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GOVERNMENT GAZETTE

ACTS SUPPLEMENT

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The following Act was passed by Parliament on 21st October 2013 and assented to by the President on 5th November 2013:—

REPUBLIC OF SINGAPORE

No. 20 of 2013.

I assent.

TONY TAN KENG YAM,

President.

5th November 2013.



An Act to amend the Jurong Town Corporation Act (Chapter 150 of the 1998 Revised Edition) and to make consequential amendments to the Urban Redevelopment Authority Act (Chapter 340 of the 1990 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Jurong Town Corporation (Amendment) Act 2013 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Jurong Town Corporation Act (referred to in this Act as the principal Act) is amended —

- (a) by inserting, immediately after the words “is lawfully so used” in the definition of “commercial property”, the words “, and includes any industrial property”;
- (b) by inserting, immediately after the definition of “flat”, the following definitions:

““industrial property” means —

- (a) any building or other premises which is permitted by or under the Planning Act (Cap. 232) or any other written law for use solely for an industrial purpose, or for mixed purposes the predominant purpose of which is an industrial purpose;
- (b) any building or other premises used solely for an industrial purpose, or for mixed purposes the predominant purpose of which is an industrial purpose, being a use to which the building or premises was put on 1st February 1960, and the building or premises has not been put to any other use since that date; or
- (c) any land zoned in the Master Plan (within the meaning of section 6 of the Planning Act) solely for an industrial purpose, or for mixed purposes the predominant purpose of which is an industrial purpose;

“industrial purpose” means —

- (a) general industry, such as the manufacturing, altering, repairing, ornamenting, finishing, cleaning, washing, laundry, packing, canning, adapting, breaking up or demolishing any article or part thereof, the getting, processing or treatment of minerals, or the manufacturing or packing of goods or foodstuff, whether or not the processes carried on are dangerous or offensive;
- (b) light industry where the processes in paragraph (a) or the machinery installed for such processes are such as can be carried on or installed in any residential area without detriment to the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit and are not dangerous or offensive;
- (c) warehousing, storage of goods or foodstuff, or freight and logistics operations;
- (d) research and development activities, business park activities or science park activities; or
- (e) such other activity of an industrial nature as the Minister may, by notification published in the *Gazette*, specify to be an industrial purpose;

“Inland Revenue Authority of Singapore” means the Inland Revenue Authority of Singapore established under the Inland Revenue Authority of Singapore Act (Cap. 138A);” and

- (c) by deleting the full-stop at the end of the definition of “owner” and substituting a semi-colon, and by inserting immediately thereafter the following definition:

““Urban Redevelopment Authority” means the Urban Redevelopment Authority established under the Urban Redevelopment Authority Act (Cap. 340).”.

Amendment of section 5

3. Section 5 of the principal Act is amended —

- (a) by deleting the words “11 other members” in subsection (1)(b) and substituting the words “14 other members”; and
- (b) by deleting “4” in subsection (2) and substituting the words “4 or one-third of the total number of members in office, whichever is the higher”.

Amendment of section 12

4. Section 12 of the principal Act is amended —

- (a) by deleting the word “and” at the end of subsection (1)(b);
- (b) by deleting the full-stop at the end of paragraph (c) of subsection (1) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:
- “(d) to collect, compile and analyse information of a statistical nature relating to industrial property in Singapore, and to publish and disseminate the results of any such compilation or analysis or abstracts of those results.”; and
- (c) by inserting, immediately after subsection (1), the following subsections:
- “(1A) In addition to the functions and duties imposed by this section, the Corporation may undertake such other functions and duties as the Minister may, by notification published in the *Gazette*, assign to the

Corporation and in so doing, the Corporation shall be deemed to be fulfilling the purposes of this Act, and the provisions of this Act shall apply to the Corporation in respect of such functions and duties.

(1B) Nothing in subsection (1) or (1A) shall be construed as imposing on the Corporation, directly or indirectly, any form of duty or liability enforceable by proceedings before any court to which it would not otherwise be subject.”.

Repeal of sections 28 and 29

5. Sections 28 and 29 of the principal Act are repealed.

Amendment of section 33

6. Section 33 of the principal Act is amended —
- (a) by inserting, immediately after the words “who obstructs”, the words “or refuses to give access to”; and
 - (b) by deleting the words “the Corporation is” and substituting the words “the officer or person is”.

