



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**HOUSING AND DEVELOPMENT
ACT 1959**

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021.

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT 1983

Informal Consolidation – version in force from 31/12/2021 to 1/4/2022

Housing and Development Act 1959

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Short title
2. Interpretation

PART 2

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. Salaries, fees, etc., payable to members of Board
9. Quorum
10. Vacancies
11. Proceedings of Board

PART 3

FUNCTIONS, DUTIES, PROPERTIES AND OFFICERS OF BOARD

12. Functions and duties of Board
13. Symbol or representation of Board
14. Use of name, etc., of Board
15. Power to vary rate of interest payable under mortgage
16. Power to incorporate private companies
17. Gifts
18. Additional functions of Board

Section

19. Directions by Minister
20. Submission of proposals, plans and projects by Board
21. Contracts
22. Protection of Board and employees from personal liability
23. Power of Board to enter into agreements
24. Power in respect of intellectual property rights
25. Board may make ex gratia payments
26. Power to purchase, sell, lease and exchange lands, etc.
27. Compulsory acquisition of property before 15 April 1983 not to be called in question
28. Power to enter upon notice or under warrant
29. Power to enter without notice or warrant
30. Financial penalties
31. Power to make rules
32. Powers of composition
33. Liability of owners of vehicles for parking offences
34. Power to make standing orders
35. Appointment of committees and delegation of powers
36. Conformity with Master Plan
37. Power to fix and vary rent, licence fees and maintenance fees
38. Transfer to Board of undertakings and assets of Singapore Improvement Trust
39. Transfer of properties, liabilities and obligations, etc.
40. Payment of compensation for transferred properties
41. HUDC dwellings
42. Transfer of rights and obligations relating to applications for HUDC dwellings
43. Charge on immovable property of Board
44. Chief Executive Officer
45. Appointment of officers and employees
46. Officers not to be interested in contracts in Singapore
47. Transfer of other officers of Singapore Improvement Trust
48. Pension schemes, provident fund, etc.

PART 4

SALE OF FLATS, HOUSES OR OTHER BUILDINGS

49. Power to sell and restrictions as to registration
50. Restrictions as to purchase
51. Power to vary terms and conditions

Section

52. Board and lessees to be discharged from certain restrictive covenant
53. Execution of sale and other instruments by Board on behalf of certain purchasers of flats
54. Special provisions
55. Prohibition of sale within minimum occupation period, etc.
56. Flat, house or other building not to be sold, mortgaged, etc., without consent of Board
57. Purchase of flats, houses and other living accommodation by bodies corporate
58. Property not to be used as security or attached, etc., and no trust in respect thereof to be created without approval of Board
59. Transfer of flat, house or other building on death of owner
60. Establishment of management corporations
61. Board or company may exercise powers of management corporation
62. Determination of lease
63. Board may compulsorily acquire property sold subject to the provisions of this Part
64. Power to inspect, search, etc.
65. Power to require evidence as to identity, examine, etc.
66. Vesting of acquired property in Board
67. Payment of compensation
68. Taking possession
69. Disposal of movable property
70. Giving false information
71. Direction of Minister to be conclusive evidence
72. Direction by Board to remove article or object placed in manner likely to cause damage to property, etc.
73. Notice to quit, etc., not waived by payment made to Board
74. Power to make rules

PART 4A

UPGRADING WORKS IN PRECINCTS

75. Interpretation of this Part
76. Declaration of precincts
77. Upgrading works in precinct
78. Power to carry out upgrading works and to recover contribution
79. Direction of Minister to carry out upgrading works in certain circumstances

Section

- 80. Payment of improvement contribution
- 81. Transfer of additional floor area
- 82. Recovery of improvement contribution from sale of flat
- 83. Recovery of payments due to Board
- 84. Power of entry and compulsory acquisition
- 85. Power to make rules
- 86. Saving

PART 4B

DESIGN-BUILD-AND-SELL SCHEME

- 87. Interpretation of this Part
- 88. Appointment of approved developers
- 89. Approved developers to develop and sell housing accommodation
- 90. Vesting of reversion, etc., in Board
- 91. Applicability of Part 4 to housing accommodation sold under this Part
- 92. Eligibility to purchase housing accommodation under this Part
- 93. Purchaser dies before temporary occupation permit, etc., issued
- 94. Power to make rules

PART 5

FINANCIAL PROVISIONS

- 95. Borrowing powers
- 96. Issue of shares, etc.
- 97. Annual financial statement
- 98. Budgets
- 99. Approval of budget by Minister
- 100. Supplemental budgets
- 101. Accounts
- 102. Presentation of financial statements and audit reports
- 103. Bank account
- 104. Payments to be made in accordance with budget
- 105. Transfer of sums from one item to another
- 106. Power of investment

PART 6

MISCELLANEOUS

Section

- 107. Obstruction
 - 108. Employee of Board may require evidence of identity in certain cases
 - 109. Fines and financial penalties payable to Consolidated Fund, etc.
 - 110. Conduct of prosecutions
 - 111. 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.

[1 February 1960]

PART 1

PRELIMINARY

Short title

1. This Act is the Housing and Development Act 1959.

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 4; or
 - (b) authorised in writing by the Board to reside therein except that, where the person has entered, stayed or remained in Singapore in contravention of any provision of any written law relating to

immigration, he or she is 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 is to 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 1953;

“Chairperson” means the Chairperson of the Board;

“Chief Executive Officer” means the Chief Executive Officer of the Board, and includes any individual acting in that capacity;

“Collector” has the meaning given by the Land Revenue Collection Act 1940;

“commercial property” means any flat, house or building or any part thereof which is permitted to be used pursuant to the Planning Act 1998 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 1967;

“Jurong Town Corporation” means the Jurong Town Corporation established by the Jurong Town Corporation Act 1968;

“lease” includes an agreement for a lease;

“Master Plan” has the meaning given by the Planning Act 1998;

“officer” means an officer of the Board;

“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.

[13/2015; 5/2018]

(2) References in this Act to a flat, house or other living accommodation are to 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 is, except in respect of its planning functions, to be construed as a reference to the Board.

PART 2

ESTABLISHMENT, INCORPORATION AND
CONSTITUTION OF BOARD

Establishment and incorporation of Housing and Development Board

3. A body called the Housing and Development Board is established, 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 must 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 must be sealed with the seal of the Board in the presence of the Chairperson, or the Deputy Chairperson, or a member of the Board, and an officer of the Board authorised by the Board in that behalf, who must sign every such deed, document or other instrument to which the seal is affixed, and the signing is sufficient evidence that the seal was duly and properly affixed and that it is the lawful seal of the Board.

(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 must sign every such deed, document or other instrument to which the seal is affixed, and the signing is sufficient evidence that the seal was duly and properly affixed and that it is the lawful seal of the Board.

(4) Section 11 of the Registration of Deeds Act 1988 does not apply to any instrument purporting to have been executed under subsection (2) or (3).

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 of the Board.

Constitution of Board

6.—(1) The Board consists of —

(a) a Chairperson; and

(b) at least 4 and not more than 14 other members,

each of whom must be appointed by the Minister subject to subsection (10) and on any conditions as the Minister may determine.

[35/2020]

(2) The Minister may, subject to subsection (10), appoint a member of the Board to be the Deputy Chairperson.

[35/2020]

(3) The Minister may, subject to subsection (10), appoint the Chief Executive Officer to be a member of the Board.

(4) Members of the Board hold office for the period, not being more than 3 years from the date of their respective appointments, that the Minister determines, and are eligible for re-appointment on completion of that period.

(5) The Minister may appoint an individual to act temporarily as a member of the Board (other than the Chairperson or the Deputy Chairperson) during any period, or during all periods, when any member —

(a) is incapacitated from illness or otherwise; or

(b) is absent from duty or Singapore.

[35/2020]

(6) The Minister may appoint a member of the Board to act temporarily as the Chairperson or the Deputy Chairperson during any period, or during all periods, when the Chairperson or the Deputy Chairperson, as the case may be —

- (a) is incapacitated from illness or otherwise; or
- (b) is absent from duty or Singapore.

[35/2020]

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

(8) The Minister may, subject to subsection (10), at any time revoke the appointment of any member of the Board.

(9) 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 (10), appoint a new member who is to hold office for so long as the member in whose place he or she is appointed would have held office.

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

(11) The Chairperson 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 Chairperson by or under this Act.

Disqualification from membership and vacation of office

7.—(1) A person is not eligible to be appointed or to remain a member of the Board if the person —

- (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) has a mental disorder and is incapable of managing himself or herself or his or her affairs.

[21/2008]

(2) The office of a member of the Board becomes 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 or her office.

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

8. There are to 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.

[9]

Quorum

9.—(1) The quorum at all meetings of the Board is one-third of the total number of members in office, of whom one must be the Chairperson or the Deputy Chairperson, and, in the Chairperson's absence, the Deputy Chairperson presides at its meetings.

[29/2005; 35/2020]

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

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

[10]

Vacancies

10. The Board may, subject to section 9(1), act despite any vacancy in its membership.

[11]

Proceedings of Board

11.—(1) The Chairperson or other officers authorised by him or her must, subject to such standing orders as the Board may make under

subsection (2), summon all meetings of the Board for the despatch of business.

(2) Subject to the provisions of this Act and the Public Sector (Governance) Act 2018, 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 at its meetings, the keeping of minutes and the custody, production and inspection of the minutes.

[12
[5/2018]

PART 3

FUNCTIONS, DUTIES, PROPERTIES AND OFFICERS OF BOARD

Functions and duties of Board

12. Subject to the provisions of this Act, the functions and duties of the Board are —

- (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 Minister's approval, to enable persons to purchase —
- (i) any developed land or any housing accommodation sold under Part 4B; or
 - (ii) any other land belonging to the Board for which planning permission to develop has been obtained under the Planning Act 1998,
- or any part thereof upon a mortgage of that land;
- (e) 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 Minister's approval, as an agent for another public authority in the provision of such services;
- (f) 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
- (g) 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.

[13

[29/2005; 18/2010]

Symbol or representation of Board

13.—(1) The Board has 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.

(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.

[13A

Use of name, etc., of Board

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

(2) A person other than the Board must 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.

(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.

[13B

Power to vary rate of interest payable under mortgage

15.—(1) Where loans are provided by the Board for the purchase of any property upon a mortgage of that property to the Board, whether the mortgage was entered into before or after 5 September 1986, the Board has the power, despite 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.

(2) Any notice under subsection (1) must be in writing and is deemed to be sufficiently served on the mortgagor if sent by ordinary post to the mortgagor at the address of the mortgaged property and is

deemed to be served on the mortgagor at the time when the letter would, in the ordinary course of post, be delivered.

[14

Power to incorporate private companies

16.—(1) The Board may, with the Minister’s approval, form or participate in the formation of any private company (called in this section the company) having such object as the Minister may approve.

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

(3) The articles of association of the company must contain, among 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 the Minister may direct, and must also provide that the employees of the Board that are transferred to the company are to 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 Minister’s written approval, grant loans to any company in which the Board holds any shares.

[15

Gifts

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

[16

Additional functions of Board

18. 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 is deemed to be fulfilling the purposes of this Act and the provisions of this Act apply to the Board in respect of those functions.

[17]

Directions by Minister

19.—(1) The Minister may, after consulting the Board, give to the Board any direction under section 5 of the Public Sector (Governance) Act 2018.

[5/2018]

(2) The Board must provide the Minister with such information with respect to its property and activities as the Minister may require.

[18]

Submission of proposals, plans and projects by Board

20.—(1) The Board must 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 12, 18 and 19.

(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 or she may think fit.

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

[19]

Contracts

21.—(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, the standing orders must —

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

(3) A person entering into a contract with the Board is not bound to inquire whether the standing orders have been complied with and all such contracts, if otherwise valid, have full force and effect even though the standing orders applicable to those contracts have not been complied with.

[20]

Protection of Board and employees from personal liability

22. 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.

[21]

Power of Board to enter into agreements

23. It is 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 Minister's approval, in relation to any services not connected with housing or buildings ancillary thereto.

[22]

Power in respect of intellectual property rights

24. 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.

[22A
[18/2010]

Board may make ex gratia payments

25. The Board may, with the Minister's approval, 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.

[23

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

26.—(1) The Board may, with the Minister's approval, 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.

(3) Subject to section 37, 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.

[24

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

27.—(1) Despite the repeal of section 25 by the Housing and Development (Amendment) Act 1989, no compulsory acquisition of any immovable property before 15 April 1983 may 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.

