estimate of the expenditure for the current financial year; and
- (c) a statement showing how provision is therein made to meet additional expenditure.

[33/73]

(2) A supplemental budget shall be dealt with in the manner provided in section 69 for the annual budget.

### Accounts

**71.**—(1) The Board shall —

- (a) keep proper accounts and records of its transactions and affairs; and
- (b) do all things necessary to ensure that all payments out of its moneys are correctly made and properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Board and over the expenditure incurred by the Board.

[13/75]

(2) The accounts of the Board shall be kept by the Chief Financial Officer.

[13/75; 30/84; 41/98]

(3) The accounts of the Board shall be made up yearly to 31st March.

[13/75]

(4) The accounts of the Board shall be audited by the Auditor-General or by an auditor appointed annually by the Minister in consultation with the Auditor-General (referred to in this Act as the auditor).

[13/75]

(5) A person shall not be qualified for appointment as an auditor under subsection (4) unless he is a public accountant within the meaning of the Companies Act (Cap. 50).

[28/89]

(6) The remuneration of the auditor shall be paid out of the funds of the Board.

[13/75]

(7) The Board shall, as soon as practicable after the close of the financial year, prepare and submit the financial statements in respect of that year to the auditor who shall audit and report on them.

[13/75]

(8) The auditor shall in his report state —

- (a) whether the financial statements show fairly the financial transactions and the state of affairs of the Board;
- (b) whether proper accounting and other records have been kept, including records of all assets of the Board, whether purchased, donated or otherwise;
- (c) whether the receipts, expenditure and investment of moneys, and the acquisition and disposal of assets by the Board during the financial year have been in accordance with this Act and the Constitution; and
- (d) such other matters arising from the audit as he considers should be reported.

[30/84; 11/91]

(9) The auditor may at any other time report to the Minister and the President upon any matter arising out of the performance of his audit.

[28/89; 11/91]

### **Powers of auditor**

**72.—**(1) The auditor or any person authorised by him is entitled at all reasonable times to full and free access to all accounting and other records relating, directly or indirectly, to the financial transactions of the Board.

[13/75]

(2) The auditor or a person authorised by him may make copies of, or make extracts from, any such accounting and other records.

[13/75]

(3) The auditor or any person authorised by him may require any person to furnish him with such information which such person possesses or has access as the auditor or any duly authorised person considers necessary for the purposes of the functions of the auditor under this Act.

[13/75]

(4) Any officer of the Board who —

(a) refuses or fails without any reasonable cause to allow the auditor access to any accounting and other records of the Board in his custody or power or to give any information possessed by him as and when required; or

(b) otherwise hinders, obstructs or delays the auditor in the performance of his duties or the exercise of his powers,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day or part thereof during which the offence continues after conviction.

[13/75]

### **Presentation of financial statements and audit reports**

**73.—**(1) As soon as the accounts of the Board and the financial statements have been audited in accordance with the provisions of this Act, a copy of the audited financial statements signed by the Chairman and the Chief Financial Officer or the Chairman and such officer of the Board as may be authorised in writing by the Board, together with a copy of any report made by the auditor, shall be submitted to the Minister and the President.

[13/75; 30/84; 11/91]

(2) Where the Auditor-General has not been appointed to be the auditor, a copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General at the same time they are submitted to the Board.

[13/75]

(3) The Minister shall cause a copy of the audited financial statements and of the auditor's report to be published in the *Gazette* and to be presented to Parliament.

[13/75]

### **Annual report**

**74.** The Board shall, as soon as practicable after the close of each financial year, submit to the Minister an annual report of the activities of the Board during that year, and the Minister shall cause a copy of every such annual report to be presented to Parliament.

[13/75]

### **Bank account**

**75.—**(1) Subject to subsection (2), all moneys paid to the Board shall immediately be paid into such bank or banks as may from time to time be approved by the Chairman.

[28/89]

(2) Subsection (1) shall not apply to —

- (a) moneys paid for the purposes of a pension scheme or schemes or a provident fund or funds established under section 42;
- (b) moneys paid for the purposes of any separate fund or funds which the Board may by any written law or by any direction or sanction of the Minister under the provisions of this Act be required to administer; or
- (c) moneys deposited by any person in connection with his tender to the Board.

[28/89; 7/97]

(3) All moneys standing to the credit of the Housing and Development Fund maintained by the Board prior to 1st April 1985 shall be transferred to and shall vest in such bank account or accounts opened and maintained by the Board under subsection (1) as the Chairman thinks fit.

[30/84]

**Payments to be made in accordance with budget**

**76.**—(1) No payment shall be made by the Board unless the expenditure of the Board is covered by an item in a budget and a sufficient balance for the item is available.