New sections 35A to 35D

7. The principal Act is amended by inserting, immediately after section 35, the following sections:

“Furnishing of information

35A.—(1) The Corporation or any employee thereof authorised by the Corporation in that behalf may, for the purpose of obtaining statistical information in relation to industrial property in Singapore, by notice require any person to furnish to the Corporation or the employee so authorised, within such period as shall be specified in the notice, all such particulars or information relating to all such matters as may be required by the Corporation and as are within knowledge of that person or in his custody or under his control.

(2) Subject to subsection (6), a notice issued under subsection (1) may be served in the following manner:

(a) in the case of an individual —

- (i) by delivering it to the individual personally;
- (ii) by leaving it with an adult person apparently resident at, or by sending it by pre-paid registered post to, the usual or last known address of the place of residence of the individual;
- (iii) by leaving it with an adult person apparently employed at, or by sending it by pre-paid registered post to, the usual or last known address of the place of business of the individual;
- (iv) by affixing a copy of the notice in a conspicuous place at the usual or last known address of the place of residence or place of business of the individual; or
- (v) by electronic communication, by sending an electronic communication of the notice to the last email address given to the Corporation by the individual as the email address for the service of documents on the individual;

(b) in the case of a partnership other than a limited liability partnership —

- (i) by delivering it to any one of the partners or the secretary or other like officer of the partnership;
- (ii) by leaving it at, or by sending it by pre-paid registered post to, the principal or last known place of business of the partnership in Singapore;
- (iii) by sending it by facsimile transmission to the fax transmission number operated at the principal or last known place of business of the partnership in Singapore; or
- (iv) by electronic communication, by sending an electronic communication of the notice to the last email address given to the Corporation by the

partnership as the email address for the service of documents on the partnership; and

- (c) in the case of any limited liability partnership or any other body corporate —
- (i) by delivering it to the secretary or other like officer of the body corporate or, in the case of a limited liability partnership, the manager thereof, or to any person having, on behalf of the limited liability partnership or other body corporate, powers of control or management over the business, occupation, work or matter to which the notice relates;
 - (ii) by leaving it at, or by sending it by pre-paid registered post to, the registered office or principal place of business of the limited liability partnership or other body corporate in Singapore;
 - (iii) by sending it by facsimile transmission to the fax transmission number operated at the registered office or principal place of business of the limited liability partnership or other body corporate in Singapore or elsewhere; or
 - (iv) by electronic communication, by sending an electronic communication of the notice to the last email address given to the Corporation by the limited liability partnership or other body corporate as the email address for the service of documents on the limited liability partnership or body corporate.
- (3) If the person on whom service is to be effected has an agent within Singapore, the notice may be delivered to the agent.
- (4) Any notice issued under subsection (1) which is to be served on the occupier of any premises —
- (a) may be served by delivering it to an adult person on the premises or, if there is no such person on the premises to

whom it can with reasonable diligence be delivered, by affixing the notice to a conspicuous part of the premises; and

(b) shall be deemed to be properly addressed if addressed by the description of the occupier of the premises without further name or description.

(5) Where any notice issued under subsection (1) and required to be served on any person is —

(a) sent by registered post to any person in accordance with subsection (2), it shall be deemed to be duly served on the person at the time when it would, in the ordinary course of post, be delivered, whether or not it is returned undelivered, and in proving service of the notice, it shall be sufficient to prove that the envelope containing the same was properly addressed, stamped and posted by registered post;

(b) sent by ordinary post to any person in accordance with subsection (2), it shall be deemed to be duly served on the person to whom it is addressed on the day succeeding the day on which it would, in the ordinary course of post, be delivered;

(c) sent by a facsimile transmission to the fax transmission number operated at the last known place of residence or business or registered office or principal place of business in accordance with subsection (2), it shall be deemed to be duly served on the person to whom it is addressed on the day of transmission, subject to receipt on the sending facsimile machine of a notification (by electronic or other means) of a successful transmission to the place of residence or business or registered office or principal place of business, as the case may be; and

(d) sent by electronic communication to an email address in accordance with subsection (2), it shall be deemed to be duly served on the person to whom it is addressed at the time of entering the information system addressed to the email address.

