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No. S 322

COVID-19 (TEMPORARY MEASURES) ACT 2020
(ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES)
(ALTERNATIVE ARRANGEMENTS FOR MEETINGS
FOR MANAGEMENT CORPORATIONS, SUBSIDIARY
MANAGEMENT CORPORATIONS AND COLLECTIVE
SALE COMMITTEES) ORDER 2020

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In exercise of the powers conferred by section 27 of the COVID-19 (Temporary Measures) Act 2020, the Minister for Law makes the following Order:

Citation and commencement

1. This Order is the COVID-19 (Temporary Measures) (Alternative Arrangements for Meetings for Management Corporations, Subsidiary Management Corporations and Collective Sale

Committees) Order 2020 and is deemed to have come into operation on 27 March 2020.

Definitions

2. In this Order, unless the context otherwise requires —

“collective sale” means a collective sale of property under Part VA of the Land Titles (Strata) Act (Cap. 158);

“collective sale committee” means the collective sale committee constituted in accordance with the Land Titles (Strata) Act for the purpose of a collective sale under that Act;

“council”, “executive committee”, “management corporation” and “subsidiary management corporation” have the meanings given by section 2(1) of the Building Maintenance and Strata Management Act (Cap. 30C);

“electronic means” means electronic communication, video conferencing, tele-conferencing or other electronic means;

“meeting” means —

(a) a general meeting of a management corporation;

(b) a general meeting of a subsidiary management corporation;

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(c) a meeting of a collective sale committee; or

[S 822/2020 wef 27/03/2020]

(d) a meeting of subsidiary proprietors convened by a collective sale committee;

[S 822/2020 wef 27/03/2020]

“subsidiary proprietor” has the meaning given by section 3(1) of the Land Titles (Strata) Act.

Control measures

3. This Order is made in respect of the following control measures:

(a) the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 (G.N. No. S 254/2020);

- (b) the Infectious Diseases (Measures to Prevent Spread of COVID-19) Regulations 2020 (G.N. No. S 185/2020).

Application

4. This Order sets out the alternative arrangements to personal attendance in respect of the following classes of meetings:

- (a) general meetings of management corporations;
- (b) general meetings of subsidiary management corporations;
- (c) meetings of collective sale committees;
[S 822/2020 wef 27/03/2020]
- (d) meetings of subsidiary proprietors convened by a collective sale committee.
[S 822/2020 wef 27/03/2020]

Alternative arrangements for general meetings of management corporations (other than for purposes of collective sale) and general meetings of subsidiary management corporations

5.—(1) The alternative arrangements for the convening, holding, conducting or deferral of a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation set out in the second column of the First Schedule apply in respect of the provisions of the written law relating to such a meeting set out in the first column of that Schedule.

(2) The alternative arrangements apply for the period starting on 27 March 2020 and ending on 30 September 2020.

Alternative arrangements for general meetings of management corporations for purposes of collective sale

6.—(1) The alternative arrangements for the convening, holding, conducting or deferral of a general meeting of a management corporation for the purposes of a collective sale set out in the second column of the Second Schedule apply in respect of the provisions of the written law relating to such a meeting set out in the first column of that Schedule.

(2) The alternative arrangements apply for the period starting on 27 March 2020 and ending on 30 September 2020.

Alternative arrangements for meetings of collective sale committees

7.—(1) The alternative arrangements for the convening, holding, conducting or deferral of a meeting of a collective sale committee set out in the second column of the Third Schedule apply in respect of the provisions of the written law relating to such a meeting set out in the first column of that Schedule.

(2) The alternative arrangements apply for the period starting on 27 March 2020 and ending on 30 September 2020.

Alternative arrangements for meetings of subsidiary proprietors convened by collective sale committees

8.—(1) The alternative arrangements for the convening, holding, conducting or deferral of a meeting of subsidiary proprietors convened by a collective sale committee set out in the second column of the Fourth Schedule apply in respect of the provisions of the written law relating to such a meeting set out in the first column of that Schedule.

(2) The alternative arrangements apply for the period starting on 27 March 2020 and ending on 30 June 2021.

