

CENTRAL PROVIDENT FUND ACT
(CHAPTER 36, SECTION 77(1)(h))

CENTRAL PROVIDENT FUND (APPROVED HDB-HUDC
HOUSING SCHEME) REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation
2. Definitions
3. Withdrawal of moneys in Fund for payment of deposit for purchase of property
4. Withdrawal of moneys in Fund for purchase of property or repayment of housing loan or for both
- 4A. Loan by Government to member
- 4B. Use of money in special account for payment of housing loan and share in common property transferred by Housing and Development Board
5. Disbursements in connection with purchase, etc.
6. Withdrawal for payment of share in common property transferred by Housing and Development Board
- 6A. Withdrawal of money by undischarged bankrupt
7. Moneys withdrawn from Fund to be paid by Board to specified persons
8. Repayment of moneys on occurrence of certain events
9. No repayment of moneys in certain circumstances
10. [*Deleted*]
11. Member may sell, transfer, assign, etc., property subject to Board's approval
12. Repayment of moneys to Board where property is compulsorily acquired
13. Repayment of moneys where property is vested in Housing and Development Board
14. Repayment of moneys where agreement for purchase of property is void or rescinded by court
- 14A. Distribution of amount paid to member's account in Fund, etc.
15. Withdrawal of moneys in Fund permitted for purchase of only one property
- 15A. Application for cancellation of charge on immovable property
16. Manner of application

Regulation

17. Saving provision

[1st December 1987]

Citation

1.—(1) These Regulations may be cited as the Central Provident Fund (Approved HDB-HUDC Housing Scheme) Regulations.

(2) These Regulations shall apply to properties sold before, on or after 1st December 1987.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“approved annuity” means an annuity for life, purchased from an insurer, which is approved by the Board;

“approved bank” means any bank approved by the Board;

“Approved HDB-HUDC Housing Scheme” means the scheme approved by the Minister for the purchase of properties by members of the Fund from the Housing and Development Board or from its lessees;

“approved mortgagee” means —

(a) the Minister for Finance incorporated under the Minister for Finance (Incorporation) Act (Cap. 183);

(b) any statutory body established by or constituted under any Act; or

(c) Credit POSB Pte. Ltd., a company incorporated under the Companies Act (Cap. 50);

“bank” has the same meaning as in the Banking Act (Cap. 19);

[Deleted by S 449/2009 wef 01/10/2009]

“housing loan” means a loan obtained by any member on the security of a property from an approved mortgagee to pay the whole or part of the purchase price of the property;

“insurer” means any person registered under the Insurance Act (Cap. 142) to carry on insurance business in Singapore;

“mortgage” includes any charge on a property to secure the repayment of any money lent;

“property” means a house or flat in any HUDC Housing Estate which is sold by the Housing and Development Board or by its lessee, and includes any land adjacent to the house or flat that the Housing and Development Board has approved for purchase or acquisition as part of the house or flat, but does not include a house or flat in Phase I or Phase II of such Estate or a house or flat in such Estate sold after the issue of a subsidiary strata certificate of title in respect of it pursuant to an application under section 126 of the Land Titles (Strata) Act (Cap. 158).

[S 695/2012 wef 01/01/2013]

(2) A reference in these Regulations to the purchase of a property includes a purchase made under an agreement for the sale and purchase of the property where title to the property will be conveyed, transferred or assigned to the purchaser on payment of the full purchase price.

(3) *[Deleted by S 695/2012 wef 01/01/2013]*

Withdrawal of moneys in Fund for payment of deposit for purchase of property

3. Where a member has made an application to the Housing and Development Board to purchase a property, the Board may, on the application of such member and subject to such terms and conditions as it may impose, authorise the whole or part of the amount standing to his credit in the Fund to be withdrawn from the Fund and paid to the Housing and Development Board as a deposit for the purchase of the property.