(6) Service of any notice under this section on a person by electronic communication may be effected only if the person gives as part of his or its address for service an email address.

(7) Any person who on being required by notice under this section to furnish any particulars or information —

(a) wilfully refuses or without lawful excuse (the proof of which lies on him) neglects to furnish the particulars or information within the time specified in the notice; or

(b) wilfully furnishes or causes to be furnished any false particulars or information in respect of any matter specified in the notice requiring particulars or information to be furnished,

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.

(8) Nothing in this section authorises the Corporation, or any employee thereof authorised by the Corporation in that behalf, to require the Inland Revenue Authority of Singapore or the Urban Redevelopment Authority to furnish to the Corporation or the employee so authorised —

(a) any particulars or information in the possession of the Inland Revenue Authority of Singapore obtained in the performance of any of its functions; or

(b) any particulars or information in the possession of the Urban Redevelopment Authority obtained in the performance of any of its functions.

Request for information from Inland Revenue Authority of Singapore and Urban Redevelopment Authority

35B.—(1) For the purpose of obtaining data for statistical purposes relating to industrial property in Singapore, the Corporation may in writing require —

(a) the Inland Revenue Authority of Singapore to furnish or supply to the Corporation any particulars or information in the possession of the Inland Revenue Authority of

Singapore that it obtained in the performance of its function as an agent of the Government in administering, assessing, collecting and enforcing payment of property tax or stamp duties; or

- (b) the Urban Redevelopment Authority to furnish or supply to the Corporation any particulars or information in the possession of the Urban Redevelopment Authority —
 - (i) that the Urban Redevelopment Authority obtained pursuant to any notice under section 44 of the Urban Redevelopment Authority Act; or
 - (ii) that was collected by the Research and Statistics Unit before 1st September 1989 and transferred to the Urban Redevelopment Authority under section 31 of the Urban Redevelopment Authority Act.

(2) Notwithstanding the provisions of the Inland Revenue Authority of Singapore Act and the Urban Redevelopment Authority Act, the Inland Revenue Authority of Singapore and the Urban Redevelopment Authority, respectively, shall furnish the particulars and information required under subsection (1) within such time as may be agreed to between the Corporation and the Inland Revenue Authority of Singapore or the Urban Redevelopment Authority, as the case may be.

Preservation of secrecy

35C.—(1) Any member, officer or employee of the Corporation shall not disclose any particulars or information which has been obtained by the member, officer or employee of the Corporation in the performance of his duties or the exercise of his function under section 35A or 35B unless —

- (a) the disclosure is with the previous consent in writing of the person who furnished the particulars or information under section 35A or the person to whom the particulars or information relate;

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- (b) the disclosure is as statistics which do not identify the person who furnished the particulars or information under section 35A or the person to whom the particulars or information relate;
 - (c) the disclosure is to the Urban Redevelopment Authority pursuant to its request made under section 44A of the Urban Redevelopment Authority Act;
 - (d) the disclosure is to the Chief Statistician pursuant to his direction under section 6 of the Statistics Act (Cap. 317) where the particulars or information are not exempted under section 6(2) of that Act from being so furnished;
 - (e) the disclosure is for the purposes of any proceedings for an offence under section 35A(7) or this section or any report of those proceedings; or
 - (f) the particulars or information are already in the public domain at the time of its disclosure.

(2) The Corporation may, in respect of any particulars or information disclosed to any person under subsection (1)(a), impose conditions as to the use of such particulars or information by notice in writing to that person.

(3) Any person who discloses any particulars or information in contravention of subsection (1), or who fails to comply with any condition imposed on him under 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 one year or to both.

(4) For the avoidance of doubt, nothing in subsection (1) authorises disclosure of any particulars or information referred to therein to any officer or employee of the Corporation not charged with any duties or function under section 35A or 35B.