[30/84]

(2) Notwithstanding the absence of such provision, the Board may pay —

- (a) sums deposited by contractors or other persons whenever by the conditions of the deposit any such sum has become repayable;
- (b) sums collected and credited to the funds of the Board in error;
- (c) sums payable by the Board under any award of a Collector or under any of the provisions of this Act or of any other written law relating to the acquisition of land for a public purpose or under any judgment or order of any court; and
- (d) any expenditure incurred to secure the proper execution of the functions and duties of the Board under this Act which in the opinion of the Board cannot be postponed except that the Board shall report the payment immediately to the Minister and the President.

[11/91]

(3) Provision shall be made in a supplemental budget for any payment made under subsection (2)(c) or (d).

**Transfer of sums from one item to another**

**77.** Notwithstanding any of the provisions of this Part, the Board may transfer all or any part of moneys assigned to one item of expenditure to another item under the same head of expenditure in a budget approved by the Minister and the President, except that the transfer is not inconsistent with any provision in any other Part.

[11/91]

**Power of investment**

**78.** The Board may invest its moneys in accordance with the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act (Cap. 1).

*[Act 45/2004, 15/12/2004]*

**PART VI****MISCELLANEOUS****Penalties**

**79.** Any person who obstructs any officer of the Board, or any person duly authorised by the Board in that behalf, in the performance of any thing which the Board is by this Act required or empowered to do 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 6 months.

*[13/75]*

**Employee of Board may require evidence of identity in certain cases**

**80.—(1)** In addition to the powers conferred on him by this Act or any subsidiary legislation made thereunder, an officer or employee of the Board may, in relation to any offence under this Act or such subsidiary legislation, on declaration of his office and production to the person against whom he is acting such identification card as the Chief Executive Officer may direct to be carried by officers or employees of the Board —

- (a) require any person whom he reasonably believes to have committed that offence to furnish evidence of the person's identity;
- (b) require any person to furnish any information or produce any book, document or other record or a copy thereof in the possession of that person, and may, without fee or reward, inspect, make copies of or take extracts from such book, document or other record; or



- (c) require, by order in writing, the attendance before the officer or employee of any person within the limits of Singapore who, from any information given or otherwise obtained by the officer or employee, appears to be acquainted with the circumstances of the case.

*[29/2005 wef 15/09/2005]*

(1A) Where any such record mentioned in subsection (1)(b) is kept in electronic form, then —

- (a) the power of an officer or employee of the Board under subsection (1) to require any such record to be produced for inspection includes power to require a copy of the record to be made available for inspection in legible form; and
- (b) the power of any officer or employee of the Board under subsection (1) to inspect any such record includes power to require any person in question to give the officer or employee such assistance as he may reasonably require to enable him —
- (i) to inspect and make copies of the record in legible form or to make a record of information contained in that record; or
- (ii) to inspect and check the operation of any computer, and any associated apparatus or material, that is or has been in use in connection with the keeping of that record.

*[29/2005 wef 15/09/2005]*

(1B) Any person who —

- (a) refuses to give access to, or assaults, obstructs, hinders or delays, an officer or employee of the Board in the discharge of the duties by such officer or employee of the Board under this Act or any subsidiary legislation made thereunder;
- (b) wilfully mis-states or without lawful excuse refuses to give any information or produce any book, document or other

record or a copy thereof required of him by an officer or employee of the Board under subsection (1); or

- (c) fails to comply with a lawful demand of an officer or employee of the Board in the discharge by such officer or employee of his duties under this Act or any subsidiary legislation made thereunder,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both.

*[29/2005 wef 15/09/2005]*

(2) Any Town Council established under section 4 of the Town Councils Act (Cap. 329A) or —

- (a) any member of the Town Council or of any committee of the Town Council appointed under section 31 of that Act; or
- (b) any employee of the Town Council,

to whom the Board has delegated any of its powers under section 29(4) who reasonably believes that any person has committed an offence under any rules made under this Act within the Town of the Town Council, may, subject to the production of his authority when requested, require such person to furnish evidence of his identity and that person shall thereupon furnish such evidence of his identity as may be so required.

*[28/89]*

(3) Any person who refuses to furnish any information required of him by any police officer, employee of the Board or person referred to in subsection (2), or wilfully mis-states such information, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both.

*[28/89; 31/2002]*

### **Fines to be paid to Board**

**81.** All fines recovered under this Act shall be paid to the Board.

**Conduct of prosecutions**

**82.** Proceedings in respect of any offence under this Act may, with the authorisation of the Public Prosecutor, be conducted by any officer of the Board or any other person authorised in writing in that behalf by the Chairman.

[83  
[13/75]

**Service of summons, notices, etc.**

**83.—**(1) Unless otherwise expressly provided, every notice, order or document required or authorised by this Act to be served on the owner of a flat, house or building sold under the provisions of this Act shall be deemed to be sufficiently served —

- (a) if the same is delivered to such person or is delivered at the flat, house or building to some adult member or servant of his family;
- (b) if it is sent to the person by registered post to his flat, house or building (whether or not it has been received by him); or
- (c) if it is affixed to some conspicuous part of his flat, house or building.