(2) Any action or proceedings pending after 15 April 1983 in any court in respect of any matter to which subsection (1) applies is to be dismissed on application by any party, and the court may make such order as to costs as it thinks fit.

[26

Power to enter upon notice or under warrant

28.—(1) The Board may, by one or more of its officers or persons authorised by the Board (called in this section an authorised officer and authorised person, respectively), enter any premises at any reasonable time, on giving 24 hours' notice of its intention to do so to the owner or occupier of the premises, to do either or both of the following:

- (a) investigate whether any urgent repairs or works are required to be carried out in the premises;
- (b) carry out the urgent repairs or works.

[13/2015]

(2) There must be at least one authorised officer present in the premises at all times during the conduct of any investigation or carrying out of any urgent repairs or works under subsection (1) in those premises.

[13/2015]

(3) Before entering the premises under subsection (1), an authorised officer must produce, if so required —

- (a) his or her original identity card or such identification card as the Chief Executive Officer may direct to be carried by the authorised officer as proof of his or her identity; and
- (b) some duly authenticated document showing his or her authority.

[13/2015]

(4) If it is shown to the satisfaction of a Magistrate on sworn information in writing that there is reasonable ground for entry into the premises for either or both of the purposes specified in subsection (1) and —

- (a) that entry into the premises has been refused, or that refusal is apprehended; or
- (b) that the premises are unoccupied or the owner or occupier is temporarily absent,

the Magistrate may by warrant authorise the Board by one or more authorised officers or authorised persons to enter the premises forcibly, if necessary.

[13/2015]

(5) The warrant continues in force until the purpose for which the entry is necessary has been satisfied.

[13/2015]

(6) There must be at least one authorised officer present in the premises at all times during the execution of the warrant.

[13/2015]

(7) If the owner or occupier is present when an authorised officer or authorised person seeks to execute the warrant, the authorised officer must —

(a) identify himself or herself to the owner or occupier;

(b) show the owner or occupier —

(i) his or her original identity card or such identification card as the Chief Executive Officer may direct to be carried by the authorised officer as proof of his or her identity; and

(ii) some duly authenticated document showing his or her authority;

(c) show the owner or occupier the warrant; and

(d) if required, give the owner or occupier a copy of the warrant.

[13/2015]

(8) If the owner or occupier is not present when entry under subsection (7) is sought, but some other person who appears to be in charge of the premises is present, then subsection (7) applies to that other person as if he or she were the owner or occupier.

[13/2015]

(9) An authorised officer or authorised person entering the premises under a warrant issued under subsection (4) 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 the premises and every part of the premises;

(c) remove by force any obstruction to the entry.

[13/2015]

(10) An authorised officer or authorised person entering the premises under subsection (1), or under a warrant issued under subsection (4), may do either or both of the following:

(a) take with him or her such other persons as may be necessary;

(b) remove or demolish any fixtures or fittings in the premises if the removal or demolition is necessary for the conduct of any investigation or carrying out of any urgent repairs or works under this section.

[13/2015]

(11) If the premises are unoccupied at the time of entry, the authorised officer or authorised person must leave the premises as effectually secured against trespassers as he or she found the premises.

[13/2015]

(12) Subject to subsection (11), the Board is not liable to compensate the owner or occupier for any loss (including reinstatement costs) incurred by the owner or occupier, or for any damage caused to the premises, as a result of anything done with reasonable care and in good faith under subsection (10)(b).

[13/2015]

(13) Where the Board has carried out any repairs or works in the premises under this section, the Board may recover from the owner, as a debt due to the Board, the costs incurred by the Board in respect of the repairs or works.

[13/2015]

(14) The Board must serve a written notice on the owner requiring payment of the costs recoverable under subsection (13), and the owner must make payment within one month after the date of the written notice or within such other period as the Board may specify in the written notice.

[13/2015]

(15) In this section and section 29, “premises” means any flat, house or other building sold, leased or rented out by the Board under this Act.

[26A
[13/2015]

Power to enter without notice or warrant

29.—(1) If there are reasonable grounds to believe in respect of any premises that there is an imminent danger which affects public safety or public health, the Board may, by one or more of its officers or persons authorised by the Board (called in this section an authorised officer and authorised person, respectively), enter the premises without warrant to do either or both of the following:

- (a) investigate whether any urgent repairs or works are required to be carried out in the premises to remove or prevent that danger;
- (b) carry out the urgent repairs or works.

[13/2015]

(2) There must be at least one authorised officer present in the premises at all times during the conduct of any investigation or carrying out of any urgent repairs or works under subsection (1) in those premises.

[13/2015]

(3) If the owner or occupier of the premises is present when an authorised officer or authorised person seeks to enter the premises, the authorised officer must show the owner or occupier —

- (a) such identification card as the Chief Executive Officer may direct to be carried by the authorised officer as proof of his or her identity; and
- (b) some duly authenticated document showing his or her authority.

[13/2015]

(4) If the owner or occupier is not present when entry under subsection (3) is sought, but some other person who appears to be in charge of the premises is present, then subsection (3) applies to that other person as if he or she were the owner or occupier.

[13/2015]

(5) An authorised officer or authorised person entering the premises under this section may do all or any of the following:

- (a) take with him or her such other persons as may be necessary;
- (b) break open any outer or inner door or window leading to the premises;
- (c) forcibly enter the premises and every part of the premises;
- (d) remove by force any obstruction to the entry;
- (e) remove or demolish any fixtures or fittings in the premises if the removal or demolition is necessary for the conduct of any investigation or carrying out of any urgent repairs or works under this section.

[13/2015]

(6) If the premises are unoccupied at the time of entry, the authorised officer or authorised person must leave the premises as effectually secured against trespassers as he or she found the premises.

[13/2015]

(7) Subject to subsection (6), the Board is not liable to compensate the owner or occupier for any loss (including reinstatement costs) incurred by the owner or occupier, or for any damage caused to the premises, as a result of anything done with reasonable care and in good faith under subsection (5)(e).

[13/2015]

(8) Where the Board has carried out any repairs or works in the premises under this section, the Board may recover from the owner, as a debt due to the Board, the costs incurred by the Board in respect of the repairs or works.

[13/2015]

(9) The Board must serve a written notice on the owner requiring payment of the costs recoverable under subsection (8), and the owner must make payment within one month after the date of the written notice or within such other period as the Board may specify in the written notice.

[26B

[13/2015]

Financial penalties

30.—(1) Any financial penalty imposed on any person under this Act or any rules made under this Act must be paid to the Board and is recoverable by the Board as a debt due to the Board from that person.

[13/2015]

(2) Where a financial penalty is imposed on a person in relation to a licence or lease, the person's liability to pay is not affected by the licence or lease ceasing, for any reason, to be in force.

[13/2015]

(3) The Board may, in any case it thinks fit, remit or refund, wholly or in part, any financial penalty payable under this Act or any rules made under this Act.

[13/2015]

(4) The power of the Board to impose a financial penalty under this Act or any rules made under this Act is exercisable only if the contravention in respect of which the financial penalty is imposed is not an offence under this Act or any of those rules.

[26C

[13/2015]

Power to make rules

31.—(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 limiting 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;
- (c) regulating the carrying out of any renovation in any flat, house or other building sold under this Act;

- (d) prescribing the form or forms of the contract or agreement that must be used by every owner of any such flat, house or other building and a purchaser other than the Board;
- (e) 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, are void;
- (f) prescribing that any act or omission in contravention of any rule (except a rule made under paragraph (c)) shall be an offence punishable by a fine not exceeding \$5,000;
- (g) 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 the owner's purchase of such HUDC dwelling, flat, house or other living accommodation;
- (h) prescribing the financial penalty (not exceeding \$5,000) 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;
- (i) prescribing a right to appeal to the Minister (whose decision is to be final) against any financial penalty imposed under this Act or any rules made under this Act and the appeal procedures.

[18/2010; 13/2015]

- (3) Any rules made under subsection (2)(c) 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;
 - (d) the power of the Board to forfeit (in part or in whole) the security deposited by a licensee under any rule made under paragraph (c) for any contravention of any obligation imposed on the licensee by the licence or by this Act;
 - (e) 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 is to be final) against any such proposed cancellation, suspension or forfeiture;
 - (f) the power of the Board to impose a financial penalty not exceeding \$10,000 on a licensee for contravention of any licence condition; and
 - (g) that any act or omission in contravention of any rule made under subsection (2)(c) shall be an offence punishable with a fine not exceeding \$20,000 or with imprisonment for a term not exceeding 12 months or with both.

[13/2015]

(4) Where any financial penalty is imposed under any rule made under subsection (3)(f) on a licensee for contravening any licence condition, any security deposited by the licensee in respect of that licence under any rule made under subsection (3)(c) is not to be forfeited under any rule made under subsection (3)(d) for that contravention except to the extent to pay the financial penalty.

[13/2015]

(5) Any reference to a licence in subsections (3) and (4) includes a reference to a permit or a registration scheme authorising the carrying

out of any renovation in any flat, house or other building sold under this Act.

[13/2015]

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

[27

Powers of composition

32.—(1) The Board or any officer of the Board who is authorised by the Board in that behalf may, in its or his or her discretion, compound any offence under this Act or any rules made under section 31 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 \$5,000,

whichever is the lower.

[29/2005; 13/2015]

(2) On payment of the sum of money, no further proceedings are to be taken against that person in respect of the offence.

[29/2005]

(3) 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 the offences may be compounded.

(4) All sums of money received for the composition of offences under this section must be paid into the Consolidated Fund.

[27A

[13/2015]

Liability of owners of vehicles for parking offences

33.—(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 31 in all respects as if the

person 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.

(2) Nothing in this section affects 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 to the parking offence.

[28/89]

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

- (a) within 7 days after service on the owner of a notice alleging that the owner has been guilty of the offence, provides 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 the owner did not know and could not with reasonable diligence have ascertained such name and address; or
- (c) satisfies the court that the owner did not know and could not with reasonable diligence have ascertained such name and address.

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

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

(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 the person in regard to the 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 1961, 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 31.

[27B

Power to make standing orders

34. The Board may, with the approval of the Minister, and subject to the Public Sector (Governance) Act 2018, 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;
- (g) the professional and technical training of officers of the Board.

[28
[5/2018]

Appointment of committees and delegation of powers

35.—(1) The Board may appoint from among its own members or other persons who are not members any 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 those committees.

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

[5/2018]

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

(4) The Board may, subject to any conditions or restrictions that 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 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.

[5/2018]

(5) A function, duty or power delegated under subsection (4) may be exercised or performed by the employee in the name and on behalf of the Board.

(6) 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 1988;
- (b) any member of the Town Council;
- (c) any member of any committee of the Town Council appointed under section 45 of the Town Councils Act 1988; or
- (d) any employee or agent of the Town Council,

one or more of the Board's powers under any rules made under section 31, subject to such conditions or restrictions as the Board may specify.

(7) Any power so delegated under subsection (6) may be exercised by such Town Council, member, employee or agent in the name and on behalf of the Board.

[29

Conformity with Master Plan

36. The Board must, in all housing and development projects, act in conformity with the Master Plan.

[30

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

37.—(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.

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

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

[31

Transfer to Board of undertakings and assets of Singapore Improvement Trust

38.—(1) As from 1 February 1960, the undertakings of the Singapore Improvement Trust are, except as provided in the

Planning Act (Cap. 232, 1990 Revised Edition), transferred to and vest in the Board without further assurance.

(2) Without limiting 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.

[32

Transfer of properties, liabilities and obligations, etc.

39.—(1) On 1 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,

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

(2) The Board has the power to execute any instrument under the Land Titles Act 1993, disposing of or creating an interest in any of the lands so vested in the Board (called in this Act transferred properties).

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

(4) Without limiting subsection (1), on 1 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 are transferred to the Board.

(5) 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 1 May 1982 may be continued, completed and enforced by or against the Board.

(6) 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 1 May 1982, whether or not of such nature that the rights and liabilities thereunder could be assigned, has effect as from that date as if —

(a) the Board had been a party to the 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 1 May 1982 a reference to the Board.

(7) 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 1968 as in force before 1 January 2018 is deemed to be a flat, house or other living accommodation sold by the Board under Part 4 of this Act.

[34/2017]

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

[33]

Payment of compensation for transferred properties

40.—(1) The Board must pay to —

(a) the Housing and Urban Development Company for the estates and interests in the lands vested in the Board under section 39(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 39(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) must be referred to an arbitrator to be appointed by the Minister and the decision of the arbitrator is final and binding on the parties.