Entry on premises to obtain statistical information

35D. Any officer of the Corporation authorised by the Corporation in that behalf may, with such assistants as are necessary, at any reasonable time, with the consent of the

occupier of any land or premises or after 6 hours' previous notice to such an occupier, and without involving any search or seizure of any premises, person or thing, enter the land or premises for all or any of the following purposes:

- (a) for or in connection with obtaining statistical information in relation to industrial property in Singapore;
- (b) for the purpose of verifying the accuracy or completeness of any particulars or information furnished by any person pursuant to a notice issued under section 35A(1).”.

New section 67

8. The principal Act is amended by inserting, immediately after section 66, the following section:

“Composition of offences

67.—(1) The chief executive officer of the Corporation or any other officer of the Corporation who is authorised by the chief executive officer of the Corporation may, in his discretion, compound any offence under this Act or any rules or regulations made thereunder which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following sums:

- (a) one half of the amount of the maximum fine that is prescribed for the offence;
- (b) a sum of \$5,000.

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

(3) The Minister may make regulations to prescribe the offences which may be compounded.

(4) All sums collected under this section shall be paid to the Consolidated Fund.”.

Consequential amendments to Urban Redevelopment Authority Act

9. The Urban Redevelopment Authority Act (Cap. 340) is amended —

(a) by inserting, immediately after the definition of “former Authority” in section 2, the following definitions:

““Inland Revenue Authority of Singapore” means the Inland Revenue Authority of Singapore established under the Inland Revenue Authority of Singapore Act (Cap. 138A);

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

(b) by deleting the words “section 54(4)” in section 42(b) and substituting the words “section 59(3)”;

(c) by deleting subsection (2) of section 44 and substituting the following subsections:

“(2) Subject to subsection (2D), a notice issued under subsection (1) may be served in the following manner:

(a) in the case of an individual —

- (i) by delivering it to the individual personally;
- (ii) by leaving it with an adult person apparently resident at, or by sending it by pre-paid registered post to, the usual or last known address of the place of residence of the individual;
- (iii) by leaving it with an adult person apparently employed at, or by sending it by pre-paid registered post to, the usual or last known address of the place of business of the individual;

- (iv) by affixing a copy of the notice in a conspicuous place at the usual or last known address of the place of residence or place of business of the individual; or
 - (v) by electronic communication, by sending an electronic communication of the notice to the last email address given to the Authority by the individual as the email address for the service of documents on the individual;
- (b) in the case of a partnership other than a limited liability partnership —
 - (i) by delivering it to any one of the partners or the secretary or other like officer of the partnership;
 - (ii) by leaving it at, or by sending it by pre-paid registered post to, the principal or last known place of business of the partnership in Singapore;
 - (iii) by sending it by facsimile transmission to the fax transmission number operated at the principal or last known place of business of the partnership in Singapore; or
 - (iv) by electronic communication, by sending an electronic communication of the notice to the last email address given to the Authority by the partnership as the email address for the service of documents on the partnership; and
- (c) in the case of any limited liability partnership or any other body corporate —
 - (i) by delivering it to the secretary or other like officer of the body corporate or, in the case of a limited liability partnership,

the manager thereof, or to any person having, on behalf of the limited liability partnership or other body corporate, powers of control or management over the business, occupation, work or matter to which the notice relates;

- (ii) by leaving it at, or by sending it by pre-paid registered post to, the registered office or principal place of business of the limited liability partnership or other body corporate in Singapore;
- (iii) by sending it by facsimile transmission to the fax transmission number operated at the registered office or principal place of business of the limited liability partnership or other body corporate in Singapore or elsewhere; or
- (iv) by electronic communication, by sending an electronic communication of the notice to the last email address given to the Authority by the limited liability partnership or other body corporate as the email address for the service of documents on the limited liability partnership or body corporate.

(2A) If the person on whom service is to be effected has an agent within Singapore, the notice may be delivered to the agent.

(2B) Any notice issued under subsection (1) which is to be served on the occupier of any premises —

- (a) may be served by delivering it to an adult person on the premises or, if there is no such person on the premises to whom it can with reasonable diligence be delivered, by affixing the notice to a conspicuous part of the premises; and

(b) shall be deemed to be properly addressed if addressed by the description of the occupier of the premises without further name or description.