[13/75; 21/86; 28/89]

(2) Every notice, order or document required or authorised by this Act to be served on any person other than an owner of a flat, house or building sold under the provisions of this Act, and every summons issued by a court in connection with any offence under this Act, may be served on the person concerned —

- (a) by delivering the notice, document, order or summons to the person or to some adult member or servant of his family at his last known place of residence;
- (b) by leaving the notice, order, document or summons at his usual or last known place of residence or business in a cover addressed to the person;
- (c) by sending the notice, order, document or summons by registered post addressed to the person at his usual or last known place of residence or business;

(d) where the person is a body corporate —

- (i) by delivering the notice, order, document or summons to the secretary or other like officer of the body corporate at its registered or principal office; or
- (ii) by sending the notice, order, document or summons by registered post addressed to the body corporate at its registered or principal office.

[28/89]

(3) Any notice, order, document or summons sent by registered post to any person in accordance with subsection (2) shall be deemed to be duly served on the person to whom the letter is addressed at the time when the letter would, in the ordinary course of post, be delivered and in proving service of the same it shall be sufficient to prove that the envelope containing the notice, order, document or summons was properly addressed, stamped and posted by registered post.

[84  
[28/89]

## FIRST SCHEDULE

Section 33(1)(a)

### HOUSING AND URBAN DEVELOPMENT COMPANY

#### DESCRIPTION OF LAND

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
184	59		27	4458	together with the buildings erected thereon	lease for a term of 103 years commencing from 20th December 1974
198	54		17	4490	together with the buildings erected thereon	lease for a term of 103 years commencing from 3rd February 1975

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
215	114		15	1747	together with the buildings erected thereon	lease for a term of 102 years commencing from 30th November 1974
224	197		2	1617	together with the buildings erected thereon	lease for a term of 102 years commencing from 1st November 1974
224	199		2	1623	together with the buildings erected thereon	lease for a term of 102 years commencing from 1st November 1974
225	2		2	1750	together with the buildings erected thereon	lease for a term of 102 years commencing from 1st November 1974
225	3		2	1751	together with the buildings erected thereon	lease for a term of 102 years commencing from 1st November 1974
225	4		2	1752	together with the buildings erected thereon	lease for a term of 102 years commencing from 1st November 1974
224	198		2	1619	together with the buildings	lease for a term of 102 years commencing

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
					erected thereon	from 1st November 1974
225	5		2	1753	together with the buildings erected thereon	lease for a term of 102 years commencing from 1st November 1974
224	200		2	1628	together with the buildings erected thereon	lease for a term of 102 years commencing from 1st November 1974
184	57		25	3485	together with the buildings erected thereon	lease for a term of 103 years commencing from 30th June 1975
205	56	28		562	together with the buildings erected thereon	lease for a term of 103 years commencing from 6th July 1977
200	152		17	4487	together with the buildings erected thereon	lease for a term of 103 years commencing from 1st August 1977
235	3		4	3980	together with the buildings erected thereon	lease for a term of 103 years commencing from 3rd September 1979
238	115		4	4003	together with the	lease for a term of 103 years

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
					buildings erected thereon	commencing from 15th September 1980
180	141 to 145 (both inclusive)		29	790 to 794 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
176	42 to 47 (both inclusive)		29	633 to 638 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
176	29		29	620	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
176	49 to 52 (both inclusive)		29	640 to 643 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
176	20		29	611	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
176	23 to 26 (both inclusive)		29	614 to 617 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
						10th February 1874
176	33 to 36 (both inclusive)		29	624 to 627 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
176	39 to 40 (both inclusive)		29	630 to 631 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	153 to 159 (both inclusive)		29	802 to 808 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	137 to 139 (both inclusive)		29	786 to 788 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	131 to 135 (both inclusive)		29	780 to 784 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	120 to 124 (both inclusive)		29	769 to 773 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874



FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
180	116 to 117 (both inclusive)		29	765 to 766 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	163 to 164 (both inclusive)		29	812 to 813 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	166 to 170 (both inclusive)		29	815 to 819 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	173 to 182 (both inclusive)		29	822 to 831 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	185 to 189 (both inclusive)		29	834 to 838 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	84		29	733	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	81		29	730	together with the buildings	lease for a term of 999 years commencing

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
					erected thereon	from 10th February 1874
180	99 to 100 (both inclusive)		29	748 to 749 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	95 to 97 (both inclusive)		29	744 to 746 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	90 to 93 (both inclusive)		29	739 to 742 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	75 to 78 (both inclusive)		29	724 to 727 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	104 to 107 (both inclusive)		29	753 to 756 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	110 to 113 (both inclusive)		29	759 to 762 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
180	126 to 129 (both inclusive)		29	775 to 778 (both inclusive)	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	52		29	701	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	57		29	706	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	59		29	708	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	64		29	713	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	60		29	709	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	65		29	714	together with the buildings	lease for a term of 999 years commencing