[S 822/2020 wef 27/03/2020]

FIRST SCHEDULE

Paragraph 5(1)

ALTERNATIVE ARRANGEMENTS FOR GENERAL MEETINGS OF MANAGEMENT CORPORATIONS (OTHER THAN FOR PURPOSES OF COLLECTIVE SALE) AND GENERAL MEETINGS OF SUBSIDIARY MANAGEMENT CORPORATIONS

<i>First column</i>	<i>Second column</i>
<i>Provision of Building Maintenance and Strata Management Act</i>	<i>Alternative arrangement</i>
1. Provision for convening, holding, conducting or deferral	A meeting of a management corporation or subsidiary

FIRST SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<p><i>Provision of Building Maintenance and Strata Management Act</i></p> <p>of a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation</p> <p>2. Provision for attendance at a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation</p> <p>3. Provision for right or entitlement to be heard or to require representations to be read out at a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation</p>	<p>management corporation may be convened, held or conducted, whether wholly or partly, by electronic means.</p> <p>A meeting of a management corporation or subsidiary management corporation may be deferred to a date no later than 30 September 2020.</p> <p>Except for the purposes of calling for any oral nominations of persons eligible for election to the council or executive committee (as the case may be) under paragraph 8(1) of the First Schedule to the Building Maintenance and Strata Management Act, a management corporation or subsidiary management corporation may provide that a subsidiary proprietor or person may only attend a meeting by observing and listening to the proceedings of the meeting by electronic means, if access to both an audio broadcast and audio-visual broadcast is provided to the subsidiary proprietor or person.</p> <p>A management corporation or subsidiary management corporation may provide that a subsidiary proprietor or person may only be heard at a meeting by electronic means in the manner provided in item 4.</p> <p>A representation may be read out at a meeting by electronic means.</p>

FIRST SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Building Maintenance and Strata Management Act</i>	<i>Alternative arrangement</i>
<p>4. Provision for right or entitlement to speak on a resolution at a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation</p>	<p>A management corporation or subsidiary management corporation may require a subsidiary proprietor or person, before the meeting, to send to the chairperson of the meeting, by post or electronic mail, the matters which the subsidiary proprietor or person wishes to raise at the meeting, and each such matter, if substantial and relevant and sent within a reasonable time before the meeting, is to be responded to at or before the meeting by electronic means.</p>
<p>5. Provision for quorum at a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation</p>	<p>A quorum may be formed by subsidiary proprietors (either in person or by proxy) personally or electronically present and satisfying the relevant quorum requirements.</p> <p>A subsidiary proprietor (either in person or by proxy) is electronically present at a meeting if the subsidiary proprietor —</p> <p>(a) attends the meeting in the manner provided in item 2;</p> <p>(b) is verified by the secretary of the council of a management corporation, the secretary of the executive committee of a subsidiary management corporation or a person appointed by the council or executive committee (as the case may be) to verify the quorum as attending the</p>

FIRST SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Building Maintenance and Strata Management Act</i>	<i>Alternative arrangement</i>
	meeting in the manner provided in item 2; and
	(c) is acknowledged by electronic means by the chairperson of the meeting as present at the meeting.
6. Provision for a person entitled to vote at a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation to vote at that meeting	<p>A person entitled to vote, either in person or by proxy, may vote at the meeting by electronic means.</p> <p>The instrument of appointment appointing a proxy, and any other supporting documents, may be submitted by electronic mail to an electronic mail address stated in the notice of the meeting.</p> <p>For the purposes of this item, voting by electronic means may be used only if the following are satisfied:</p> <p>(a) the electronic voting system used accurately counts all votes cast for and against any proposal submitted at the meeting;</p> <p>(b) the electronic voting system used is capable of providing records from which the operation of the electronic voting system may be audited and for verification of the accuracy of the recording and counting of votes;</p> <p>(c) the chairperson must, during the meeting, declare the result of the voting by electronic means on any proposal submitted at the meeting;</p>

FIRST SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Building Maintenance and Strata Management Act</i>	<i>Alternative arrangement</i>
	(d) in respect of a meeting at which the council or executive committee (as the case may be) is to be elected, the chairperson of the meeting must ensure that his or her declaration of the voting results of the election of the members of the council or executive committee (as the case may be) is recorded in the form of either an audio recording or audio-visual recording.
7. Provision for laying and production of documents at a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation	A document required to be laid or produced before a meeting of a management corporation or subsidiary management corporation may be so laid or produced by being sent with the notice of the meeting.
8. Provision for giving of notice of a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation	A notice of a meeting — <ul style="list-style-type: none"> (a) must describe the means by which the meeting can be electronically accessed (including the online location, if the meeting is held at an online location); (b) must set out how a person entitled to vote may vote at the meeting by electronic means; (c) must state how a subsidiary proprietor or person may send to the chairperson of the meeting the substantial and relevant matters which the subsidiary