[34

HUDC dwellings

41. All dwellings erected before or after 1 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 39(1)(a) are to be known as HUDC dwellings after that date.

[35

Transfer of rights and obligations relating to applications for HUDC dwellings

42.—(1) Subject to this section, on and after 1 May 1982, all the rights and obligations of the Housing and Urban Development Company with respect to the sale of its dwellings (called in this Act HUDC dwellings) are transferred to the Board.

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

(3) The Board has 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 1 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 the applicant's 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 the applicant's application under subsection (4).

[36

Charge on immovable property of Board

43.—(1) The Government is 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 Minister's approval before the moneys became owing to or were advanced by the Government, that charge has 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 vests, without the concurrence of the Board, 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 vests, on a date to be mentioned in the notification, in the Government, and thereafter the immovable property of the Board described in the notification vests, on that date, 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 that person of the rents and income; and the person so appointed has 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 of the declaration must, in the case of registered land, be sent to the Registrar of Titles who must 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 must 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.

[37

Chief Executive Officer

44.—(1) There must be a Chief Executive Officer of the Board, whose appointment, removal, discipline and promotion must be in accordance with the Public Sector (Governance) Act 2018 and Article 22A of the Constitution.

[5/2018]

(2) The Board may, subject to the Public Sector (Governance) Act 2018 and Article 22A of the Constitution, appoint an individual to act temporarily as the Chief Executive Officer during any period, or during all periods, when the Chief Executive Officer —

- (a) is absent from duty or Singapore; or
- (b) is, for any reason, unable to perform the duties of the office.

[38

[5/2018]

Appointment of officers and employees

45.—(1) Subject to the disallowance under section 99(1) of any item or portion of any item in a budget, the Board may appoint and employ such officers as may be necessary for the purpose of this Act, and may dismiss them.

(2) Subject to this section —

(a) appointments and promotions of all employees must 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 the Minister thinks fit, and determination of an appointment, dismissal and disciplinary control of persons appointed as such officers, is to be vested in the Board acting on the advice of the Public Service Commission, and upon the declaration the Board must exercise those functions on the advice of the Public Service Commission.

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

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

[39

Officers not to be interested in contracts in Singapore

46.—(1) A person is not eligible for employment as an officer of the Board if the person has, directly or indirectly, by himself or herself or his or her 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 is deemed to have or acquire any such share or interest by reason only that —

- (a) he or she 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 or she has or acquires a share in any loan issued by the Board or in any security for the same.

[40]

Transfer of other officers of Singapore Improvement Trust

47.—(1) As from 1 February 1960, every officer of the Singapore Improvement Trust, not being an officer exclusively engaged in the planning functions of the Singapore Improvement Trust, is 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 or she was employed by the Singapore Improvement Trust.

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

[41]

Pension schemes, provident fund, etc.

48.—(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 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, is 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 is 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 is subject to the debts of the contributor, nor does 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 is, subject to the provisions of this Act, 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 does not affect the making of deductions from the salary of the contributor in accordance with any such scheme, but such deductions must continue to be made despite the provisions of any written law, and the portion of salary so deducted is not to be deemed to form part of his or her 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 are 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 are not to be deemed to form part of his or her estate or be subject to the payment of his or her debts, but are deemed to be property

passing on his or her death for the purposes of the Estate Duty Act 1929;

- (f) any contributor may by a memorandum under his or her hand appoint a trustee or trustees of the moneys payable on his or her death out of any such scheme and may make provision for the appointment of a new trustee or new trustees of the moneys and for the investment of the moneys; such a memorandum must be in the form prescribed in the scheme and must be deposited with the Board;
- (g) if at the time of any contributor's death 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 General Division of the High Court; 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 is a discharge to the Board for any moneys payable on his or her death out of any such scheme.

[42

[40/2019]

PART 4

SALE OF FLATS, HOUSES OR OTHER BUILDINGS

Power to sell and restrictions as to registration

49.—(1) The Board may, with the Minister's approval, sell any developed land or part thereof.

(2) The Registrar of Deeds and the Registrar of Titles must 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 is conclusive evidence of that fact.

[46

Restrictions as to purchase

50.—(1) A person is not entitled to purchase any flat, house or other living accommodation sold subject to the provisions of this Part if the person, his or her 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 the 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 the person was the owner, or divested himself or herself of any interest therein.

(2) Where a person purchases a flat, house or other living accommodation in contravention of subsection (1), the person must not present for registration under the provisions of the Registration of Deeds Act 1988 or the Land Titles Act 1993 the assurance of the flat, house or other living accommodation.

(3) The Board must, 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 (5) 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 determines absolutely.

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

(5) Where an appeal has been made to the Minister under subsection (4), the Board must 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.

(6) The Registrar of Deeds or the Registrar of Titles (as the case may be) must register any instrument, lodged under subsection (5), without being concerned to inquire into its regularity or validity.

(7) Upon its registration the title to or the estate or interest in the flat, house or other living accommodation vests 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.

(8) 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 1988, the Registrar of Deeds must 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 (7), and upon that entry being made, the flat, house or other living accommodation vests 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 1993, the flat, house or other living accommodation vests 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 must cancel the registration of any mortgage, charge or lease thereby overreached.

(9) 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).

(10) 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.

(11) Despite subsection (1), the Board may sell or lease a flat, house or other living accommodation to any person, even though the person, his or her 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.

(12) Without affecting 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 5 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 or her application;
- (b) the applicant, his or her spouse or any person above the age of 14 years listed in his or her 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 1871 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 1953 and the applicant fails or refuses to return the money to the Government when he or she is required to do so under the terms of the grant; or
- (d) the applicant, his or her spouse or any person listed in his or her 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.

[47

Power to vary terms and conditions

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

(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 or her application and refund the deposit and administrative fees paid by the applicant.

(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 or her application under subsection (2).

[48

Board and lessees to be discharged from certain restrictive covenant

52.—(1) Despite 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 is 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;
- (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 mentioned in paragraph (a)(i), (ii) or (iii); or
 - (ii) to enforce any covenant mentioned in paragraph (a)(i), (ii) or (iii) on behalf of any lessee of any flat comprised in that same building.

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

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

[48A

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

53.—(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 12(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 1993 or the Registration of Deeds Act 1988 after the Board has sent a notice requiring the person to execute the instrument,

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

(2) The Board is deemed to be the duly appointed attorney of the person mentioned 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 1993 or the Registration of Deeds Act 1988.

(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 is deemed to have been properly effected.

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

[48B

Special provisions

54.—(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 the person to act for him or her in the transaction, the Board may by its duly authorised officer act for the person.

(2) Where the Board acts for the person 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 1988, section 11 of that Act does not apply if a duly authorised officer of the Board certifies that the 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 1993, a certificate of an officer of the Board duly authorised by the Board to act for the person mentioned in subsection (1) is sufficient for the purposes of section 59(3) of that Act.

(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” is to be construed accordingly.

(4) Section 33 of the Legal Profession Act 1966 does not apply to any officer of the Board acting for any party to the transactions mentioned in subsection (1).

[49

Prohibition of sale within minimum occupation period, etc.

55.—(1) Except with the prior written consent of the Board, an owner of any flat, house or other building which has been sold by the Board under the provisions of this Part must not, within the prescribed minimum occupation period, by contract, agreement or otherwise, sell or agree to sell his or her flat, house or other building or any estate or interest therein to any other person.

(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 must be in the prescribed form.

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

[49A

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

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

(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 1988 or the Land Titles Act 1993, the Board may, by an instrument lodged with the Registrar of Deeds or the Registrar of Titles (as the case may be), declare the assignment, mortgage, transfer, charge or lease to be void.

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

(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, is deemed to be valid for the purposes of any legal proceedings instituted by the Board under sections 62 and 63.

[50

[13/2015]

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

57.—(1) Despite section 50, the Minister may, by order 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.

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

[50A

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

58.—(1) Subject to subsections (4) and (5), 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 is void.

[18/2010; 35/2020]

(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 void under subsection (1) is of no effect and does not result in or create any interest in land and is not capable

of being registered under the provisions of the Registration of Deeds Act 1988 or the Land Titles Act 1993.

[18/2010]

(3) Where any deed, instrument or document mentioned in subsection (2) is registered under the provisions of the Registration of Deeds Act 1988 or the Land Titles Act 1993 —

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

[18/2010]

(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.

[18/2010]

(5) Subsection (1) does not apply to any contract, agreement or arrangement under which an approved financial institution uses any of its interest in any security over any protected property as security or collateral for the grant of any facility by the MAS to the approved financial institution.

[35/2020]

(6) No protected property is to vest in the Official Assignee on the bankruptcy of the owner thereof.

[18/2010]

(7) No protected property is to 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 the mortgagee's rights under a mortgage created with the prior written consent of the Board over that property; or
- (b) a chargee in exercise of the chargee's rights under a charge under any written law over that property.

[18/2010]

(8) Subsections (6) and (7) do 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.

[18/2010]

(9) No trust in respect of any protected property may be created by the owner thereof without the prior written approval of the Board.

[18/2010]

(10) Every trust which purports to be created in respect of any protected property without the prior written approval of the Board is void.

[18/2010]

(11) No person is to become entitled to any protected property (or any interest in such property) under any resulting trust or constructive trust whensoever created or arising.

[18/2010]

[S 759/2022]

(12) In this section —

“approved financial institution” means —

- (a) any bank licensed under the Banking Act 1970;
- (b) any finance company licensed under the Finance Companies Act 1967;
- (c) any direct insurer licensed under the Insurance Act 1966; and
- (d) any merchant bank licensed under the Banking Act 1970;

“facility” means an arrangement between the MAS and an approved financial institution under which the MAS provides funding to the approved financial institution, and includes a credit facility and a repurchase transaction;

“MAS” means the Monetary Authority of Singapore established under section 3 of the Monetary Authority of Singapore Act 1970;

“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 1988 and includes any Deputy Registrar of Deeds;

“Registrar of Titles” means the Registrar of Titles appointed under the Land Titles Act 1993 and includes any Deputy Registrar of Titles and Assistant Registrar of Titles.

[51

[18/2010; 11/2013; 1/2020; 35/2020]

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

59.—(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 must not be registered under the provisions of the Registration of Deeds Act 1988 or the Land Titles Act 1993 without the written consent of the Board.

(2) 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.

(3) 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 mentioned 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,

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.

[29/2005]

(4) 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 1988 or the Land Titles Act 1993; or
- (b) no representation has been taken out under a will or on the intestacy of a deceased owner of the flat, house or other building within 12 months from the death of the owner,

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

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

- (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 (2) or (3) 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.

(6) 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 is final and is not to be called in question in any court.

(7) Where an appeal is made to the Minister pursuant to subsection (6), the Board must not proceed to lodge an instrument of vesting under subsection (2) or (3) until the appeal is disposed of.

(8) The Registrar of Deeds or the Registrar of Titles (as the case may be) must register any instrument lodged under subsection (2) or (3) 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 1988 — the Registrar of Deeds must 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 1993 — the Registrar of Titles must register the instrument on the relevant folio of the land-register without the necessity of the production of the duplicate certificate of title.

(9) Upon the making of the entry or upon registration under subsection (8)(a) or (b), the title to and the estate or interest in the flat, house or other building vests 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) must cancel the registration of any mortgage, charge or lease thereby overreached.

(10) 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 mentioned in subsection (5) 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 is any dispute as to the entitlement to or the apportionment of the compensation,

the Board must apply to the Registrar of the Supreme Court *ex parte* by originating summons, supported by an affidavit, for an order to deposit the amount of the compensation in court and, despite anything to the contrary in the Rules of Court for the time being in force, the Registrar may make the order.

[35/2020]

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

[52

Establishment of management corporations

60.—(1) The owners of flats in any building of the Board must, 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 Subdivision or Mukim . . .”.

(2) The Board must 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, with the approval of the Minister, by notification in the *Gazette* revoke any authorisation granted to a company under subsection (3) without giving any reason.

(5) A management corporation must be constituted by an order made by the Minister, which must 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 is —

- (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), has 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 must 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 the

owner's flat done by the management corporation or at its direction.

(10) Subject to subsection (13), any contribution levied under subsection (9) is due and 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 61 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 is conclusive evidence of the amount that may be due to the Board under subsection (10).

(13) A management corporation must, on the application of any owner of a flat or any person authorised in writing by the owner, 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 the person's 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 mentioned in subsection (13), such a certificate is conclusive evidence of the matters certified in the certificate.