Withdrawal of moneys in Fund for purchase of property or repayment of housing loan or for both

4. A member who, before 16th November 1998 has purchased a property or has obtained a housing loan for the purchase of a property or both may submit an application to the Board to withdraw the whole or part of the amount standing to his credit in the Fund to be used for the payment of the purchase price or part thereof or for the repayment of any housing loan in full or in part, or for both.

Loan by Government to member

4A.—(1) Where the Board has, on or after 1st March 1999, credited into the ordinary account of any member moneys lent by the Government to the member pursuant to any approved loan scheme under section 14A of the Act, the Board may —

- (a) on the application of the member; or
- (b) if it considers necessary,

and subject to such terms and conditions as it may impose, permit the member to withdraw such moneys —

- (i) under regulation 4 for payment of the monthly instalments of principal and interest towards a housing loan; or
- (ii) under regulation 6 for payment of the monthly instalments of principal and interest towards the loan obtained by the member for payment for his share in any common property transferred by the Housing and Development Board.

(2) The total amount which a member may withdraw under paragraph (1) to pay such monthly instalments shall be determined by the Board.

Use of money in special account for payment of housing loan and share in common property transferred by Housing and Development Board

4B.—(1) Where a member, as owner of a property, is liable to pay the monthly instalments of principal and interest towards a housing loan or a loan obtained by him for payment for his share in any

common property transferred by the Housing and Development Board —

- (a) if the liability to pay arises on or after 1st February 1999, the Board, with the approval of the Minister, may —
 - (i) on the application of the member or if it considers necessary; and
 - (ii) subject to such terms and conditions as it may impose, authorise the whole or part of the amount standing to the credit of the member in his special account to be withdrawn by him under regulation 4 or 6, as the case may be, for the payment of such monthly instalments; and
- (b) if the liability to pay arises on or after 1st July 2006, the Board may —
 - (i) on the application of the member; and
 - (ii) subject to such terms and conditions as it may impose, authorise the whole or part of any amount standing to the credit of the member in his special account which had been transferred from his medisave account under section 13(6) of the Act to be withdrawn by him under regulation 4 or 6, as the case may be, for the payment of such monthly instalments.

(2) The total amounts which a member may withdraw under paragraph (1)(a) and (b) to pay such monthly instalments shall be determined by the Board.

Disbursements in connection with purchase, etc.

5.—(1) Where a member is required to pay any stamp duties, fees or other charges in connection with —

- (a) the purchase of a property by the member, whether or not moneys were withdrawn under these Regulations for such purchase;

- (aa) any change in the manner of holding of a property (in which the member has an estate or interest) from a joint tenancy to a tenancy in common, or vice versa;

[S 695/2012 wef 01/01/2013]

- (ab) the transfer of any part (but not the whole) of the member's estate or interest in a property to any other person;

[S 695/2012 wef 01/01/2013]

- (b) the transfer or assignment of a property to the member;
- (c) the creation of any mortgage before 16th November 1998 or the discharge of such mortgage on a property purchased by, or transferred or assigned to, the member; or
- (d) the withdrawal of moneys under these Regulations,

the Board may, on the application of the member and subject to such terms and conditions as the Board may impose, authorise the whole or part of the amount standing to his credit in the Fund to be withdrawn and used for that purpose.

(2) For the avoidance of doubt, where a member is required to pay any stamp duties, fees or other charges in connection with —

- (a) any divestment, whether by sale, transfer, assignment or otherwise, by the member of the whole of his interest or title in a property; or

[S 695/2012 wef 01/01/2013]

- (b) the discharge of any mortgage created before, on or after 16th November 1998 on a property upon divestment by the member of the whole of his interest in such property,

[S 695/2012 wef 01/01/2013]

no amount standing to his credit in the Fund shall be withdrawn for that purpose.