(2C) Where any notice issued under subsection (1) and required to be served on any person is —

(a) sent by registered post to any person in accordance with subsection (2), it shall be deemed to be duly served on the person at the time when it would, in the ordinary course of post, be delivered, whether or not it is returned undelivered, and in proving service of the notice, it shall be sufficient to prove that the envelope containing the same was properly addressed, stamped and posted by registered post;

(b) sent by ordinary post to any person in accordance with subsection (2), it shall be deemed to be duly served on the person to whom it is addressed on the day succeeding the day on which it would, in the ordinary course of post, be delivered;

(c) sent by a facsimile transmission to the fax transmission number operated at the last known place of residence or business or registered office or principal place of business in accordance with subsection (2), it shall be deemed to be duly served on the person to whom it is addressed on the day of transmission, subject to receipt on the sending facsimile machine of a notification (by electronic or other means) of a successful transmission to the place of residence or business or registered office or principal place of business, as the case may be; and

(d) sent by electronic communication to an email address in accordance with subsection (2), it shall be deemed to be duly served on the person to whom it is addressed at the time of entering the information system addressed to the email address.

(2D) Service of any notice under this section on a person by electronic communication may be effected only if the person gives as part of his or its address for service an email address.”;

(d) by inserting, immediately after subsection (3) of section 44, the following subsection:

“(4) Nothing in this section authorises the Authority, or any employee thereof authorised by the Authority in that behalf, to require the Inland Revenue Authority of Singapore or the Jurong Town Corporation to furnish to the Authority or the employee so authorised —

(a) any particulars or information in the possession of the Inland Revenue Authority of Singapore obtained in the performance of any of its functions; or

(b) any particulars or information in the possession of the Jurong Town Corporation obtained pursuant to any notice under section 35A of the Jurong Town Corporation Act.”;

(e) by inserting, immediately after section 44, the following section:

“Request for information from Inland Revenue Authority of Singapore and Jurong Town Corporation

44A.—(1) For the purpose of obtaining data for statistical purposes relating to property in Singapore, the Authority may in writing require —

- (a) the Inland Revenue Authority of Singapore to furnish or supply to the Authority any particulars or information in the possession of the Inland Revenue Authority of Singapore that it obtained in the performance of its function as an agent of the Government in administering, assessing, collecting and enforcing payment of property tax or stamp duties; or
- (b) the Jurong Town Corporation to furnish or supply to the Authority any particulars or information in the possession of the Jurong Town Corporation obtained pursuant to any notice under section 35A of the Jurong Town Corporation Act.

(2) Notwithstanding the provisions of the Inland Revenue Authority of Singapore Act and the Jurong Town Corporation Act, the Inland Revenue Authority of Singapore and the Jurong Town Corporation, respectively, shall furnish the particulars and information required under subsection (1) within such time as may be agreed to between the Authority and the Inland Revenue Authority of Singapore or the Jurong Town Corporation, as the case may be.”;

- (f) by deleting subsection (1) of section 45 and substituting the following subsection:

“(1) Any member, officer or employee of the Authority shall not disclose any particulars or information which has been obtained by the member, officer or employee of the Authority in the performance of his duties or the exercise of his function under section 44 or 44A unless —

- (a) the disclosure is with the previous consent in writing of the person who furnished the particulars or information under section 44 or the person to whom the particulars or information relate;

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- (b) the disclosure is as statistics which do not identify the person who furnished the particulars or information under section 44 or the person to whom the particulars or information relate;
 - (c) the disclosure is to the Jurong Town Corporation pursuant to its request made under section 35B of the Jurong Town Corporation Act;
 - (d) the disclosure is to the Chief Statistician pursuant to his direction under section 6 of the Statistics Act (Cap. 317) where the particulars or information are not exempted under section 6(2) of that Act from being so furnished;
 - (e) the disclosure is for the purpose of another member, officer or employee of the Authority carrying into effect the provisions of this Act;
 - (f) the disclosure is for the purposes of any proceedings for an offence under section 44(3) or this section or any report of those proceedings; or
 - (g) the particulars or information are already in the public domain at the time of its disclosure.”; and
- (g) by deleting the word “All” in paragraph 9 of the Fourth Schedule and substituting the words “Subject to section 35B of the Jurong Town Corporation Act and to section 45, all”.
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