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

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

[53]

Board or company may exercise powers of management corporation

61. The functions and duties of a management corporation may be performed and its powers are vested in and may be exercised by —

(a) the Board —

(i) where a management corporation has not been constituted under section 60(5); or

(ii) where a management corporation, which had been constituted under section 60(5), has been wound up by an order under section 60(15); or

(b) a company authorised by the Board under section 60(3).

[54]

Determination of lease

62.—(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 determines absolutely —

(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 written demand 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 written notice 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 written notice 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 the owner's 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 74(1)(g); 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.

(2) Any determination of a lease under subsection (1) does not affect 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.

[55

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

63.—(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 2 June 1975 —

- (a) if the owner thereof and his or her spouse (if any) has, in the opinion of the Board, ceased to occupy the same;

- (b) if the owner thereof, his or her spouse or any authorised occupier has at any time, whether before or after 2 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 written notice has been sent by the Board drawing the owner's 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 the owner's 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;
- (ga) if the owner or any owner thereof made a misleading or false statement in the owner's application to the Board for, or a misrepresentation of a material fact (whether innocently or otherwise) to the Board relating to —
 - (i) the owner's acquisition of the flat, house or other living accommodation or an interest in it from a related person; or
 - (ii) the owner's transfer of an interest in the flat, house or other living accommodation to a related person;

- (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 2 June 1975, ceased to be a citizen of Singapore or if the owner thereof has, at any time whether before or after 1 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 written notice of demand 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 1953 and the owner refuses or fails to return the money to the Government when the owner is required to do so under the terms of the grant;
- (m) if the owner thereof, his or her spouse or any authorised occupier above the age of 14 years has on or after 1 March 1984 been convicted of an offence under section 304A, 336, 337 or 338 of the Penal Code 1871 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 or her 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.

[35/2020]

(2) Subsection (1)(b) does not apply to any owner or his or her 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.

(3) Where the Board intends to exercise its powers of compulsory acquisition conferred by this section, the Board must serve a written notice 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 (called in this Part an interested person) stating the intention of the Board to acquire the premises and the compensation to be paid therefor.

(4) Where the owner or interested person is deceased —

- (a) any reference to the owner or interested person in subsections (3) to (7) includes a reference to any legal personal representative of the deceased;
- (b) if no legal personal representative is appointed in respect of the deceased owner, any notice required to be served by the Board on the deceased owner under this section may be served by affixing a copy of the notice in a conspicuous place at the flat, house or other living accommodation; and
- (c) if no legal personal representative is appointed in respect of the deceased interested person, any notice required to be served by the Board on the interested person under this section may be served by affixing a copy of the notice in a conspicuous place at the last known place of residence of the interested person immediately before the interested person's death.

[13/2015]

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

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

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

(8) This section does 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.

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

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

(11) For the purposes of subsection (1)(ga), a person (*A*) is related to an owner of a flat, house or other living accommodation (*B*) if *A* is the spouse, a parent, remoter lineal ancestor, step-parent, son, daughter, son-in-law, daughter-in-law, remoter issue, stepson, stepdaughter, brother or sister, or the spouse of a brother or sister, of *B*.

[35/2020]

[56

Power to inspect, search, etc.

64.—(1) The Magistrate may, on the application of the Board, issue a warrant authorising the Board by one or more officers authorised by

the Board (called in this section an authorised officer) to enter and search —

(a) any flat, house or other living accommodation sold subject to the provisions of Part 4; or

(b) any other premises (whether or not sold, leased or rented out by the Board) that the owner or occupier of that flat, house or other living accommodation may be residing in,

(collectively called in this section the premises), if —

(c) the Magistrate has reason to believe that evidence of any ground under section 63(1) for acquiring that flat, house or other living accommodation can be found in the premises; or

(d) that owner or occupier fails to comply with a written notice issued under section 65(1)(d) to produce or give access to any document or thing, and the Magistrate has reason to believe that the document or thing can be found in the premises.

[13/2015]

(2) The Magistrate may, if the Magistrate thinks fit, specify in a warrant the particular premises or part of those premises to be searched, and the authorised officer executing the warrant must then search only the specified premises or part of those premises.

[13/2015]

(3) Where an authorised officer executing any search under this section demands entry into or access to any premises liable to search under this section, the owner or occupier or any person in charge of the premises must allow the authorised officer free entry or access and provide all reasonable facilities for a search in the premises.

[13/2015]

(4) Subject to subsection (6), if free entry into or access to the premises cannot be obtained under subsection (3), it is lawful in any case for the authorised officer executing the warrant to break open any outer or inner door or window leading to the premises or to use any other reasonable means in order to gain entry into or access to the premises.

[13/2015]

(5) A warrant is subject to such conditions as the Magistrate may specify and remains in force for the number of days stated in the warrant.

[13/2015]

(6) The Magistrate must specify the following conditions in every warrant:

- (a) a list or description of the documents or things, or class of documents or things, that the authorised officer executing the warrant may seize under the search;
- (b) whether subsection (4) applies and, if so, the extent of its application.

[13/2015]

(7) The Magistrate may, in addition to the conditions in subsection (6), specify in any warrant such conditions as the Magistrate considers necessary for the proper execution of the warrant and the prevention of any breach of the peace.

[13/2015]

(8) An authorised officer entering the premises under a warrant may take such photographs, or audio or video recordings as the authorised officer thinks necessary of the premises (including anything in the premises).

[13/2015]

(9) If the owner or occupier is present when an authorised officer seeks to execute the warrant, the authorised officer must —

- (a) identify himself or herself to the owner or occupier;
- (b) show the owner or occupier —
 - (i) his or her original identity card or such identification card as the Chief Executive Officer may direct to be carried by the authorised officer as proof of his or her identity; and
 - (ii) some duly authenticated document showing his or her authority;
- (c) show the owner or occupier the warrant; and

(d) if required, give the owner or occupier a copy of the warrant.

[13/2015]

(10) If the owner or occupier is not present when execution of the warrant is sought under subsection (9), but some other person who appears to be in charge of the premises is present, then subsection (9) applies to that other person as if he or she were the owner or occupier.

[13/2015]

(11) An authorised officer making a search under this section must prepare and sign a list of all documents and things seized during the search, including recording the location where each document or thing is found.

[13/2015]

(12) In every case, the owner, occupier or person in charge of the premises searched, or a person acting on behalf of the owner, occupier or person in charge, may be present during the search, and must be given a signed copy of the list mentioned in subsection (11).

[13/2015]

(13) The authorised officer executing the warrant must, after duly executing the warrant, report that fact to the Magistrate and submit the list prepared under subsection (11).

[56A

[13/2015]

Power to require evidence as to identity, examine, etc.

65.—(1) For the purposes of investigating any ground under section 63(1) for acquiring any flat, house or other living accommodation, an officer authorised by the Board (called in this section an authorised officer) may do all or any of the following:

- (a) require any person who appears to be involved in or related to the matter under investigation to provide evidence of the person's identity;
- (b) examine orally any person who appears to be acquainted with any of the facts or circumstances of the matter under investigation;
- (c) issue a written notice requiring any person within the limits of Singapore, who appears to be acquainted with any of the

facts or circumstances of the matter under investigation, to attend before the authorised officer;

(d) issue a written notice requiring any person whom the authorised officer reasonably believes to have —

- (i) any information; or
- (ii) any document or thing in the person's possession, custody or control,

relevant to the investigation, to —

- (iii) provide that information;
- (iv) produce that document or thing at the time and place stated in the notice; or
- (v) give the authorised officer access to that document or thing.

[13/2015]

(2) Before exercising any power under subsection (1)(a) or (b), an authorised officer must declare his or her office and produce —

- (a) such identification card as the Chief Executive Officer may direct to be carried by the authorised officer as proof of his or her identity; and
- (b) some duly authenticated document showing his or her authority.

[13/2015]

(3) Any person examined under this section must state truly what the person knows of the facts and circumstances of the matter under investigation, except that the person need not say anything that might expose the person to a criminal charge, penalty or forfeiture.

[13/2015]

(4) A statement made by any person examined under this section must —

- (a) be reduced to writing;
- (b) be read over to the person;
- (c) if the person does not understand English, be interpreted in a language that the person understands; and

(d) after correction (if necessary), be signed by the person.

[13/2015]

(5) Any person who is required by an authorised officer to do anything under subsection (1) must comply with that requirement.

[13/2015]

(6) If any person fails to comply with a written notice issued to the person by an authorised officer under subsection (1)(c) or (d), the authorised officer may report the failure to a Magistrate who may then, in the Magistrate's discretion, issue a warrant ordering the person to comply with the written notice.

[13/2015]

(7) If a person is required merely to produce any document or thing under subsection (1)(d), the person may comply with the requirement by causing the document or thing to be produced instead of bringing it in person.

[56B

[13/2015]

Vesting of acquired property in Board

66.—(1) When the Board has made a decision under section 63 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 63(5) — on the expiry of a period of 28 days after the date of service of the notice mentioned in section 63(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 determines absolutely.

(2) The Registrar of Deeds or the Registrar of Titles (as the case may be) must 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 1988 — the Registrar of Deeds must 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 1993 — the Registrar of Titles must register the instrument on the relevant folio of the land-register without the necessity of the production of the duplicate certificate of title.

(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 vests 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) must cancel the registration of any mortgage, charge or lease thereby overreached.

[57

Payment of compensation

67.—(1) The Board must 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.

(2) The Board may apply to the Registrar of the Supreme Court for an order to deposit the compensation in court where —

- (a) any person entitled to the compensation refuses to accept it or cannot with due diligence be found;
- (b) there is any dispute as to the entitlement to or the apportionment of the compensation;
- (c) the Board is satisfied that any person entitled to the compensation is incapacitated by reason of mental illness and no donee of a lasting power of attorney or deputy has been appointed under the Mental Capacity Act 2008; or
- (d) the person entitled to the compensation is deceased and no legal personal representative has been appointed.

[13/2015]

(3) An application under subsection (2) is to be made ex parte by originating summons, supported by an affidavit.

[13/2015]

(4) Despite anything to the contrary in the Rules of Court, the Registrar of the Supreme Court may make an order under subsection (2) to deposit the compensation in court.

[13/2015]

(5) 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.

(6) Any reference to compensation in subsections (2) and (4) includes a reference to any part of the compensation.

[58

[13/2015]

Taking possession

68.—(1) Where any flat, house or other living accommodation has been vested in the Board pursuant to section 50, 59 or 66, 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.

(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.

[59

Disposal of movable property

69.—(1) Where the Board takes possession of a flat, house or other living accommodation under section 68, the Board may by written notice require the owner of that flat, house or other living accommodation to take delivery of all things and other movable property found in the flat, house or other living accommodation, at such place and within such period specified in the notice.

[13/2015]

(2) The period specified in the notice under subsection (1) must be at least 30 days after the date of service of the notice.

[13/2015]

(3) The Board may serve the notice under subsection (1) on the owner by affixing a copy of the notice in a conspicuous place at the flat, house or other living accommodation.

[13/2015]

(4) If the owner fails to take delivery of any of the things or other movable property within the period specified in the notice under subsection (1), the Board may dispose of that thing or other movable property by sale or otherwise as the Board thinks fit.

[13/2015]

(5) If the Board is satisfied that any of the things or other movable property is of a perishable nature, the Board may, without giving any notice to the owner, sell or dispose of that thing or property immediately.

[13/2015]

(6) The Board may apply the sale proceeds received under this section to meet —

- (a) any expenses incurred by the Board in storing and disposing of all the things and other movable property; and
- (b) any outstanding debt that the owner owes to the Board under this Act or any rules made under this Act,

before paying the balance of the sale proceeds (if any) to the owner.
[13/2015]

(7) The Board may apply to the Registrar of the Supreme Court for an order to deposit the balance of the sale proceeds (or any part of the proceeds) in court if —

- (a) the owner cannot with due diligence be found; or
- (b) there is any dispute as to the entitlement to the proceeds.
[13/2015]

(8) An application under subsection (7) is to be made *ex parte* by originating summons, supported by an affidavit.
[13/2015]

(9) Despite anything to the contrary in the Rules of Court, the Registrar of the Supreme Court may make an order under subsection (7) to deposit the balance of the sale proceeds or any part of it in court.

[59A
[13/2015]

Giving false information

70. Any person who —

- (a) in relation to the purchase, mortgage, sale or transfer by the 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 under this Act,

makes (whether orally, electronically, in writing or otherwise) any statement to the Board which is false, and which the person 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.

[60
[29/2005]

Direction of Minister to be conclusive evidence

71.—(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 is conclusive evidence for all purposes.