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
					erected thereon	from 10th February 1874
180	62		29	711	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	67		29	716	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	53		29	702	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	54		29	703	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	55		29	704	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	56		29	705	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
180	63		29	712	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	88		29	737	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	66		29	715	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
180	61		29	710	together with the buildings erected thereon	lease for a term of 999 years commencing from 10th February 1874
243	134		I	1478	together with the buildings being erected thereon	lease for a term of 103 years commencing from 3rd March 1980
246	104	27		686	together with the buildings being erected thereon	

FIRST SCHEDULE — *continued*

Reference to Subsidiary Strata Land-Register		Town Sub- division	Mukim	Lot	Tenure
Volume	Folio				
40	188	22		189-15/16-S	lease for a term of 99 years commencing from 2nd June 1970
40	189	22		189-13/14-S	lease for a term of 99 years commencing from 2nd June 1970
40	197	22		189-13/14-T	lease for a term of 99 years commencing from 2nd June 1970
41	4	22		189-15/16-U	lease for a term of 99 years commencing from 2nd June 1970
41	5	22		189-13/14-U	lease for a term of 99 years commencing from 2nd June 1970
41	12	22		189-15/16-V	lease for a term of 99 years commencing from 2nd June 1970
41	13	22		189-13/14-V	lease for a term of 99 years commencing from 2nd June 1970
41	20	22		189-15/16-W	lease for a term of 99 years commencing from 2nd June 1970
41	23	22		189-9/10-W	lease for a term of 99 years commencing from 2nd June 1970
41	29	22		189-13/14-X	lease for a term of 99 years commencing from 2nd June 1970
41	45	22		189-13/14-Z	lease for a term of 99 years commencing from 2nd June 1970

FIRST SCHEDULE — *continued*

Reference to Subsidiary Strata Land-Register		Town Sub- division	Mukim	Lot	Tenure
Volume	Folio				
41	60	22		189-15/16-2C	lease for a term of 99 years commencing from 2nd June 1970
41	61	22		189-13/14-2C	lease for a term of 99 years commencing from 2nd June 1970
41	65	22		189-5/6-2C	lease for a term of 99 years commencing from 2nd June 1970
41	77	22		189-13/14-2E	lease for a term of 99 years commencing from 2nd June 1970
41	79	22		189-9/10-2E	lease for a term of 99 years commencing from 2nd June 1970
41	82	22		189-3/4-2E	lease for a term of 99 years commencing from 2nd June 1970
41	84	22		189-15/16-2F	lease for a term of 99 years commencing from 2nd June 1970
41	86	22		189-11/12-2F	lease for a term of 99 years commencing from 2nd June 1970
41	91	22		189-1/2-2F	lease for a term of 99 years commencing from 2nd June 1970
41	85	22		189-13/14-2F	lease for a term of 99 years commencing from 2nd June 1970
41	93	22		189-13/14-2G	lease for a term of 99 years commencing from 2nd June 1970

FIRST SCHEDULE — *continued*

Reference to Subsidiary Strata Land-Register		Town Sub- division	Mukim	Lot	Tenure
Volume	Folio				
41	94	22		189-11/12-2G	lease for a term of 99 years commencing from 2nd June 1970
41	96	22		189-7/8-2G	lease for a term of 99 years commencing from 2nd June 1970
41	100	22		189-15/16-2H	lease for a term of 99 years commencing from 2nd June 1970
41	101	22		189-13/14-2H	lease for a term of 99 years commencing from 2nd June 1970
41	102	22		189-11/12-2H	lease for a term of 99 years commencing from 2nd June 1970
41	104	22		189-7/8-2H	lease for a term of 99 years commencing from 2nd June 1970
41	109	22		189-13/14-2I	lease for a term of 99 years commencing from 2nd June 1970
41	110	22		189-11/12-2I	lease for a term of 99 years commencing from 2nd June 1970
41	111	22		189-9/10-2I	lease for a term of 99 years commencing from 2nd June 1970
41	113	22		189-5/6-2I	lease for a term of 99 years commencing from 2nd June 1970
41	116	22		189-15/16-2J	lease for a term of 99 years commencing from 2nd June 1970



FIRST SCHEDULE — *continued*

Reference to Subsidiary Strata Land-Register		Town Sub- division	Mukim	Lot	Tenure
Volume	Folio				
41	117	22		189-13/14-2J	lease for a term of 99 years commencing from 2nd June 1970
41	118	22		189-11/12-2J	lease for a term of 99 years commencing from 2nd June 1970
41	119	22		189-9/10-2J	lease for a term of 99 years commencing from 2nd June 1970
41	120	22		189-7/8-2J	lease for a term of 99 years commencing from 2nd June 1970
41	121	22		189-5/6-2J	lease for a term of 99 years commencing from 2nd June 1970

## SECOND SCHEDULE

Section 33(1)(b)

## JURONG TOWN CORPORATION

## PART I

## (A) TAMAN JURONG (MUKIM 6)

Reference to Land-Register		Town Sub- division	Mukim	Lot		Tenure
Volume	Folio					
193	39		6	1090	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
193	38		6	1089	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962