Withdrawal for payment of share in common property transferred by Housing and Development Board

6.—(1) Where a member who has applied for the withdrawal of moneys in respect of a property under any provision of these Regulations before 16th November 1998 is liable as the owner of that

property to pay for a share in any common property transferred by the Housing and Development Board pursuant to an application under section 126 of the Land Titles (Strata) Act (Cap. 158), the Board may, on the application of the member and subject to such terms and conditions as the Board may impose, authorise the whole or part of the amount standing to his credit in the Fund to be withdrawn by him for —

- (a) full or partial payment for his share in the common property;
- (b) periodic payments towards the repayment of a loan or for full or partial repayment of a loan; and
- (c) payment of costs, fees or other incidental expenses arising from the transfer of the common property, the obtaining of the loan or the withdrawal of moneys under this regulation.

(2) The total amount that may be withdrawn by a member under this regulation shall not exceed the amount determined by the Board.

(3) In this regulation —

“common property” has the same meaning as in section 3 of the Land Titles (Strata) Act;

“loan” means a loan obtained by a member —

(a) from an approved mortgagee referred to in paragraph (a) or (b) of the definition of “approved mortgagee” in regulation 2(1); or

(b) before 16th November 1998 from an approved mortgagee referred to in paragraph (c) of that definition,

on security of the relevant property to pay in whole or in part for that member’s share in the common property;

“owner” includes a co-owner;

“relevant property” means the property, including the common property, which will be comprised in a subsidiary strata certificate of title issued to the owner pursuant to the application under section 126 of the Land Titles (Strata) Act (Cap. 158).

(4) This regulation shall not apply where the member has withdrawn any money from the Fund under the Central Provident Fund (Residential Properties Scheme) Regulations (Rg 6) in respect of the property.

(5) Where a member has withdrawn moneys under this regulation, regulations 8 and 11 shall apply as if the word “property” therein refers to “relevant property”.

Withdrawal of money by undischarged bankrupt

6A.—(1) Notwithstanding the provisions of these Regulations, an undischarged bankrupt shall not be entitled to —

- (a) make an application to the Board to withdraw money under these Regulations; or
- (b) withdraw money under these Regulations except in accordance with paragraph (2).

(2) Where a member is adjudicated a bankrupt after he has obtained authorisation from the Board to withdraw money under these Regulations, the Board may, notwithstanding his bankruptcy, permit him to make or continue to make (as the case may be) the authorised withdrawals subject to his compliance with these Regulations, the Act and any other condition which the Board thinks fit to impose.

Moneys withdrawn from Fund to be paid by Board to specified persons

7. All moneys withdrawn from the Fund under these Regulations shall be paid by the Board to the Housing and Development Board or the approved mortgagee or such other person as the Board thinks fit to receive such moneys.

Repayment of moneys on occurrence of certain events

8.—(1) Except as otherwise provided in these Regulations, where a member —

- (a) has withdrawn any moneys under these Regulations in respect of a property; or

(b) is required under section 27C(1)(iii), 27DA(1)(iii) or 27E(1)(ii) of the Act to make a payment to the Fund upon the sale or disposal of a property,

[S 695/2012 wef 01/01/2013]

in the event that the property or any estate or interest therein is sold, transferred, assigned or otherwise disposed of —

- (i) by the member without the consent of the Board; or
- (ii) by any other person, including any mortgagee, with or without the consent of the Board,

such of the following amounts as may be applicable to the member or, if both amounts are applicable to him, the aggregate of both amounts shall become due and payable to his account in the Fund:

- (A) where paragraph (1)(a) applies to him, all moneys withdrawn by him in connection with the purchase of the property (including any moneys lent to him under section 14A of the Act in connection with such purchase and withdrawn by him which have not been repaid), together with the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the withdrawal had not been made;
- (B) where paragraph (1)(b) applies to him, the relevant amount as defined in regulation 11(11).

[S 509/2007 wef 01/10/2007]

(1A) Except as otherwise provided in these Regulations, all moneys withdrawn by a member under these Regulations (including any moneys lent to him under section 14A of the Act which have not been repaid), together with the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the withdrawal had not been made, shall become due and payable to his account in the Fund in the event that —

- (a) any mortgage or encumbrance is created over the property in favour of any person without the consent of the Board; or

- (b) the member has committed a breach of any of the terms and conditions imposed by the Board in connection with the withdrawal of moneys under these Regulations.