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

[62]

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

72.—(1) The Board may by written notice 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 those premises in a manner which is likely to cause any damage to property or injury to life.

(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.

[63]

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

73. 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 the notice has been given is not to be construed as a waiver of the breach or intention to compulsorily acquire, to terminate a lease or licence agreement or to forfeit or re-enter.

[64]

Power to make rules

74.—(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;
- (b) the terms and conditions which the Board may impose in granting its consent under section 56 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 is deemed for the purposes of that section to have granted its prior written consent subject to such terms and conditions;
- (c) 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;
- (d) 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;
- (e) 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;
- (f) the functions, duties and powers of a management corporation;
- (g) 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;
- (h) 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 or her application to register his or her entitlement consequent upon the death of the other joint owner;

- (i) the power of the Board to impose a financial penalty not exceeding \$50,000 on the owner or applicant of any flat, house or other living accommodation sold under the provisions of this Part for a breach of any restriction, condition or requirement of section 50 on or after 20 July 2015 where the Board does not proceed against that owner or applicant under section 50;
- (j) the power of the Board to impose a financial penalty not exceeding \$50,000 on the owner of any flat, house or other building sold under the provisions of this Part for a breach of any restriction, condition or requirement of section 62 on or after 20 July 2015 where the Board does not proceed against that owner under section 62; and
- (k) the power of the Board to, instead of acquiring any flat, house or other living accommodation on any ground under section 63(1), impose a financial penalty not exceeding \$50,000 on the owner of that flat, house or other living accommodation for a breach of any restriction, condition or requirement of section 63 on or after 20 July 2015.

[13/2015]

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

[65

PART 4A

UPGRADING WORKS IN PRECINCTS

Interpretation of this Part

75. In this Part, unless the context otherwise requires —

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

“flat upgrading works” means —

- (a) any items of upgrading works specified by the Board to be carried out —
 - (i) within a flat comprised in a building;
 - (ii) within a building or any part of a building 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 the building; or
- (b) any other items of upgrading works approved by the Minister, being works to be carried out within a building or any part of a building 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;

“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 78(2) or (3), as the case may be;

“precinct” means a precinct declared by the Minister under section 76;

“residential flat” means a flat which is permitted to be used pursuant to the Planning Act 1998 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 of a building; or
- (b) any other items of upgrading works prescribed by the Minister, being works to be carried out within or in relation to any building or part of a building (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 of those residents;

“specified upgrading works” means any items of upgrading works specified by the Board to be carried out in a building or part of a building 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;

“Town Council” means a Town Council established under the Town Councils Act 1988;

“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 the owner’s vote.

[65A

[29/2005; 1/2008]

Declaration of precincts

76.—(1) The Minister may, after consulting the Board, from time to time by order 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.

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

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

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

[65B

[23/2005]

Upgrading works in precinct

77.—(1) Where a precinct has been declared under section 76, the Board must —

- (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]

(2) 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 must 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]

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

[1/2008]

(4) The Board may, with the Minister's approval, 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.

(5) Where the Minister has approved the carrying out of general upgrading works in a precinct under subsection (4), 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 Minister's further approval, carry out those specified upgrading works in the building within the precinct.

(6) Despite subsection (5), where it appears from the polls mentioned in subsection (5)(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 mentioned in subsection (5), carry out the specified upgrading works in the part of the building comprising residential flats.

(7) The poll mentioned in subsection (5)(b)(ii) must be conducted in relation to a building if it appears from the poll mentioned in subsection (5)(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.

(8) The Board may, with the Minister's approval, 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 mentioned in subsection (2) 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 mentioned in subsection (4) 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]

(9) The Board may, with the Minister's approval, 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 mentioned in subsection (3) 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]

(10) No poll is 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.

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

(12) Any poll conducted by the Board before 1 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 is deemed to be a poll conducted in accordance with this section.

[65C

Power to carry out upgrading works and to recover contribution

78.—(1) As soon as practicable after the Minister has given his or her approval under section 77(4), (5), (8) or (9), the Board must 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]

(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.

(3) 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 mentioned in section 77(2) in the case of special upgrading works or section 77(3) 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 the common property.

[1/2008]

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

(5) In this section and section 80, “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 (4); 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.

[65D]

Direction of Minister to carry out upgrading works in certain circumstances

79.—(1) Despite anything in this Part, where the Minister considers that the living conditions in a precinct or the physical state and design of the buildings in the precinct 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 or she thinks fit.

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

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

[65E]

Payment of improvement contribution

80.—(1) Any owner of a flat and any Town Council liable to pay any improvement contribution under section 78 must, 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.

(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 the deceased owner's estate who has attained the age of 21 years to pay the improvement contribution as if it is a debt owed by him or her and recoverable from him or her as such, and such person may recover the sums paid by him or her to the Board from the estate of the deceased owner.

(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 must pay interest and a penalty in accordance with the rates prescribed and the interest and penalty, if unpaid, constitute a debt due to the Board and are recoverable as such.

[65F

Transfer of additional floor area

81.—(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 the additional floor area vests in the owner of the flat in the following manner:

- (a) where the additional floor area of the flat is constructed over land registered under the Registration of Deeds Act 1988 — the title to the additional floor area vests 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 the additional floor area of the flat is constructed over land registered under the Land Titles Act 1993 — the title to the additional floor area vests 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.

(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) must 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.

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

(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 is deemed to include the additional floor area.

(5) Any power exercised by the Board under section 78 or 79 in respect of any flat is deemed to have been properly exercised and the Registrar of Titles, the Registrar of Deeds and any purchaser of the flat need not be concerned to inquire into the regularity or validity of the exercise of the power.

(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.

[65G

Recovery of improvement contribution from sale of flat

82.—(1) Where any improvement contribution payable in respect of any flat to the Board under section 78 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 80(1), the improvement contribution (including any interest and penalty thereon) constitutes a charge on the flat on the expiry of that period in favour of the Board.

(2) Upon the constitution of the charge on a flat under subsection (1), the Board has 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 even though the charge is not registered under the Land Titles Act 1993.

(3) Any charge on a flat constituted under subsection (1) is 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.

(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.

(5) The Board must 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 the unpaid improvement contribution.

[23/2005]

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

(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.

(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 66 of the Town Councils Act 1988, must 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 must be paid to the person who appears from the land-register kept under the Land Titles Act 1993 to be entitled to the flat sold or to be

authorised to give receipts for the proceeds of the sale of the flat.

- (9) Any charge on a flat constituted under subsection (1) —
- (a) continues 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), is discharged, and the owner of the flat is entitled to a certificate of discharge executed and acknowledged by the Board as to the receipt of the payment.

[65H

Recovery of payments due to Board

83. Any improvement contribution, interest and penalty payable to the Board under this Part may be recovered by the Board by an action for a debt in any court of competent authority.

[65I

[33/2018]

Power of entry and compulsory acquisition

84.—(1) Any officer or person authorised by the Board may at any reasonable time, on giving 48 hours' notice of his or her intention to the occupier and producing, if so required, some duly authenticated document showing his or her 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.

(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.

(3) A warrant must 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.

(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 or her such other persons as may be necessary; and on leaving any unoccupied premises which he or she has entered by virtue of such a warrant must leave them as effectually secured against trespassers as he or she found them.

(5) 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 the premises and every part of the premises;
- (c) remove by force any obstruction to such entry.

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

(7) 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.

(8) After the Minister has given his or her approval under section 77(4) or (5) 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.

(9) Where the Board intends to exercise its powers of compulsory acquisition conferred by subsection (8), the Board must serve a written notice 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 (called in this section an interested person) stating the intention of the Board to acquire the flat and the compensation to be paid therefor.

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

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

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

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

(14) This section does 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.

(15) Sections 66, 67 and 68 apply, with the necessary modifications, to any exercise of the power of compulsory acquisition under this section.

[65J]

Power to make rules

85. 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.

[65K]

Saving

86.—(1) Nothing in this Part is to 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.

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

[65L]

PART 4B

DESIGN-BUILD-AND-SELL SCHEME

Interpretation of this Part

87. In this Part, unless the context otherwise requires —

“approved developer” means a developer appointed by the Minister under section 88;

“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 the 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 1989 in respect of that housing accommodation, whichever date is the earlier.

[65M
[29/2005]

Appointment of approved developers

88.—(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.

[29/2005]

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

[29/2005]

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

[65N
[29/2005]

Approved developers to develop and sell housing accommodation

89.—(1) It is 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.

[29/2005]

(2) An approved developer must not, without first obtaining the Minister's consent, 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.

[29/2005]

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

- (a) the Housing Developers (Control and Licensing) Act 1965 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 4 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.

[65O
[29/2005]

Vesting of reversion, etc., in Board

90.—(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 vests 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 vests in the approved developer.

[29/2005]

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

- (a) the reversion immediately expectant on every lease mentioned in subsection (1)(a)(i) vests in the Board, and the Board has all powers, rights and remedies to which the approved developer as the reversioner was by law entitled, and is 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 mentioned in subsection (1)(a)(ii) and (iii),

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

- (c) a lease of each unsold housing accommodation mentioned in subsection (1)(b) vests in the approved developer.

[29/2005]

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

[29/2005]

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

[29/2005]

(5) To avoid doubt, this section does 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 mentioned in subsection (1) is published.

[65P
[29/2005]

Applicability of Part 4 to housing accommodation sold under this Part

91.—(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 4 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 4 pursuant to an application to the

Board, with such prescribed exceptions, modifications and adaptations as the differences between Parts 4 and 4B require.

[29/2005]

(2) Any reference in any provision in this Act to any flat or property sold by the Board under Part 4 includes 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 4 and 4B require.

[29/2005]

(3) The provisions of any other existing law that relate to any flat or property sold by the Board under Part 4 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 4 and 4B require.

[29/2005]

(4) In this section, “existing law” means any written law having effect as part of the law of Singapore immediately before 15 September 2005.

[65Q

[29/2005]

Eligibility to purchase housing accommodation under this Part

92.—(1) Unless otherwise allowed by the Minister, a person —

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

if the person or his or her spouse is not entitled to purchase from the Board any flat, house or other living accommodation under Part 4 or ceases to be entitled to be such a purchaser.

[29/2005]

(2) A person must not present for registration under the Land Titles Act 1993 the assurance of the housing accommodation he or she has purchased under this Part if —

- (a) the person purchased the housing accommodation when he or she 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).

[29/2005]

(3) Where the approved developer is notified by the Board that a purchaser has purchased a housing accommodation from the approved developer when the purchaser 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 must —

- (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.

[29/2005]

(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 or her application, or the termination of the sale and purchase agreement, by the approved developer in accordance with subsection (3).

[29/2005]

(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 or her housing accommodation may, within 14 days after service of the notice, appeal to the Minister whose decision is final and is not to be called in question in any court.

[29/2005]

(6) Where an appeal has been made to the Minister under subsection (5), the approved developer must 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.

[29/2005]

(7) The Registrar of Titles must register any instrument mentioned 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 vests 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 must 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.

[29/2005]

(8) Where an approved developer has lodged any instrument mentioned 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, must be refunded to the purchaser of the housing accommodation and such other persons as are entitled to the moneys.

[29/2005]

(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 4 is conclusive evidence of that fact stated in that certificate.

[65R
[29/2005]

Purchaser dies before temporary occupation permit, etc., issued

93. Where any purchaser of any housing accommodation under this Part dies before the relevant date in respect of the housing accommodation, the approved developer must, 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, must be refunded to the person or persons entitled to the moneys.

[65S
[29/2005]

Power to make rules

94.—(1) The Minister may make rules as appear to him or her 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.

[29/2005]

(2) Without limiting 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, are 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 4.

[29/2005]

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

[65T

[29/2005]

PART 5

FINANCIAL PROVISIONS

Borrowing powers

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

- (a) from the Government;
- (b) with the Minister's approval 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.

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

(3) The Board may, where the Minister's approval 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.

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

[66

Issue of shares, etc.

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

[66A

Annual financial statement

97.—(1) The Board must, 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) must be published in the *Gazette*.

[67

Budgets

98.—(1) The Board must, 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 15 November containing

estimates of the income and expenditure of the Board for the ensuing financial year.

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

[68

Approval of budget by Minister

99.—(1) The Minister may approve or disallow any item or portion of any item shown in the budget, and must return the budget as amended by him or her to the Chairperson.

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

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

[69

Supplemental budgets

100.—(1) The Board may at any time cause to be prepared a supplemental budget to provide, subject to section 104(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.

(2) A supplemental budget must be dealt with in the manner provided in section 99 for the annual budget.