SECOND SCHEDULE — *continued*

193	37		6	1088	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
183	35		6	922	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
183	36		6	923	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
141	135		6	809	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
141	136		6	810	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
141	138		6	812	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
141	137		6	811	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
141	134		6	808	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
141	133		6	807	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
193	35		6	1086	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962

SECOND SCHEDULE — *continued*

193	36		6	1087	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	110		6	1270	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	116		6	1276	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	115		6	1275	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	114		6	1274	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	113		6	1273	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	112		6	1272	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	111		6	1271	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962

## (B) BOON LAY GARDEN (MUKIM 6)

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure
Volume	Folio					
198	37		6	1096	together with the buildings erected thereon	lease for a term of 999 years

SECOND SCHEDULE — *continued*

						commencing from 17th October 1962
203	10		6	1097	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
198	38		6	1098	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	108		6	1284	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	109		6	1285	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	107		6	1283	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	106		6	1282	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
203	157		6	1264	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
203	158		6	1265	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
210	8		6	1333	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	25		6	1326	together with the buildings erected thereon	lease for a term of 999 years

SECOND SCHEDULE — *continued*

						commencing from 17th October 1962
209	26		6	1327	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	27		6	1328	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	128		6	1314	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	127		6	1313	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	126		6	1312	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	125		6	1311	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	124		6	1310	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	123		6	1309	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	117		6	1267	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	24		6	1325	together with the buildings erected thereon	lease for a term of 999 years

SECOND SCHEDULE — *continued*

						commencing from 17th October 1962
206	118	6		1268	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	23	6		1324	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
209	22	6		1323	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
203	13	6		1167	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
203	12	6		1166	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
203	14	6		1168	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
203	15	6		1169	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	15	6		1289	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	13	6		1287	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
206	14	6		1288	together with the buildings erected thereon	lease for a term of 999 years

SECOND SCHEDULE — *continued*

						commencing from 17th October 1962
206	16	6		1290	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962
221	82	6		1415	together with the buildings erected thereon	lease for a term of 999 years commencing from 17th October 1962

## (C) TEBAN GARDENS (MUKIM 5)

Reference to Land-Register		Town Sub- division	Mukim	Lot		Tenure: Lease for a term of 103 years commencing from
Volume	Folio					
220	160		5	3429	together with the buildings erected thereon	1st July 1977
220	161		5	3430	together with the buildings erected thereon	1st December 1976
212	87		5	3331	together with the buildings erected thereon	1st January 1977
220	164		5	3434	together with the buildings erected thereon	1st December 1976
220	163		5	3433	together with the buildings erected thereon	1st December 1976
220	162		5	3432	together with the buildings erected thereon	1st December 1976
212	85		5	3327	together with the buildings erected thereon	1st December 1976

SECOND SCHEDULE — *continued*

212	84		5	3326	together with the buildings erected thereon	1st December 1976
221	60		5	3444	together with the buildings erected thereon	1st July 1977
221	61		5	3445	together with the buildings erected thereon	1st July 1977
221	62		5	3446	together with the buildings erected thereon	1st June 1977
221	63		5	3447	together with the buildings erected thereon	1st September 1977
221	64		5	3448	together with the buildings erected thereon	1st October 1977
244	131		5	3649	together with the buildings erected thereon	1st September 1980
225	112		5	3504	together with the buildings erected thereon	1st April 1979
220	175		5	3442	together with the buildings erected thereon	1st October 1977
220	176		5	3443	together with the buildings erected thereon	1st October 1977
212	86		5	3329	together with the buildings erected thereon	1st April 1977
244	134		5	3652	together with the buildings erected thereon	1st February 1981



SECOND SCHEDULE — *continued*

244	135		5	3653	together with the buildings erected thereon	1st February 1981
244	132		5	3650	together with the buildings erected thereon	1st January 1981
221	97		5	3437	together with the buildings erected thereon	1st November 1976
221	98		5	3438	together with the buildings erected thereon	1st November 1976
221	92		5	3440	together with the buildings erected thereon	1st November 1976
221	91		5	3439	together with the buildings erected thereon	1st November 1976
221	96		5	3436	together with the buildings erected thereon	1st October 1977
244	133		5	3651	together with the buildings erected thereon	1st January 1981

## (D) PANDAN GARDENS (MUKIM 5)

Reference to Land-Register		Town Sub-division	Mukim	Lot		Tenure: Lease for a term of 103 years commencing from
Volume	Folio					
220	172		5	3462	together with the buildings erected thereon	1st March 1979
220	10		5	3407	together with the buildings erected thereon	1st April 1978

SECOND SCHEDULE — *continued*

216	106		5	3410	together with the buildings erected thereon	1st September 1978
216	165		5	3411	together with the buildings erected thereon	1st September 1978
220	173		5	3463	together with the buildings erected thereon	1st March 1979
216	167		5	3413	together with the buildings erected thereon	1st September 1978
216	166		5	3412	together with the buildings erected thereon	1st October 1978
220	11		5	3408	together with the buildings erected thereon	1st May 1978
220	9		5	3406	together with the buildings erected thereon	1st May 1978
219	190		5	3420	together with the buildings erected thereon	1st November 1978
221	39		5	3419	together with the buildings erected thereon	1st November 1978
221	38		5	3418	together with the buildings erected thereon	1st November 1978
220	174		5	3464	together with the buildings erected thereon	1st April 1979
220	8		5	3405	together with the buildings erected thereon	1st April 1978

