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EXECUTIVE CONDOMINIUM HOUSING SCHEME ACT 1996

EXECUTIVE CONDOMINIUM HOUSING SCHEME (EXEMPTION) (AMENDMENT) ORDER 2024

In exercise of the powers conferred by section 14 of the Executive Condominium Housing Scheme Act 1996, the Minister for National Development makes the following Order:

Citation and commencement

1. This Order is the Executive Condominium Housing Scheme (Exemption) (Amendment) Order 2024 and comes into operation on 2 November 2024.

Amendment of paragraph 2

2. In the Executive Condominium Housing Scheme (Exemption) Order (O 1) (called in this Order the principal Order), in paragraph 2 —

(a) before the definition of “public housing accommodation”, insert —

““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 5(9) of the Act;”;

(b) replace the definition of “public housing accommodation” with —

““public housing accommodation” means —

(a) a flat, house or other living accommodation sold subject to Part 4 of the Housing and Development Act 1959; or

(b) a housing accommodation sold by an approved developer under Part 4B of the Housing and Development Act 1959,

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, but excludes any flat, house or other accommodation in any housing estate that has been issued with a subsidiary strata certificate of title under section 126 of the Land Titles (Strata) Act 1967;”;

(c) in the definition of “relevant authority”, replace “section 3 of the Planning Act (Cap. 232)” with “section 5 of the Planning Act 1998”;

(d) in the definition of “relevant authority”, replace “Building Authority appointed under section 3(1) of the Building Control Act (Cap. 29).” with “Commissioner of Building Control appointed under section 3(1) of the Building Control Act 1989;” and

(e) after the definition of “relevant authority”, insert —

““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.”.

Replacement of paragraph 3 and new paragraphs 4 and 5

3. In the principal Order, replace paragraph 3 with —

“Exemption from section 5(1)(a) of Act

3.—(1) A person is exempt from section 5(1)(a) of the Act, in relation to his or her purchase of any housing accommodation under the executive condominium scheme if any of the conditions in sub-paragraph (2) applies to the flat, house, building or land (mentioned in section 5(1)(a) of the Act) that the person or his or her spouse owned or purchased, or had an estate or interest in (called in this paragraph the existing property).

(2) The conditions mentioned in sub-paragraph (1) are as follows:

- (a) the existing property is a temporary building or structure —
- (i) constructed of short-lived materials; or
 - (ii) permitted to be used by the relevant authority for a period not exceeding 36 months,
- that is constructed on land in which the person and his or her spouse do not have any estate or interest;
- (b) the existing property is held by the person or his or her spouse as a trustee with no beneficial interest in the existing property;
- (c) the existing property is public housing accommodation which the owner —
- (i) has obtained preliminary permission from the Board to sell;

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- (ii) undertakes to sell or divest himself or herself of any interest in, within 6 months after the date of taking possession of the housing accommodation under the executive condominium scheme; and
 - (iii) sells or divests himself or herself of the interest in, within 6 months after the date of taking possession of the housing accommodation under the executive condominium scheme;
- (d) the existing property is a non-residential property and at all times during the relevant period, the person and his or her spouse do not own or have an estate or interest in more than one non-residential property.
- (3) In sub-paragraph (2), “relevant period”, in relation to the purchase of any housing accommodation under the executive condominium scheme, means the period —
- (a) starting on the date 30 months before the date of making an application to purchase the housing accommodation; and
 - (b) ending on the date of issue of the temporary occupation permit in respect of the housing accommodation,

both dates inclusive.

Exemption from section 5(1)(b) of Act

4.—(1) A person is exempt from section 5(1)(b) of the Act, in relation to his or her purchase of any housing accommodation under the executive condominium scheme if any of the conditions in sub-paragraph (2) applies to the flat, house, building or land (mentioned in section 5(1)(b) of the Act) that the person or his or her spouse sold or divested himself or herself of an estate or interest in (called in this paragraph the disposed property).

(2) The conditions mentioned in sub-paragraph (1) are as follows:

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- (a) the disposed property is a temporary building or structure —
 - (i) constructed of short-lived materials; or
 - (ii) permitted to be used by the relevant authority for a period not exceeding 36 months,
that is constructed on land in which the person and his or her spouse do not have any estate or interest;
 - (b) the disposed property is held by the person or his or her spouse as a trustee with no beneficial interest in the disposed property;
 - (c) the disposed property is public housing accommodation that the Board had granted consent to be sold or divested;
 - (d) the disposed property is a non-residential property or a commercial property mentioned in section 5(9) of the Act and at the time of the sale or divestment of the disposed property, the person and his or her spouse did not own or have an estate or interest in any other non-residential property.

Exemption from section 13(1) of Act

5. Section 13(1) of the Act does not apply to or in relation to a permanent resident who purchases any housing accommodation under the executive condominium scheme jointly with any citizen of Singapore.”.

Deletion of First, Second and Third Schedules

4. In the principal Order, delete the First, Second and Third Schedules.

Saving and transitional provision

5. Despite paragraphs 3 and 4, paragraph 3 of the principal Order read with the Second and Third Schedules to the principal Order, as in force immediately before 2 November 2024, continues to apply to or in relation to the purchase, on or after that date, of any housing

accommodation under the executive condominium scheme that the Minister has, under section 4 of the Act and on or before 9 December 2022, appointed one or more developers to sell.

Made on 30 October 2024.

OW FOONG PHENG
Permanent Secretary,
Ministry of National Development,
Singapore.

[311/4-228(10); AG/LEGIS/SL/99A/2020/5]