[70

Accounts

101.—(1) The accounts of the Board must be kept by the Chief Financial Officer.

- (2) The accounts of the Board must be made up yearly to 31 March.
[71]

Presentation of financial statements and audit reports

102.—(1) As soon as the accounts of the Board and the financial statements have been audited, a copy of the audited financial statements signed by the Chairperson and the Chief Financial Officer or the Chairperson 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, must be submitted to the Minister and the President.

[5/2018]

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

[73]

[5/2018]

Bank account

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

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

- (a) moneys paid for the purposes of a pension scheme or schemes or a provident fund or funds established under section 48;
- (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 the person's tender to the Board.

[75]

Payments to be made in accordance with budget

104.—(1) Payment must not 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.

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

- (a) sums deposited by contractors or other persons whenever by the conditions of the deposit the 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 must report the payment immediately to the Minister and the President.

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

[76

Transfer of sums from one item to another

105. Despite 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.

[77

Power of investment

106. 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 1965.

[78
[45/2004]

PART 6**MISCELLANEOUS****Obstruction**

107. 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.

[79
[13/2015]

Employee of Board may require evidence of identity in certain cases

108.—(1) In addition to the powers conferred on him or her by this Act or any subsidiary legislation made under this Act, an officer or employee of the Board may, in relation to any offence under this Act or such subsidiary legislation, on declaration of his or her office and production to the person against whom he or she 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 or she reasonably believes to have committed that offence to provide evidence of the person's identity;
- (b) require any person to provide 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 the book, document or other record; or

- (c) require, by written order, 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]

(2) Where any 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 the 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 the record includes power to require any person in question to give the officer or employee such assistance as he or she may reasonably require to enable him or her —
 - (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]

(3) 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 officer's or employee's duties under this Act or any subsidiary legislation made under this Act;
- (b) wilfully misstates or without lawful excuse refuses to give any information or produce any book, document or other

record or a copy thereof required of the person 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 of the officer's or employee's duties under this Act or any subsidiary legislation made under this Act,

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]

(4) Any Town Council established under section 4 of the Town Councils Act 1988 or —

- (a) any member of the Town Council or of any committee of the Town Council appointed under section 45 of that Act; or
- (b) any employee of the Town Council,

to whom the Board has delegated any of its powers under section 35(6) 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 or her authority when requested, require the person to provide evidence of the person's identity, and that person must thereupon provide such evidence of the person's identity as may be so required.

(5) Any person who refuses to provide any information required of the person by any police officer, employee of the Board or person referred to in subsection (4), or wilfully misstates 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.

[80]

Fines and financial penalties payable to Consolidated Fund, etc.

109.—(1) All fines and financial penalties paid or recovered under this Act or any rules made under this Act are to be paid into the Consolidated Fund.

[13/2015]

(2) All members, officers and employees of the Board, in relation to their administration, assessment, collection or enforcement of payment of composition sums or financial penalties, are deemed to be public officers for the purposes of the Financial Procedure Act 1966, and section 20 of that Act applies to such persons even though they are not or were not in the employment of the Government.

[81

[13/2015]

Conduct of prosecutions

110. 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 Chairperson.

[82

[15/2010]

Service of summons, notices, etc.

111.—(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 is deemed to be sufficiently served —

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

(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 the person's family at the person's last known place of residence;
- (b) by leaving the notice, order, document or summons at the person's 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 the person's 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.

(3) Any notice, order, document or summons sent by registered post to any person in accordance with subsection (2) is 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 is sufficient to prove that the envelope containing the notice, order, document or summons was properly addressed, stamped and posted by registered post.

[83

FIRST SCHEDULE

Section 39(1)(a)

HOUSING AND URBAN DEVELOPMENT COMPANY

Description of Land

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure
Volume	Folio					
184	59		27	4458	together with the buildings erected thereon	lease for a term of 103 years commencing from 20 December 1974
198	54		17	4490	together with the buildings erected thereon	lease for a term of 103 years commencing from 3 February 1975
215	114		15	1747	together with the buildings erected thereon	lease for a term of 102 years commencing from 30 November 1974
224	197		2	1617	together with the buildings erected thereon	lease for a term of 102 years commencing from 1 November 1974
224	199		2	1623	together with the buildings erected thereon	lease for a term of 102 years commencing from 1 November 1974
225	2		2	1750	together with the buildings erected thereon	lease for a term of 102 years commencing from 1 November 1974

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure
Volume	Folio					
225	3		2	1751	together with the buildings erected thereon	lease for a term of 102 years commencing from 1 November 1974
225	4		2	1752	together with the buildings erected thereon	lease for a term of 102 years commencing from 1 November 1974
224	198		2	1619	together with the buildings erected thereon	lease for a term of 102 years commencing from 1 November 1974
225	5		2	1753	together with the buildings erected thereon	lease for a term of 102 years commencing from 1 November 1974
224	200		2	1628	together with the buildings erected thereon	lease for a term of 102 years commencing from 1 November 1974
184	57		25	3485	together with the buildings erected thereon	lease for a term of 103 years commencing from 30 June 1975
205	56	28		562	together with the buildings erected thereon	lease for a term of 103 years commencing from 6 July 1977
200	152		17	4487	together with the	lease for a term of 103 years

*Housing and Development
Act 1959*

2020 Ed.

112

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure
Volume	Folio					
					buildings erected thereon	commencing from 1 August 1977
235	3		4	3980	together with the buildings erected thereon	lease for a term of 103 years commencing from 3 September 1979
238	115		4	4003	together with the buildings erected thereon	lease for a term of 103 years commencing from 15 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 10 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 10 February 1874
176	29		29	620	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 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 10 February 1874
176	20		29	611	together with the buildings	lease for a term of 999 years commencing

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure
Volume	Folio					
					erected thereon	from 10 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 10 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 10 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 10 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 10 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 10 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 10 February 1874
180	120 to 124 (both inclusive)		29	769 to 773 (both inclusive)	together with the buildings	lease for a term of 999 years commencing

*Housing and Development
Act 1959*

2020 Ed.

114

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure
Volume	Folio					
					erected thereon	from 10 February 1874
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 10 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 10 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 10 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 10 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 10 February 1874
180	84		29	733	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 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 Subdivision	Mukim	Lot		Tenure
Volume	Folio					
					erected thereon	from 10 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 10 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 10 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 10 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 10 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 10 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 10 February 1874
180	126 to 129 (both inclusive)		29	775 to 778 (both inclusive)	together with the buildings	lease for a term of 999 years commencing

*Housing and Development
Act 1959*

2020 Ed.

116

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure
Volume	Folio					
					erected thereon	from 10 February 1874
180	52		29	701	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	57		29	706	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	59		29	708	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	64		29	713	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	60		29	709	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	65		29	714	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	62		29	711	together with the buildings	lease for a term of 999 years commencing

FIRST SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure
Volume	Folio					
					erected thereon	from 10 February 1874
180	67		29	716	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	53		29	702	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	54		29	703	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	55		29	704	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	56		29	705	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	63		29	712	together with the buildings erected thereon	lease for a term of 999 years commencing from 10 February 1874
180	88		29	737	together with the buildings	lease for a term of 999 years commencing

*Housing and Development
Act 1959*

2020 Ed.

118

FIRST SCHEDULE — *continued*

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

Reference to Subsidiary Strata Land-Register		Town Subdivision	Mukim	Lot	Tenure
Volume	Folio				
40	188	22		189-15/16-S	lease for a term of 99 years commencing from 2 June 1970
40	189	22		189-13/14-S	lease for a term of 99 years commencing from 2 June 1970

FIRST SCHEDULE — *continued*

Reference to Subsidiary Strata Land-Register		Town Subdivision	Mukim	Lot	Tenure
Volume	Folio				
40	197	22		189-13/14-T	lease for a term of 99 years commencing from 2 June 1970
41	4	22		189-15/16-U	lease for a term of 99 years commencing from 2 June 1970
41	5	22		189-13/14-U	lease for a term of 99 years commencing from 2 June 1970
41	12	22		189-15/16-V	lease for a term of 99 years commencing from 2 June 1970
41	13	22		189-13/14-V	lease for a term of 99 years commencing from 2 June 1970
41	20	22		189-15/16-W	lease for a term of 99 years commencing from 2 June 1970
41	23	22		189-9/10-W	lease for a term of 99 years commencing from 2 June 1970
41	29	22		189-13/14-X	lease for a term of 99 years commencing from 2 June 1970
41	45	22		189-13/14-Z	lease for a term of 99 years commencing from 2 June 1970
41	60	22		189-15/16-2C	lease for a term of 99 years commencing from 2 June 1970

*Housing and Development
Act 1959*

2020 Ed.

120

FIRST SCHEDULE — *continued*

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

FIRST SCHEDULE — *continued*

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

FIRST SCHEDULE — *continued*

Reference to Subsidiary Strata Land-Register		Town Subdivision	Mukim	Lot	Tenure
Volume	Folio				
41	116	22		189-15/16-2J	lease for a term of 99 years commencing from 2 June 1970
41	117	22		189-13/14-2J	lease for a term of 99 years commencing from 2 June 1970
41	118	22		189-11/12-2J	lease for a term of 99 years commencing from 2 June 1970
41	119	22		189-9/10-2J	lease for a term of 99 years commencing from 2 June 1970
41	120	22		189-7/8-2J	lease for a term of 99 years commencing from 2 June 1970
41	121	22		189-5/6-2J	lease for a term of 99 years commencing from 2 June 1970

SECOND SCHEDULE

Section 39(1)(b) and (3)

JURONG TOWN CORPORATION

DESCRIPTION OF LAND

PART 1

(A) TAMAN JURONG (MUKIM 6)

SECOND SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 999 years commencing from
Volume	Folio					
193	39		6	1090	together with the buildings erected thereon	17 October 1962
193	38		6	1089	together with the buildings erected thereon	17 October 1962
193	37		6	1088	together with the buildings erected thereon	17 October 1962
183	35		6	922	together with the buildings erected thereon	17 October 1962
183	36		6	923	together with the buildings erected thereon	17 October 1962
141	135		6	809	together with the buildings erected thereon	17 October 1962
141	136		6	810	together with the buildings erected thereon	17 October 1962
141	138		6	812	together with the buildings erected thereon	17 October 1962
141	137		6	811	together with the buildings erected thereon	17 October 1962
141	134		6	808	together with the buildings erected thereon	17 October 1962
141	133		6	807	together with the buildings erected thereon	17 October 1962
193	35		6	1086	together with the buildings erected thereon	17 October 1962
193	36		6	1087	together with the buildings erected thereon	17 October 1962

*Housing and Development
Act 1959*

2020 Ed.

124

SECOND SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 999 years commencing from
Volume	Folio					
206	110		6	1270	together with the buildings erected thereon	17 October 1962
206	116		6	1276	together with the buildings erected thereon	17 October 1962
206	115		6	1275	together with the buildings erected thereon	17 October 1962
206	114		6	1274	together with the buildings erected thereon	17 October 1962
206	113		6	1273	together with the buildings erected thereon	17 October 1962
206	112		6	1272	together with the buildings erected thereon	17 October 1962
206	111		6	1271	together with the buildings erected thereon	17 October 1962

(B) BOON LAY GARDEN (MUKIM 6)

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 999 years commencing from
Volume	Folio					
198	37		6	1096	together with the buildings erected thereon	17 October 1962
203	10		6	1097	together with the buildings erected thereon	17 October 1962
198	38		6	1098	together with the buildings erected thereon	17 October 1962
206	108		6	1284	together with the buildings erected thereon	17 October 1962

SECOND SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 999 years commencing from
Volume	Folio					
206	109		6	1285	together with the buildings erected thereon	17 October 1962
206	107		6	1283	together with the buildings erected thereon	17 October 1962
206	106		6	1282	together with the buildings erected thereon	17 October 1962
203	157		6	1264	together with the buildings erected thereon	17 October 1962
203	158		6	1265	together with the buildings erected thereon	17 October 1962
210	8		6	1333	together with the buildings erected thereon	17 October 1962
209	25		6	1326	together with the buildings erected thereon	17 October 1962
209	26		6	1327	together with the buildings erected thereon	17 October 1962
209	27		6	1328	together with the buildings erected thereon	17 October 1962
209	128		6	1314	together with the buildings erected thereon	17 October 1962
209	127		6	1313	together with the buildings erected thereon	17 October 1962
209	126		6	1312	together with the buildings erected thereon	17 October 1962
209	125		6	1311	together with the buildings erected thereon	17 October 1962