(E) SEMBAWANG (MUKIM 13)

SECOND SCHEDULE — *continued*

Reference to Land-Register		Town Sub- division	Mukim	Lot		Tenure: Lease for a term of 103 years commencing from
Volume	Folio					
215	157		13	940	together with the buildings erected thereon	1st March 1975
215	158		13	941	together with the buildings erected thereon	1st March 1975
215	159		13	942	together with the buildings erected thereon	1st March 1975

## PART II

## (A) Taman Jurong

All that part of Lots 1124 and 1593 Mukim 6 together with the buildings thereon and delineated in red on Plan No. JTC/CB 1696-108 excluding all those lands described in Part I (A) of this Schedule and excluding all those lands as shown coloured yellow on the Plan.

## (B) Boon Lay Garden

All the whole of Lots 1600 and 1559 Mukim 6 together with the buildings thereon and all that part of Lots 1560 and 1557 Mukim 6 together with the buildings thereon and delineated in red on Plan No. JTC/CB 1696-105 excluding all those lands described in Part I (B) of this Schedule and excluding all those lands as shown coloured yellow on the Plan.

## (C) Teban Gardens

All the whole of Lots 1795 and 3666 Mukim 5 together with the buildings thereon and all that part of Lots 3667 and 3668 Mukim 5 together with the buildings thereon and delineated in red on Plan No. JTC/CB 1696-107 excluding all those lands described in Part I (C) of this Schedule and excluding all those lands as shown coloured yellow on the Plan.

## (D) Pandan Gardens

All that part of Lot 3738 Mukim 5 together with the buildings thereon and delineated in red on Plan No. JTC/CB 1696-106 excluding all those lands described in Part I (D) of this Schedule and excluding all those lands as shown coloured yellow on the Plan.

## (E) Sembawang

SECOND SCHEDULE — *continued*

All that part of Lot 943 Mukim 13 together with the buildings thereon and delineated in red on Plan JTC/CB 327/2 excluding all those lands described in Part I (E) of this Schedule.

*Note: The Plans referred to in this Schedule may be inspected at the Land Authority, 8 Shenton Way #25-01, Temasek Tower, Singapore 068811.*

LEGISLATIVE HISTORY  
HOUSING AND DEVELOPMENT ACT  
(CHAPTER 129)

This Legislative History is provided for the convenience of users of the Housing and Development Act. It is not part of this Act.

**1. Ordinance 11 of 1959 — Housing and Development Ordinance 1959**

Date of First Reading	:	13 August 1958 (Bill No. 161/58 published on 22 August 1958)
Date of Second Reading	:	10 September 1958
Referred to Select Committee	:	Sessional Paper No. 20 of 1958
Date of Third Reading	:	26 January 1959
Date of commencement	:	1 February 1960

**2. Ordinance 13 of 1963 — Housing and Development (Amendment) Ordinance 1963**

Date of First Reading	:	5 April 1963 (Bill No. 190/63 published on 3 May 1963)
Date of Second and Third Readings	:	15 June 1963
Date of commencement	:	1 September 1963

**3. Ordinance 34 of 1963 — Housing and Development (Amendment No. 2) Ordinance 1963**

Date of First Reading	:	28 November 1963 (Bill No. 12/63 published on 29 November 1963)
Date of Second and Third Readings	:	20 December 1963
Date of commencement	:	21 September 1963

**4. Ordinance 10 of 1964 — Housing and Development (Amendment) Ordinance 1964**

Date of First Reading	:	10 June 1964 (Bill No. 26/64 published on 19 June 1964)
Date of Second and Third Readings	:	4 November 1964
Date of commencement	:	11 February 1964

**5. Act 21 of 1966 — Housing and Development (Amendment) Act 1966**

Date of First Reading : 21 April 1966  
(Bill No. 21/66 published on  
26 April 1966)

Date of Second and Third Readings : 22 June 1966

Date of commencement : 22 July 1966

**6. 1970 Revised Edition — Housing and Development Act (Cap. 271)**

Date of operation : 31 August 1971

**7. Act 15 of 1971 — Housing and Development (Amendment) Act 1971**

Date of First Reading : 30 July 1971  
(Bill No. 6/71 published on  
2 August 1971)

Date of Second and Third Readings : 19 October 1971

Date of commencement : 10 December 1971

**8. Act 33 of 1973 — Statutes of the Republic of Singapore (Miscellaneous Amendments) (No. 2) Act 1973**

Date of First Reading : 11 July 1973  
(Bill No. 34/73 published on  
14 July 1973)