[S 509/2007 wef 01/10/2007]

(2) All moneys withdrawn by a member under these Regulations (including any moneys lent to him under section 14A of the Act which have not been repaid) shall become due and payable to his account in the Fund on the occurrence of either of the following events:

- (a) the member withdraws his application for the purchase of the property; or
- (b) the agreement entered into by the member and any other person for the purchase of the property is rescinded.

[S 509/2007 wef 01/10/2007]

No repayment of moneys in certain circumstances

9.—(1) Except as otherwise provided in regulations 11 and 12, where a member —

- (a) has withdrawn any moneys under these Regulations in respect of a property; or
- (b) is required under section 27C(1)(iii), 27DA(1)(iii) or 27E(1)(ii) of the Act to make a payment to the Fund upon the sale or disposal of a property,

[S 695/2012 wef 01/01/2013]

then —

- (i) on the death of the member; or
- (ii) when the member is entitled to withdraw the amount standing to his credit in the Fund under section 15(2)(b) or (c) of the Act, and the Board has given its authority under section 15(1) of the Act for such withdrawal,

[S 695/2012 wef 01/01/2013]

such of the following amounts as may be applicable to the member or, if both amounts are applicable to him, the aggregate of both amounts shall cease to be payable to his account in the Fund:

- (A) where paragraph (a) applies to him, all moneys withdrawn by him in connection with the purchase of the property (other than any moneys lent to him under section 14A of the Act in connection with such purchase and withdrawn by him which have not been repaid), together with the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the withdrawal had not been made;
- (B) where paragraph (b) applies to him, the relevant amount as defined in regulation 11(11).

[S 509/2007 wef 01/10/2007]

[S 449/2009 wef 01/10/2009]

[S 695/2012 wef 01/01/2013]

(2) *[Deleted by S 695/2012 wef 01/01/2013]*

Repayment of moneys to Board if no property is purchased

10. *[Deleted by S 369/2006]*

Member may sell, transfer, assign, etc., property subject to Board's approval

11.—(1) The Board may, in its discretion and subject to such terms and conditions as it may impose, permit a member who —

- (a) has withdrawn any moneys under these Regulations in respect of a property; or
- (b) is required under section 27C(1)(iii), 27DA(1)(iii) or 27E(1)(ii) of the Act to make a payment to the Fund upon the sale or disposal of a property,

[S 695/2012 wef 01/01/2013]

to sell, transfer, assign or otherwise dispose of the property or any of his estate or interest therein to any person, if the Board is satisfied that adequate arrangements have been made to secure the payment to the member's account in the Fund of the amount specified in this regulation or such part thereof as the Board may determine.

[S 509/2007 wef 01/10/2007]

(2) Subject to paragraphs (3), (4) and (5), the member making the sale, transfer, assignment or disposal shall pay to his account in the

Fund, in such manner as the Board may determine, whichever is the lesser of the following amounts:

- (a) the net proceeds of the sale, transfer, assignment or disposal;
or
- (b) such of the following amounts as may be applicable to him or, if both amounts are applicable to him, the aggregate of both amounts:
 - (i) where paragraph (1)(a) applies to him, all moneys withdrawn by him in connection with the purchase of the property (including any moneys lent to him under section 14A of the Act in connection with such purchase and withdrawn by him which have not been repaid), together with the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the withdrawal had not been made;
 - (ii) where paragraph (1)(b) applies to him, the relevant amount.

[S 509/2007 wef 01/10/2007]

[S 738/2011 wef 30/12/2011]

[S 695/2012 wef 01/01/2013]

(3) Subject to paragraphs (4) and (5), where the member sells, transfers, assigns or disposes of the property or his estate or interest therein to any person without consideration or for a consideration below the market value of the property, the member shall, unless the Board otherwise directs, pay to his account in the Fund, in such manner as the Board may determine, the amount prescribed in paragraph (2)(b).