*Housing and Development
Act 1959*

2020 Ed.

126

SECOND SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 999 years commencing from
Volume	Folio					
209	124		6	1310	together with the buildings erected thereon	17 October 1962
209	123		6	1309	together with the buildings erected thereon	17 October 1962
206	117		6	1267	together with the buildings erected thereon	17 October 1962
209	24		6	1325	together with the buildings erected thereon	17 October 1962
206	118		6	1268	together with the buildings erected thereon	17 October 1962
209	23		6	1324	together with the buildings erected thereon	17 October 1962
209	22		6	1323	together with the buildings erected thereon	17 October 1962
203	13		6	1167	together with the buildings erected thereon	17 October 1962
203	12		6	1166	together with the buildings erected thereon	17 October 1962
203	14		6	1168	together with the buildings erected thereon	17 October 1962
203	15		6	1169	together with the buildings erected thereon	17 October 1962
206	15		6	1289	together with the buildings erected thereon	17 October 1962
206	13		6	1287	together with the buildings erected thereon	17 October 1962

SECOND SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 999 years commencing from
Volume	Folio					
206	14		6	1288	together with the buildings erected thereon	17 October 1962
206	16		6	1290	together with the buildings erected thereon	17 October 1962
221	82		6	1415	together with the buildings erected thereon	17 October 1962

(C) TEBAN GARDENS (MUKIM 5)

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 103 years commencing from
Volume	Folio					
220	160		5	3429	together with the buildings erected thereon	1 July 1977
220	161		5	3430	together with the buildings erected thereon	1 December 1976
212	87		5	3331	together with the buildings erected thereon	1 January 1977
220	164		5	3434	together with the buildings erected thereon	1 December 1976
220	163		5	3433	together with the buildings erected thereon	1 December 1976
220	162		5	3432	together with the buildings erected thereon	1 December 1976
212	85		5	3327	together with the buildings erected thereon	1 December 1976
212	84		5	3326	together with the buildings erected thereon	1 December 1976

*Housing and Development
Act 1959*

2020 Ed.

128

SECOND SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 103 years commencing from
Volume	Folio					
221	60		5	3444	together with the buildings erected thereon	1 July 1977
221	61		5	3445	together with the buildings erected thereon	1 July 1977
221	62		5	3446	together with the buildings erected thereon	1 June 1977
221	63		5	3447	together with the buildings erected thereon	1 September 1977
221	64		5	3448	together with the buildings erected thereon	1 October 1977
244	131		5	3649	together with the buildings erected thereon	1 September 1980
225	112		5	3504	together with the buildings erected thereon	1 April 1979
220	175		5	3442	together with the buildings erected thereon	1 October 1977
220	176		5	3443	together with the buildings erected thereon	1 October 1977
212	86		5	3329	together with the buildings erected thereon	1 April 1977
244	134		5	3652	together with the buildings erected thereon	1 February 1981
244	135		5	3653	together with the buildings erected thereon	1 February 1981
244	132		5	3650	together with the buildings erected thereon	1 January 1981

SECOND SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 103 years commencing from
Volume	Folio					
221	97		5	3437	together with the buildings erected thereon	1 November 1976
221	98		5	3438	together with the buildings erected thereon	1 November 1976
221	92		5	3440	together with the buildings erected thereon	1 November 1976
221	91		5	3439	together with the buildings erected thereon	1 November 1976
221	96		5	3436	together with the buildings erected thereon	1 October 1977
244	133		5	3651	together with the buildings erected thereon	1 January 1981

(D) PANDAN GARDENS (MUKIM 5)

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 103 years commencing from
Volume	Folio					
220	172		5	3462	together with the buildings erected thereon	1 March 1979
220	10		5	3407	together with the buildings erected thereon	1 April 1978
216	106		5	3410	together with the buildings erected thereon	1 September 1978
216	165		5	3411	together with the buildings erected thereon	1 September 1978
220	173		5	3463	together with the buildings erected thereon	1 March 1979

*Housing and Development
Act 1959*

2020 Ed.

130

SECOND SCHEDULE — *continued*

Reference to Land-Register		Town Subdivision	Mukim	Lot		Tenure: Lease for a term of 103 years commencing from
Volume	Folio					
216	167		5	3413	together with the buildings erected thereon	1 September 1978
216	166		5	3412	together with the buildings erected thereon	1 October 1978
220	11		5	3408	together with the buildings erected thereon	1 May 1978
220	9		5	3406	together with the buildings erected thereon	1 May 1978
219	190		5	3420	together with the buildings erected thereon	1 November 1978
221	39		5	3419	together with the buildings erected thereon	1 November 1978
221	38		5	3418	together with the buildings erected thereon	1 November 1978
220	174		5	3464	together with the buildings erected thereon	1 April 1979
220	8		5	3405	together with the buildings erected thereon	1 April 1978

(E) SEMBAWANG (MUKIM 13)

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

SECOND SCHEDULE — *continued*

215	159		13	942	together with the buildings erected thereon	1 March 1975
-----	-----	--	----	-----	---	--------------

PART 2

(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 1 (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 1 (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 1 (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 1 (D) of this Schedule and excluding all those lands as shown coloured yellow on the Plan.

(E) SEMBAWANG

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 1 (E) of this Schedule.

SECOND SCHEDULE — *continued*

Note: The Plans referred to in this Schedule may be inspected at the Singapore Land Authority, 55 Newton Road, #12-01, Revenue House, Singapore 307987.

LEGISLATIVE HISTORY
HOUSING AND DEVELOPMENT
ACT 1959

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

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

Bill	:	161/1958
First Reading	:	13 August 1958
Second Reading	:	10 September 1958
Select Committee Report	:	Sessional Paper No. L.A. 20 of 1958
Third Reading	:	26 January 1959
Commencement	:	1 February 1960

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

Bill	:	190/1963
First Reading	:	5 April 1963
Second and Third Readings	:	15 June 1963
Commencement	:	1 September 1963

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

Bill	:	12/1963
First Reading	:	28 November 1963
Second and Third Readings	:	20 December 1963
Commencement	:	21 September 1963

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

Bill	:	26/1964
First Reading	:	10 June 1964
Second Reading	:	4 November 1964
Notice of Amendments	:	4 November 1964
Third Reading	:	4 November 1964

- Commencement : 11 February 1964
- 5. Act 21 of 1966 — Housing and Development (Amendment) Act, 1966**
- Bill : 21/1966
- First Reading : 21 April 1966
- Second and Third Readings : 22 June 1966
- Commencement : 22 July 1966
- 6. 1966 Reprint — Housing and Development Ordinance, 1959**
- Reprint : 2 November 1966
- 7. 1970 Revised Edition — Housing and Development Act (Chapter 271)**
- Operation : 31 August 1971
- 8. Act 15 of 1971 — Housing and Development (Amendment) Act, 1971**
- Bill : 6/1971
- First Reading : 30 July 1971
- Second and Third Readings : 19 October 1971
- Commencement : 10 December 1971
- 9. Act 33 of 1973 — Statutes of the Republic of Singapore (Miscellaneous Amendments) (No. 2) Act, 1973**
(Amendments made by section 2 read with the Schedule to the above Act)
- Bill : 34/1973
- First Reading : 11 July 1973
- Second and Third Readings : 26 July 1973
- Commencement : 24 August 1973 (section 2 read with the Schedule)
- 10. Act 35 of 1973 — Statutes of the Republic of Singapore (Miscellaneous Amendments) (No. 4) Act, 1973**
(Amendments made by section 2 read with the Schedule to the above Act)
- Bill : 35/1973
- First Reading : 11 July 1973
- Second and Third Readings : 26 July 1973
- Commencement : 1 September 1973 (section 2 read with the Schedule)

11. Act 13 of 1975 — Housing and Development (Amendment) Act, 1975

Bill	:	11/1975
First Reading	:	26 February 1975
Second Reading	:	27 March 1975
Notice of Amendments	:	27 March 1975
Third Reading	:	27 March 1975
Commencement	:	2 June 1975

12. Act 4 of 1978 — Housing and Development (Amendment) Act, 1978

Bill	:	18/1977
First Reading	:	9 November 1977
Second and Third Readings	:	31 January 1978
Commencement	:	1 July 1978

13. Act 25 of 1979 — Housing and Development (Amendment) Act, 1979

Bill	:	32/1979
First Reading	:	7 September 1979
Second and Third Readings	:	21 September 1979
Commencement	:	1 March 1980

14. Act 20 of 1980 — Housing and Development (Amendment) Act, 1980

Bill	:	12/1980
First Reading	:	14 March 1980
Second and Third Readings	:	25 March 1980
Commencement	:	25 April 1980

15. Act 12 of 1982 — Housing and Development (Amendment) Act, 1982

Bill	:	5/1982
First Reading	:	15 March 1982
Second and Third Readings	:	26 March 1982
Commencement	:	1 May 1982

16. 1982 Reprint — Housing and Development Act (Chapter 271)

Reprint	:	1 July 1982
---------	---	-------------

- 17. Act 7 of 1983 — Statutes (Miscellaneous Amendments) Act, 1983**
(Amendments made by section 2 read with the Schedule to the above Act)
- | | | |
|---------------------------|---|--|
| Bill | : | 25/1982 |
| First Reading | : | 3 December 1982 |
| Second and Third Readings | : | 4 March 1983 |
| Commencement | : | 15 April 1983 (section 2 read with the Schedule) |
- 18. Act 30 of 1984 — Housing and Development (Amendment) Act 1984**
- | | | |
|---------------------------|---|----------------|
| Bill | : | 25/1984 |
| First Reading | : | 24 July 1984 |
| Second and Third Readings | : | 24 August 1984 |
| Commencement | : | 1 April 1985 |
- 19. Act 21 of 1986 — Housing and Development (Amendment) Act 1986**
- | | | |
|---------------------------|---|------------------|
| Bill | : | 14/1986 |
| First Reading | : | 5 May 1986 |
| Second and Third Readings | : | 31 July 1986 |
| Commencement | : | 5 September 1986 |
- 20. 1985 Revised Edition — Housing and Development Act (Chapter 129)**
- | | | |
|-----------|---|---------------|
| Operation | : | 30 March 1987 |
|-----------|---|---------------|
- 21. Act 28 of 1989 — Housing and Development (Amendment) Act 1989**
- | | | |
|----------------------|---|---------------|
| Bill | : | 31/1989 |
| First Reading | : | 29 May 1989 |
| Second Reading | : | 11 July 1989 |
| Notice of Amendments | : | 11 July 1989 |
| Third Reading | : | 11 July 1989 |
| Commencement | : | 4 August 1989 |
- 22. Act 11 of 1991 — Statutes (Miscellaneous Amendments) Act 1991**
(Amendments made by section 2 read with item (12) of the Schedule to the above Act)
- | | | |
|---------------|---|----------------|
| Bill | : | 4/1991 |
| First Reading | : | 3 January 1991 |

- | | | |
|----------------------|---|--|
| Second Reading | : | 14 January 1991 |
| Notice of Amendments | : | 14 January 1991 |
| Third Reading | : | 14 January 1991 |
| Commencement | : | 30 November 1991 (section 2 read with item (12) of the Schedule) |
- 23. Act 19 of 1992 — Housing and Development (Amendment) Act 1992**
- | | | |
|---------------------------|---|---------------|
| Bill | : | 24/1992 |
| First Reading | : | 10 March 1992 |
| Second and Third Readings | : | 20 March 1992 |
| Commencement | : | 1 April 1992 |
- 24. Act 16 of 1995 — Housing and Development (Amendment) Act 1995**
- | | | |
|---------------------------|---|---------------|
| Bill | : | 11/1995 |
| First Reading | : | 1 March 1995 |
| Second and Third Readings | : | 23 March 1995 |
| Commencement | : | 28 April 1995 |
- 25. Act 17 of 1996 — Housing and Development (Amendment) Act 1996**
- | | | |
|---------------------------|---|------------------|
| Bill | : | 6/1996 |
| First Reading | : | 27 February 1996 |
| Second and Third Readings | : | 2 May 1996 |
| Commencement | : | 7 June 1996 |
- 26. 1997 Revised Edition — Housing and Development Act (Chapter 129)**
- | | | |
|-----------|---|-------------|
| Operation | : | 30 May 1997 |
|-----------|---|-------------|
- 27. Act 7 of 1997 — Statutes (Miscellaneous Amendments) Act 1997**
(Amendments made by section 7 read with item (15) of the Second Schedule to the above Act)
- | | | |
|---------------------------|---|---|
| Bill | : | 6/1997 |
| First Reading | : | 11 July 1997 |
| Second and Third Readings | : | 25 August 1997 |
| Commencement | : | 1 October 1997 (section 7 read with item (15) of the Second Schedule) |

