
First published in the *Government Gazette*, Electronic Edition, on 8 May 2023 at 5 pm.

No. S 274

HOUSING AND DEVELOPMENT ACT 1959

HOUSING AND DEVELOPMENT (EXEMPTIONS FROM SECTION 50(1) OF ACT) NOTIFICATION 2023

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Definitions
 3. Exemptions relating to non-residential property
 4. Exemptions for owners of HDB property
 5. Exemptions relating to housing options for elderly persons
-

In exercise of the powers conferred by section 50(10) of the Housing and Development Act 1959, the Housing and Development Board makes the following Notification:

Citation and commencement

1. This Notification is the Housing and Development (Exemptions from Section 50(1) of Act) Notification 2023 and comes into operation on 9 May 2023.

Definitions

2. In this Notification —

“foreign country” means a country or territory outside Singapore;

“new property” means a flat, house or other living accommodation sold subject to Part 4 of the Act;

“non-residential property” means any flat, house, building or land that is not a residential property, but does not include any commercial property mentioned in section 50(11) of the Act;

“relevant period”, in relation to the purchase of a new property, means the period —

- (a) starting on the date 30 months before the date of the application to the Board to purchase the new property; and
- (b) ending on the date of completion of the purchase of the new property,

both dates inclusive;

“residential property” means —

- (a) any flat, house or building in Singapore that is used, or lawfully permitted to be used under the Planning Act 1988 or any other written law, as a dwelling house;
- (b) any land in Singapore that is zoned in the Master Plan for residential purposes or for mixed purposes, one of which is residential;
- (c) any flat, house, building or land in a foreign country that is used, or lawfully permitted to be used under the laws of that foreign country, as a dwelling house or wholly or mainly for residential purposes; or
- (d) any vacant land in Singapore or in a foreign country that is not zoned for any purpose.

Exemptions relating to non-residential property

3.—(1) A person is exempted from section 50(1)(a) of the Act, in relation to his or her purchase of a new property, if —

- (a) the other flat, house, building or land mentioned in section 50(1)(a) of the Act that the person, his or her spouse or any authorised occupier owns or has an estate or interest in is a non-residential property; and
- (b) at all times during the relevant period, the person, his or her spouse and any authorised occupier do not own or have an estate or interest in more than one non-residential property.

(2) A person is exempted from section 50(1)(b) of the Act, in relation to his or her purchase of a new property if —

- (a) the flat, house, building or land that the person, his or her spouse or any authorised occupier sold or divested himself or herself of any interest in within the time mentioned in that provision, was a non-residential property or a commercial property mentioned in section 50(11) of the Act; and
- (b) at the time of the sale or divestment mentioned in sub-paragraph (a), the person, his or her spouse and any authorised occupier did not own or have an interest in any other non-residential property.

Exemptions for owners of HDB property

4.—(1) A person is exempted from section 50(1)(a) of the Act, in relation to his or her purchase of a new property, if all of the following conditions are satisfied:

- (a) the other flat, house, building or land mentioned in section 50(1)(a) of the Act that the person, his or her spouse or any authorised occupier owns or has an estate or interest in is an HDB property;
- (b) the owner of the HDB property mentioned in sub-paragraph (a) has obtained preliminary permission from the Board to sell the HDB property;
- (c) the owner of that HDB property undertakes to sell or divest himself or herself of any interest in that HDB property within 6 months after the date of taking possession of the new property;
- (d) the owner of that HDB property sells or divests himself or herself of the interest in that HDB property within 6 months after the date of taking possession of the new property.

(2) A person is exempted from section 50(1)(b) of the Act, in relation to his or her purchase of a new property, if the flat, house, building or land that the person, his or her spouse or any authorised

occupier sold or divested himself or herself of any interest in within the time mentioned in that provision, was an HDB property that the Board had granted consent to be sold or divested.

(3) In this paragraph, “HDB property” means —

- (a) a flat, house or other living accommodation originally sold subject to Part 4 of the Act; or
- (b) a housing accommodation originally sold by an approved developer under Part 4B of the Act,

whether the flat, house, living accommodation or housing accommodation is directly sold by the Board or approved developer, or is sold in the open market.

Exemptions relating to housing options for elderly persons

5.—(1) A person is exempted from section 50(1)(a) of the Act, in relation to his or her purchase of a new property, if all of the following conditions are satisfied:

- (a) the new property is —
 - (i) a Short Lease 2-room Flexi flat; or
 - (ii) a Community Care Apartment;
- (b) the person and his or her spouse (if any), have both attained —
 - (i) in the case of a Short Lease 2-room Flexi flat — 55 years of age; or
 - (ii) in the case of a Community Care Apartment — 65 years of age;
- (c) the person, his or her spouse or any authorised occupier owns or has an estate or interest in no more than one non-residential property;
- (d) if the person, his or her spouse or any authorised occupier owns or has an estate or interest in any residential property —
 - (i) the owner of that residential property undertakes to sell or divest himself or herself of any interest in that

residential property within 6 months after the date of taking possession of the new property; and

- (ii) the owner of that residential property sells or divests himself or herself of the interest in that residential property within 6 months after the date of taking possession of the new property.

(2) A person is exempted from section 50(1)(b) of the Act, in relation to his or her purchase of a new property, if —

(a) the new property is —

- (i) a Short Lease 2-room Flexi flat; or
- (ii) a Community Care Apartment; and

(b) the person and his or her spouse (if any) have both attained —

- (i) in the case of a Short Lease 2-room Flexi flat — 55 years of age; or
- (ii) in the case of a Community Care Apartment — 65 years of age.

(3) In this paragraph —

“Community Care Apartment” means a category of flats sold subject to Part 4 of the Act that has one bedroom, a lease period of between 15 and 35 years and integrates housing and care services;

“Short Lease 2-room Flexi flat” means a category of flats sold subject to Part 4 of the Act that has one bedroom, a lease period of between 15 and 45 years and is designated by the Board for sale to a person who has attained 55 years of age.

Made on 8 May 2023.

BENNY LIM SIANG HOE
Chairperson,
Housing and Development Board,
Singapore.

[44-15-21-0002; AG/LEGIS/SL/129/2020/11 Vol. 1]