Date of Second and Third Readings : 26 July 1973

Date of commencement : 24 August 1973

**9. Act 35 of 1973 — Statutes of the Republic of Singapore (Miscellaneous Amendments) (No. 4) Act 1973**

Date of First Reading : 11 July 1973  
(Bill No. 35/73 published on  
16 July 1973)

Date of Second and Third Readings : 26 July 1973

Date of commencement : 1 September 1973

**10. Act 13 of 1975 — Housing and Development (Amendment) Act 1975**

Date of First Reading : 26 February 1975  
(Bill No. 11/75 published on  
28 February 1975)

Date of Second and Third Readings : 27 March 1975

Date of commencement : 2 July 1975

**11. Act 4 of 1978 — Housing and Development (Amendment) Act 1978**

Date of First Reading : 9 November 1977  
(Bill No. 18/77 published on  
15 November 1977)

Date of Second and Third Readings : 31 January 1978

Date of commencement : 1 July 1978

**12. Act 25 of 1979 — Housing and Development (Amendment) Act 1979**

Date of First Reading : 7 September 1979  
(Bill No. 32/79 published on  
11 September 1979)

Date of Second and Third Readings : 21 September 1979

Date of commencement : 1 March 1980

**13. Act 20 of 1980 — Housing and Development (Amendment) Act 1980**

Date of First Reading : 14 March 1980  
(Bill No. 12/80 published on  
15 March 1980)

Date of Second and Third Readings : 25 March 1980

Date of commencement : 25 April 1980

**14. Act 12 of 1982 — Housing and Development (Amendment) Act 1982**

Date of First Reading : 15 March 1982  
(Bill No. 5/82 published on  
16 March 1982)

Date of Second and Third Readings : 26 March 1982

Date of commencement : 1 May 1982

**15. Act 7 of 1983 — Statutes (Miscellaneous Amendments) Act 1983**

Date of First Reading : 3 December 1982  
(Bill No. 25/82 published on  
8 December 1982)

Date of Second and Third Readings : 24 March 1983

Date of commencement : 15 April 1983

**16. Act 30 of 1984 — Housing and Development (Amendment) Act 1984**

Date of First Reading : 24 July 1984  
(Bill No. 25/84 published on  
3 August 1984)

- Date of Second and Third Readings : 24 August 1984
- Date of commencement : 1 April 1985
- 17. Act 21 of 1986 — Housing and Development (Amendment) Act 1986**
- Date of First Reading : 5 May 1986  
(Bill No. 14/86 published on 6 May 1986)
- Date of Second and Third Readings : 31 July 1986
- Date of commencement : 5 September 1986
- 18. 1985 Revised Edition — Housing and Development Act**
- Date of operation : 30 March 1987
- 19. Act 28 of 1989 — Housing and Development (Amendment) Act 1989**
- Date of First Reading : 29 May 1989  
(Bill No. 31/89 published on 31 May 1989)
- Date of Second and Third Readings : 11 July 1989
- Date of commencement : 4 August 1989
- 20. Act 11 of 1991 — Statutes (Miscellaneous Amendments) Act 1991**
- Date of First Reading : 3 January 1991  
(Bill No. 4/91 published on 4 January 1991)
- Date of Second and Third Readings : 14 January 1991
- Date of commencement : 30 November 1991
- 21. Act 19 of 1992 — Housing and Development (Amendment) Act 1992**
- Date of First Reading : 10 March 1992  
(Bill No. 24/92 published on 11 March 1992)
- Date of Second and Third Readings : 20 March 1992
- Date of commencement : 1 April 1992
- 22. Act 16 of 1995 — Housing and Development (Amendment) Act 1995**
- Date of First Reading : 1 March 1995  
(Bill No. 11/95 published on 2 March 1995)
- Date of Second and Third Readings : 23 March 1995



- Date of commencement : 28 April 1995
- 23. Act 17 of 1996 — Housing and Development (Amendment) Act 1996**
- Date of First Reading : 27 February 1996  
(Bill No. 6/96 published on  
28 February 1996)
- Date of Second and Third Readings : 2 May 1996
- Date of commencement : 7 June 1996
- 24. 1997 Revised Edition — Housing and Development Act**
- Date of operation : 30 May 1997
- 25. Act 7 of 1997 — Statutes (Miscellaneous Amendments) Act 1997**
- Date of First Reading : 11 July 1997  
(Bill No. 6/97 published on  
12 July 1999)
- Date of Second and Third Readings : 25 August 1997
- Date of commencement : 1 October 1997 (except  
section 3)
- 26. Act 41 of 1998 — Housing and Development (Amendment) Act 1998**
- Date of First Reading : 4 September 1998  
(Bill No. 39/98 published on  
5 September 1998)
- Date of Second and Third Readings : 12 October 1998
- Date of commencement : 20 November 1998
- 27. Act 21 of 2000 — Housing and Development (Amendment) Act 2000**
- Date of First Reading : 9 May 2000  
(Bill No. 16/2000 published on  
10 May 2000)
- Date of Second and Third Readings : 23 May 2000
- Date of commencement : 1 July 2000
- 28. Act 17 of 2001 — Singapore Land Authority Act 2001**  
(Consequential amendments made by)
- Date of First Reading : 5 March 2001  
(Bill No. 17/2001 published on  
7 March 2001)
- Date of Second and Third Readings : 19 April 2001