28. Act 41 of 1998 — Housing and Development (Amendment) Act 1998

Bill	:	39/1998
First Reading	:	4 September 1998
Second and Third Readings	:	12 October 1998
Commencement	:	20 November 1998

29. Act 21 of 2000 — Housing and Development (Amendment) Act 2000

Bill	:	16/2000
First Reading	:	9 May 2000
Second and Third Readings	:	23 May 2000
Commencement	:	1 July 2000

30. Act 17 of 2001 — Singapore Land Authority Act 2001

(Amendments made by section 38(1) read with item (5) of the Fourth Schedule to the above Act)

Bill	:	17/2001
First Reading	:	5 March 2001
Second and Third Readings	:	19 April 2001
Commencement	:	1 June 2001 (section 38(1) read with item (5) of the Fourth Schedule)

31. Act 5 of 2002 — Statutory Corporations (Capital Contribution) Act 2002

(Amendments made by section 3 read with item (12) of the Schedule to the above Act)

Bill	:	7/2002
First Reading	:	3 May 2002
Second and Third Readings	:	24 May 2002
Commencement	:	15 July 2002 (section 3 read with item (12) of the Schedule)

32. Act 31 of 2002 — Housing and Development (Amendment) Act 2002

Bill	:	35/2002
First Reading	:	1 October 2002
Second Reading	:	31 October 2002
Notice of Amendments	:	31 October 2002
Third Reading	:	31 October 2002

- Commencement : 1 January 2003
- 33. Act 11 of 2003 — Street Works (Amendment) Act 2003**
(Amendments made by section 23 read with item (1) of the Schedule to the above Act)
- Bill : 9/2003
- First Reading : 24 April 2003
- Second and Third Readings : 30 June 2003
- Commencement : 1 August 2003 (section 23 read with item (1) of the Schedule)
- 34. 2004 Revised Edition — Housing and Development Act (Chapter 129)**
- Operation : 31 July 2004
- 35. Act 45 of 2004 — Trustees (Amendment) Act 2004**
(Amendments made by section 25(4) read with item (16) of the Schedule to the above Act)
- Bill : 43/2004
- First Reading : 21 September 2004
- Second and Third Readings : 19 October 2004
- Commencement : 15 December 2004 (section 25(4) read with item (16) of the Schedule)
- 36. Act 23 of 2005 — Town Councils (Amendment) Act 2005**
(Amendments made by section 13 of the above Act)
- Bill : 13/2005
- First Reading : 16 May 2005
- Second and Third Readings : 18 July 2005
- Commencement : 15 August 2005 (section 13)
- 37. Act 29 of 2005 — Housing and Development (Amendment) Act 2005**
- Bill : 19/2005
- First Reading : 18 July 2005
- Second and Third Readings : 15 August 2005
- Commencement : 15 September 2005

38. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005
(Amendments made by section 5 read with item (14) of the First Schedule to the above Act)

Bill	:	30/2005
First Reading	:	17 October 2005
Second and Third Readings	:	21 November 2005
Commencement	:	1 January 2006 (section 5 read with item (14) of the First Schedule)

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

Bill	:	46/2007
First Reading	:	12 November 2007
Second and Third Readings	:	21 January 2008
Commencement	:	20 June 2008

40. Act 21 of 2008 — Mental Health (Care and Treatment) Act 2008
(Amendments made by section 33 read with item 1(17) of the Second Schedule to the above Act)

Bill	:	11/2008
First Reading	:	21 July 2008
Second and Third Readings	:	15 September 2008
Commencement	:	1 March 2010 (section 33 read with item 1(17) of the Second Schedule)

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

Bill	:	14/2010
First, Second and Third Readings	:	19 July 2010
Commencement	:	11 August 2010

42. Act 15 of 2010 — Criminal Procedure Code 2010

(Amendments made by section 430 read with item 45 of the Sixth Schedule to the above Act)

Bill	:	11/2010
First Reading	:	26 April 2010
Second Reading	:	18 May 2010
Third Reading	:	19 May 2010

Commencement : 2 January 2011 (section 430 read with item 45 of the Sixth Schedule)

43. Act 11 of 2013 — Insurance (Amendment) Act 2013

(Amendments made by section 69 read with item 8 of the Schedule to the above Act)

Bill : 5/2013
 First Reading : 4 February 2013
 Second Reading : 15 March 2013
 Notice of Amendments : 15 March 2013
 Third Reading : 15 March 2013
 Commencement : 18 April 2013 (section 69 read with item 8 of the Schedule)

44. Act 13 of 2015 — Housing and Development (Amendment) Act 2015

Bill : 10/2015
 First Reading : 12 March 2015
 Second and Third Readings : 13 April 2015
 Commencement : 20 July 2015 (except sections 5(b) and 14)
 1 May 2018 (sections 5(b) and 14)

45. Act 34 of 2017 — Jurong Town Corporation (Amendment) Act 2017

(Amendments made by section 7(1) of the above Act)

Bill : 28/2017
 First Reading : 1 August 2017
 Second and Third Readings : 11 September 2017
 Commencement : 1 January 2018 (section 7(1))

46. Act 5 of 2018 — Public Sector (Governance) Act 2018

(Amendments made by section 67 of the above Act)

Bill : 45/2017
 First Reading : 6 November 2017
 Second Reading : 8 January 2018
 Notice of Amendments : 8 January 2018
 Third Reading : 8 January 2018
 Commencement : 1 April 2018 (section 67)

47. Act 33 of 2018 — Small Claims Tribunals (Amendment) Act 2018
(Amendments made by section 23(5) of the above Act)

Bill	:	23/2018
First Reading	:	17 May 2018
Second and Third Readings	:	9 July 2018
Commencement	:	1 November 2019 (section 23(5))

48. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019
(Amendments made by section 28(1) read with item 68 of the Schedule to the above Act)

Bill	:	32/2019
First Reading	:	7 October 2019
Second Reading	:	5 November 2019
Notice of Amendments	:	5 November 2019
Third Reading	:	5 November 2019
Commencement	:	2 January 2021 (section 28(1) read with item 68 of the Schedule)

49. Act 35 of 2020 — Housing and Development (Amendment) Act 2020

Bill	:	32/2020
First Reading	:	3 September 2020
Second and Third Readings	:	6 October 2020
Commencement	:	8 January 2021 (except sections 6, 7 and 8(1)) 1 August 2021 (section 6 and 8(1))

50. Act 1 of 2020 — Banking (Amendment) Act 2020

(Amendments made by section 53 of the above Act)

Bill	:	35/2019
First Reading	:	4 November 2019
Second and Third Readings	:	6 January 2020
Commencement	:	1 July 2021 (section 53)

51. 2020 Revised Edition — Housing and Development Act 1959

Operation	:	31 December 2021
-----------	---	------------------

52. G.N. No. S 759/2022 — Revised Edition of the Laws (Rectification of Acts) (No. 2) Order 2022

Operation	:	31 December 2021
Publication	:	26 September 2022

Abbreviations

(updated on 29 August 2022)

G.N.	Gazette Notification
G.N. Sp.	Gazette Notification (Special Supplement)
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian)
M.	Malaya/Malaysia (including Federated Malay States, Malayan Union, Federation of Malaya and Federation of Malaysia)
Parl.	Parliament
S	Subsidiary Legislation
S.I.	Statutory Instrument (United Kingdom)
S (N.S.)	Subsidiary Legislation (New Series)
S.S.G.G.	Straits Settlements Government Gazette
S.S.G.G. (E)	Straits Settlements Government Gazette (Extraordinary)

COMPARATIVE TABLE
HOUSING AND DEVELOPMENT
ACT 1959

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	2004 Ed.
6—(2)	6—(1A)
(3)	(2)
(4)	(3)
(5)	(4)
(6)	(5)
(7)	(6)
(8)	(7)
(9)	(8)
(10)	(9)
(11)	(10)
—	8 [<i>Repealed by Act 5 of 2018</i>]
8	9
9	10
10	11
11	12
12	13
13	13A
14	13B
15	14
16	15
17	16
18	17
19	18

2020 Ed.	2004 Ed.
20	19
21	20
22	21
23	22
24	22A
25	23
26	24
—	25 [<i>Repealed by Act 28 of 1989</i>]
27	26
28	26A
29	26B
30	26C
31	27
(3)	(2A)
(4)	(2B)
(5)	(2C)
(6)	(3)
32	27A
(2)	(1A)
(3)	(2)
(4)	(3)
33	27B
34	28
35	29
(3)	(2A)
(4)	(3)
(5)	(3A)
(6)	(4)

2020 Ed.	2004 Ed.
(7)	(4A)
—	(5) [<i>Deleted by Act 5 of 2018</i>]
36	30
37	31
38	32
<i>Omitted as spent</i>	(3)
39	33
(2)	(1A)
(3)	(2)
(4)	(3)
(5)	(4)
(6)	(5)
(7)	(6)
(8)	(7)
40	34
41	35
42	36
43	37
44	38
45	39
46	40
47	41
48	42
—	43 [<i>Repealed by Act 11 of 2003</i>]
—	44 [<i>Repealed by Act 11 of 2003</i>]
—	45 [<i>Repealed by Act 5 of 2018</i>]
49	46
50	47

2020 Ed.	2004 Ed.
(3)	(2A)
(4)	(2B)
(5)	(3)
(6)	(4)
(7)	(4A)
(8)	(5)
(9)	(6)
(10)	(7)
(11)	(8)
(12)	(9)
51	48
52	48A
53	48B
54	49
55	49A
56	50
57	50A
58	51
(5)	(4A)
(6)	(5)
(7)	(6)
(8)	(7)
(9)	(8)
(10)	(9)
(11)	(10)
(12)	(11)
59	52
(2)	(1A)

2020 Ed.	2004 Ed.
(3)	(2)
(4)	(3)
(5)	(4)
(6)	(5)
(7)	(6)
(8)	(7)
(9)	(7A)
(10)	(8)
(11)	(9)
60	53
61	54
62	55
63	56
(4)	(3A)
(5)	(4)
(6)	(5)
(7)	(6)
(8)	(7)
(9)	(8)
(10)	(9)
(11)	(10)
64	56A
65	56B
66	57
67	58
(3)	(2A)
(4)	(2B)
(5)	(3)

2020 Ed.	2004 Ed.
(6)	(4)
68	59
69	59A
70	60
—	61 [<i>Repealed by Act 13 of 2015</i>]
71	62
72	63
73	64
74	65
75	65A
76	65B
77	65C
(2)	(1A)
(3)	(1B)
(4)	(2)
(5)	(3)
(6)	(4)
(7)	(5)
(8)	(5A)
(9)	(5B)
(10)	(6)
(11)	(7)
(12)	(8)
78	65D
(3)	(2A)
(4)	(3)
(5)	(4)
79	65E

2020 Ed.	2004 Ed.
80	65F
81	65G
82	65H
83	65I
84	65J
(5)	(4A)
(6)	(5)
(7)	(6)
(8)	(7)
(9)	(8)
(10)	(9)
(11)	(10)
(12)	(11)
(13)	(12)
(14)	(13)
(15)	(14)
85	65K
86	65L
87	65M
88	65N
89	65O
90	65P
91	65Q
92	65R
93	65S
94	65T
95	66
96	66A

2020 Ed.	2004 Ed.
97	67
98	68
99	69
100	70
—	71 —(1) [<i>Deleted by Act 5 of 2018</i>]
101 —(1)	(2)
(2)	(3)
—	(4) [<i>Deleted by Act 5 of 2018</i>]
—	(5) [<i>Deleted by Act 5 of 2018</i>]
—	(6) [<i>Deleted by Act 5 of 2018</i>]
—	(7) [<i>Deleted by Act 5 of 2018</i>]
—	(8) [<i>Deleted by Act 5 of 2018</i>]
—	(9) [<i>Deleted by Act 5 of 2018</i>]
—	72 [<i>Repealed by Act 5 of 2018</i>]
102	73
—	(3) [<i>Deleted by Act 5 of 2018</i>]
—	74 [<i>Repealed by Act 5 of 2018</i>]
103	75
<i>Omitted as spent</i>	(3)
104	76
105	77
106	78
107	79
108	80
(2)	(1A)
(3)	(1B)
(4)	(2)
(5)	(3)

2020 Ed.	2004 Ed.
109	81
110	82
111	83