FIRST SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Building Maintenance and Strata Management Act</i>	<i>Alternative arrangement</i> proprietor or person wishes to raise; and (d) may be accompanied by any other documents relevant to the meeting. For the purposes of this item, if a notice of a general meeting of a management corporation (other than for the purposes of a collective sale) or a general meeting of a subsidiary management corporation is given to or served on a subsidiary proprietor by electronic communication under section 129(1)(c) of the Building Maintenance and Strata Management Act — section 129(1B) of that Act does not apply to such a notice.

SECOND SCHEDULE

Paragraph 6(1)

ALTERNATIVE ARRANGEMENTS FOR GENERAL MEETINGS
OF MANAGEMENT CORPORATIONS FOR PURPOSES OF
COLLECTIVE SALE

<i>First column</i>	<i>Second column</i>
<i>Provision of Land Titles (Strata) Act</i>	<i>Alternative arrangement</i>
1. Provision for convening, holding, conducting or deferral of a general meeting of a management corporation for the purposes of a collective sale	A meeting of a management corporation may be convened, held or conducted, whether wholly or partly, by electronic means. A meeting of a management corporation may be deferred to a date no later than 30 September 2020.
2. Provision for attendance at a general meeting of a	A management corporation may provide that a subsidiary proprietor

SECOND SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Land Titles (Strata) Act</i>	<i>Alternative arrangement</i>
<p>management corporation for the purposes of a collective sale</p> <p>3. Provision for right or entitlement to be heard or to require representations to be read out at a general meeting of a management corporation for the purposes of a collective sale</p> <p>4. Provision for right or entitlement to speak on a resolution at a general meeting of a management corporation for the purposes of a collective sale</p> <p>5. Provision for quorum at a general meeting of a management corporation for the purposes of a collective sale</p>	<p>or person may only attend a meeting by observing and listening to the proceedings of the meeting by electronic means, if access to both an audio broadcast and audio-visual broadcast is provided to the subsidiary proprietor or person.</p> <p>A management corporation may provide that a subsidiary proprietor or person may only be heard at a meeting by electronic means in the manner provided in item 4.</p> <p>A representation may be read out at a meeting by electronic means.</p> <p>A management corporation may require a subsidiary proprietor or person, before the meeting, to send to the chairperson of the meeting, by post or electronic mail, the matters which the subsidiary proprietor or person wishes to raise at the meeting, and each such matter, if substantial and relevant and sent within a reasonable time before the meeting, is to be responded to at or before the meeting by electronic means.</p> <p>A quorum may be formed by subsidiary proprietors (either in person or by proxy) personally or electronically present and satisfying the relevant quorum requirements.</p> <p>A subsidiary proprietor (either in person or by proxy) is electronically present at a meeting if the subsidiary proprietor —</p>

 SECOND SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Land Titles (Strata) Act</i>	<i>Alternative arrangement</i>
	<ul style="list-style-type: none"> (a) attends the meeting in the manner provided in item 2; (b) is verified by the secretary of the council of a management corporation or a person appointed by the council to verify the quorum (as the case may be) as attending the meeting in the manner provided in item 2; and (c) is acknowledged by electronic means by the chairperson of the meeting as present at the meeting.
6. Provision for a person entitled to vote at a general meeting of a management corporation for the purposes of a collective sale to vote at that meeting	<p>A person entitled to vote, either in person or by proxy, may vote at the meeting by electronic means.</p> <p>An instrument of appointment appointing a proxy, and any other supporting documents, may be submitted by electronic mail to an electronic mail address stated in the notice of the meeting.</p> <p>For the purposes of this item, voting by electronic means may be used only if the following are satisfied:</p> <ul style="list-style-type: none"> (a) the electronic voting system used accurately counts all votes cast for and against any proposal submitted at the meeting; (b) the electronic voting system used is capable of providing records from which the operation of the electronic voting system may be audited and for verification of the