[S 695/2012 wef 01/01/2013]

(4) Paragraphs (1), (2) and (3) do not apply where the member sells, transfers, assigns or disposes of only part (but not the whole) of his estate or interest in the property.

[S 695/2012 wef 01/01/2013]

(5) Notwithstanding paragraphs (2), (3) and (4), where the member transfers (other than by way of sale) his estate or interest in the

property to his spouse pursuant to an order of court referred to in section 27C(1)(c), 27DA(1)(c) or 27E(1)(c) of the Act —

- (a) in the case of an order of court referred to in section 27C(1)(c) of the Act, the person referred to in section 27C(1)(i) of the Act shall pay to the member's account in the Fund, in such manner as the Board may determine, any amount referred to in section 27C(1)(i) of the Act which the person may be required by the order of court to pay to the Board;
- (b) in the case of an order of court referred to in section 27DA(1)(c) of the Act, the person referred to in section 27DA(1)(i) of the Act shall pay to the member's account in the Fund, in such manner as the Board may determine, any amount referred to in section 27DA(1)(i) of the Act which the person may be required by the order of court to pay to the Board; or
- (c) in the case of an order of court referred to in section 27E(1)(c) of the Act, the member or person referred to in section 27E(1)(i) of the Act shall pay to the member's account in the Fund, in such manner as the Board may determine, such of the amounts referred to in section 27E(1)(i)(A), (B) and (C) of the Act as may be applicable to the member or person.

[S 695/2012 wef 01/01/2013]

- (6) *[Deleted by S 695/2012 wef 01/01/2013]*
- (7) *[Deleted by S 695/2008 wef 01/01/2009]*
- (8) *[Deleted by S 695/2008 wef 01/01/2009]*
- (9) *[Deleted by S 695/2012 wef 01/01/2013]*
- (10) *[Deleted by S 695/2012 wef 01/01/2013]*
- (11) In this regulation —

“net proceeds”, in relation to any property, or a member's estate or interest in a property, which is sold, transferred, assigned or disposed of, means the excess, if any, of —

- (a) the consideration for the sale, transfer, assignment or disposal of the property, or of the member's estate or

interest in the property, as the case may be, or, if the Board so elects, the value of the property, or of the member's estate or interest in the property, as the case may be, at the time of the sale, transfer, assignment or disposal as assessed by the Board; over

- (b) the aggregate of the following amounts paid in the following order:
 - (i) any amount under a housing loan for the purchase or acquisition of the property, or of the member's estate or interest in the property, as the case may be, which has not been repaid; and
 - (ii) any amount which, under any written law, is to be paid to any other person in priority to the Fund, or such part of that amount as the Board determines to be attributable to the member's estate or interest in the property, as the case may be;

[S 695/2012 wef 01/01/2013]

“relevant amount” means —

- (a) in relation to a member who is required under section 27C(1)(iii) of the Act to make a payment to the Fund upon the sale or disposal of a property, the excess, if any, of —
 - (i) the amount payment of which was secured by the charge on the property referred to in section 27C(1)(b) of the Act; over
 - (ii) the amount which has been paid to the Board under section 27C(1)(i) of the Act towards covering the deficiency in the minimum sum which the spouse is required to set aside;
- (b) in relation to a member who is required under section 27DA(1)(iii) of the Act to make a payment to the Fund upon the sale or disposal of a property, the excess, if any, of —

- (i) the amount payment of which was secured by the charge constituted under section 15(11D) or (11E) of the Act on the property; over
 - (ii) the amount which has been paid to the Board under section 27DA(1)(i) of the Act towards covering the deficiency in the minimum sum which the spouse is required to set aside; or
- (c) in relation to a member who is required under section 27E(1)(ii) of the Act to make a payment to the Fund upon the sale or disposal of a property, the excess, if any, of —
- (i) the amount which would have been payable to the account of the member’s spouse in the Fund under paragraph (2) or (3) (excluding such interest or part thereof payable under those paragraphs as the Board may determine), if there was no order of court referred to in section 27E(1)(c) of the Act requiring the transfer (other than by way of sale) of the spouse’s interest in the house or flat to the member; over
 - (ii) the amount which has been paid to the Fund to the credit of the spouse under section 27E(1)(i) of the Act;

[S 695/2012 wef 01/01/2013]

“spouse” includes a former spouse.