- Date of commencement : 1 June 2001
- 29. Act 5 of 2002 — Statutory Corporations (Capital Contribution) Act 2002**  
(Consequential amendments made by)
- Date of First Reading : 3 May 2002  
(Bill No. 7/2002 published on  
4 May 2002)
- Date of Second and Third Readings : 24 May 2002
- Date of commencement : 15 July 2002 (except item (18)  
of Schedule)
- 30. Act 31 of 2002 — Housing and Development (Amendment) Act 2002**
- Date of First Reading : 1 October 2002  
(Bill No. 35/2002 published on  
2 October 2002)
- Date of Second and Third Readings : 31 October 2002
- Date of commencement : 1 January 2003
- 31. Act 11 of 2003 — Street Works (Amendment) Act 2003**  
(Consequential amendments made to Act by)
- Date of First Reading : 24 April 2003  
(Bill No. 9/2003 published on  
25 April 2003)
- Date of Second and Third Readings : 30 June 2003
- Date of commencement : 1 August 2003
- 32. 2004 Revised Edition — Housing and Development Act**
- Date of operation : 31 July 2004
- 33. Act 45 of 2004 — Trustees (Amendment) Act 2004**
- Date of First Reading : 21 September 2004  
(Bill No. 43/2004 published on  
22 September 2004)
- Date of Second and Third Readings : 19 October 2004
- Date of commencement : 15 December 2004  
(item (16) in the Schedule)
- 34. Act 23 of 2005 — Town Councils (Amendment) Act 2005**
- Date of First Reading : 16 May 2005  
(Bill No. 13/2005 published on  
17 May 2005)

Date of Second and Third Readings : 18 July 2005  
 Date of commencement : 15 August 2005  
 (section 13 — related  
 amendments to Housing and  
 Development Act)

**35. Act 29 of 2005 — Housing and Development (Amendment) Act 2005**

Date of First Reading : 18 July 2005  
 (Bill No. 19/2005 published on  
 19 July 2005)  
 Date of Second and Third Readings : 15 August 2005  
 Date of commencement : 15 September 2005

**36. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005**

Date of First Reading : 17 October 2005  
 (Bill No. 30/2005 published on  
 18 October 2005)  
 Date of Second and Third Readings : 21 November 2005  
 Dates of commencement : 1st January 2006  
 (item (14) in the First Schedule)

**37. Act 1 of 2008 — Housing and Development (Amendment) Act 2008**

Date of First Reading : 12 November 2007  
 (Bill No. 46/2007 published on  
 13 November 2007)  
 Date of Second and Third Readings : 21 January 2008  
 Date of commencement : 20 June 2008

**38. Act 21 of 2008 — Mental Health (Care and Treatment) Act 2008**  
 (Consequential amendments made to Act by)

Date of First Reading : 21 July 2008  
 (Bill No. 11/2008 published on  
 22 July 2008)  
 Date of Second and Third Readings : 15 September 2008  
 Date of commencement : 1 March 2010  
 (item (17) in the Second  
 Schedule)

**39. Act 18 of 2010 — Housing and Development (Amendment) Act 2010**

Date of First Reading : 19 July 2010  
(Bill No. 14/2010 published on  
19 July 2010)

Date of Second and Third Readings : 19 July 2010

Date of commencement : 11 August 2010

**40. Act 15 of 2010 — Criminal Procedure Code 2010**

Date of First Reading : 26 April 2010  
(Bill No. 11/2010 published on  
26 April 2010)

Date of Second and Third Readings : 19 May 2010

Date of commencement : 2 January 2011

**COMPARATIVE TABLE**  
**HOUSING AND DEVELOPMENT ACT**  
**(CHAPTER 129)**

The following provisions in the 1997 Revised Edition of the Housing and Development Act have been renumbered by the Law Revision Commissioners in this 2004 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Housing and Development Act.

<b>2004 Ed.</b>	<b>1997 Ed.</b>
<b>4</b> —(1) to (3)	<b>4</b> —(1) to (3)
—	(4) ( <i>Deleted by Act 41/98</i> )
(4)	(5)
<b>29</b> —(1), (2) and (2A)	<b>29</b> —(1), (2) and (2A)
(3) and (3A)	(3)
(4), (4A) and (5)	(4), (4A) and (5)
<b>48B</b> —(1) and (2)	<b>48B</b> —(1) and (2)
(3) and (4)	(3)
<b>65L</b> —(1) and (2)	<b>65L</b>
—	<b>82</b> ( <i>Repealed by Act 21/2000</i> )
<b>82</b>	<b>83</b>
<b>83</b>	<b>84</b>