 SECOND SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Land Titles (Strata) Act</i>	<i>Alternative arrangement</i>
	accuracy of the recording and counting of votes;
	(c) the chairperson must, during the meeting, declare the result of the voting by electronic means on any proposal submitted at the meeting.
7. Provision for giving of notice of a general meeting of a management corporation for the purposes of a collective sale	A notice of a meeting may be sent by electronic means and —
	(a) must describe the means by which the meeting can be electronically accessed (including the online location, if the meeting is held at an online location);
	(b) must set out how a person entitled to vote may vote at the meeting by electronic means;
	(c) must state how a subsidiary proprietor or person may send to the chairperson of the meeting the substantial and relevant matters which the subsidiary proprietor or person wishes to raise; and
	(d) may be accompanied by any other documents relevant to the meeting.
	For the purposes of this item, a notice is sent by electronic means if the notice is sent by the secretary of the management corporation by electronic mail to the electronic mail address of a person entitled to vote at the meeting notified by the person to the management corporation.

THIRD SCHEDULE

Paragraph 7(1)

ALTERNATIVE ARRANGEMENTS FOR MEETINGS OF
COLLECTIVE SALE COMMITTEES

<i>First column</i>	<i>Second column</i>
<i>Provision of Land Titles (Strata) Act</i>	<i>Alternative arrangement</i>
<p>1. Provision for convening, holding or conducting of a meeting of a collective sale committee</p>	<p>A meeting of a collective sale committee may be convened, held or conducted, whether wholly or partly, by electronic means.</p>
<p>2. Provision for attendance at a meeting of a collective sale committee</p>	<p>A member of a collective sale committee may attend a meeting by electronic means.</p>
<p>3. Provision for quorum at a meeting of a collective sale committee</p>	<p>A quorum may be formed by members of a collective sale committee personally or electronically present and satisfying the relevant quorum requirements.</p> <p>A member of a collective sale committee is electronically present at a meeting if the member —</p> <p>(a) attends the meeting in the manner provided in item 2;</p> <p>(b) is verified by the secretary of the collective sale committee or person appointed by the collective sale committee to verify the quorum as attending the meeting in the manner provided in item 2; and</p> <p>(c) is acknowledged by electronic means by the chairperson of the meeting as present at the meeting.</p>
<p>4. Provision for a member of a collective sale committee to vote at a meeting of a collective sale committee</p>	<p>A member of a collective sale committee may vote by electronic means.</p>

<i>First column</i>	<i>Second column</i>
<i>Provision of Land Titles (Strata) Act</i>	<i>Alternative arrangement</i>
	For the purposes of this item, voting by electronic means may be used only if the following are satisfied:
	(a) the electronic voting system used accurately counts all votes cast for and against any proposal submitted at the meeting;
	(b) the electronic voting system used is capable of providing records from which the operation of the electronic voting system may be audited and for verification of the accuracy of the recording and counting of votes.

FOURTH SCHEDULE

Paragraph 8(1)

ALTERNATIVE ARRANGEMENTS FOR MEETINGS OF SUBSIDIARY PROPRIETORS CONVENED BY COLLECTIVE SALE COMMITTEES

<i>First column</i>	<i>Second column</i>
<i>Provision of Land Titles (Strata) Act</i>	<i>Alternative arrangement</i>
1. Provision for convening, holding or conducting a meeting of subsidiary proprietors convened by a collective sale committee	A meeting of subsidiary proprietors convened by a collective sale committee may be convened, held or conducted, whether wholly or partly, by electronic means.
2. Provision for attendance at a meeting of subsidiary proprietors convened by a collective sale committee	A subsidiary proprietor may attend a meeting of subsidiary proprietors convened by a collective sale committee by electronic means.
3. Provision for giving of notice of a meeting of subsidiary proprietors convened by a collective sale committee	A notice of a meeting may be sent by electronic means and —

FOURTH SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Land Titles (Strata) Act</i>	<i>Alternative arrangement</i>

- (a) must describe the means by which the meeting can be electronically accessed (including the online location, if the meeting is held at an online location); and
- (b) may be accompanied by any other documents relevant to the meeting.

For the purposes of this item, a notice is sent by electronic means to a subsidiary proprietor if the notice is sent on behalf of the collective sale committee by electronic mail to the electronic mail address of the subsidiary proprietor notified by the subsidiary proprietor to the management corporation.

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Made on 27 April 2020.

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*Permanent Secretary,
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