[S 509/2007 wef 01/10/2007]

(12) *[Deleted by S 509/2007 wef 01/10/2007]*

(13) *[Deleted by S 509/2007 wef 01/10/2007]*

(14) *[Deleted by S 509/2007 wef 01/10/2007]*

(15) Nothing in this regulation shall apply to —

- (a) the sale, transfer, assignment or disposal of any property which has not been privatised, where the application for the consent of the Housing and Development Board under

section 50 of the Housing and Development Act (Cap. 129) in respect of such sale, transfer, assignment or disposal was made before 21st December 2001; or

- (b) the sale, transfer, assignment or disposal of any property which has been privatised, where the application to the Board for cancellation of its charge over the property was made before 21st December 2001.

(16) Regulation 11 in force immediately before 21st December 2001 shall continue to apply in respect of any sale, transfer, assignment or disposal referred to in paragraph (15).

(17) For the purposes of paragraph (15), a property is privatised if it is comprised in a building erected on land the estate or interest in which has been transferred to all registered proprietors comprised in that building in accordance with section 126 of the Land Titles (Strata) Act (Cap. 158) read with sections 126A and 126B of that Act.

Repayment of moneys to Board where property is compulsorily acquired

12.—(1) Where —

(a) a member —

- (i) has withdrawn any moneys under these Regulations in respect of a property; or
- (ii) is required under section 27C(1)(iii), 27DA(1)(iii) or 27E(1)(ii) of the Act to make a payment to the Fund upon the sale or disposal of a property; and

[S 695/2012 wef 01/01/2013]

(b) the property is compulsorily acquired under —

- (i) section 56 of the Housing and Development Act (Cap. 129); or
- (ii) any other written law,

the member shall pay to his account in the Fund the amount specified in paragraph (2) or such other amount as the Board may allow, taking into consideration the circumstances of each case.

[S 509/2007 wef 01/10/2007]

[S 695/2012 wef 01/01/2013]

(2) The member whose property has been acquired shall pay to his account in the Fund, in such manner as the Board may determine, whichever is the lesser of the following amounts:

- (a) the net proceeds of the acquisition; or
- (b) such of the following amounts as may be applicable to him or, if both amounts are applicable to him, the aggregate of both amounts:
 - (i) where paragraph (1)(a)(i) applies to him, all moneys withdrawn by him in connection with the purchase of the property (including any moneys lent to him under section 14A of the Act in connection with such purchase and withdrawn by him which have not been repaid), together with the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the withdrawal had not been made;
 - (ii) where paragraph (1)(a)(ii) applies to him, the relevant amount.

[S 509/2007 wef 01/10/2007]

[S 695/2012 wef 01/01/2013]

(3) *[Deleted by S 695/2012 wef 01/01/2013]*

(4) *[Deleted by S 695/2012 wef 01/01/2013]*

(5) *[Deleted by S 695/2008 wef 01/01/2009]*

(6) *[Deleted by S 695/2008 wef 01/01/2009]*

(7) *[Deleted by S 695/2008 wef 01/01/2009]*

(8) *[Deleted by S 695/2012 wef 01/01/2013]*

(9) In this regulation —

“net proceeds of the acquisition”, in relation to any property which has been acquired, means the excess, if any, of —

(a) the amount of compensation paid upon the acquisition of the property; over

[S 695/2012 wef 01/01/2013]

(b) the aggregate of the following amounts paid in the following order:

(i) any amount under a housing loan which has not been repaid; and

(ii) any amount which, under any written law, is to be paid to any other person in priority to the Fund;

[S 695/2012 wef 01/01/2013]

“relevant amount” means —

(a) in relation to a member who is required under section 27C(1)(iii) of the Act to make a payment to the Fund upon the sale or disposal of a property, the excess, if any, of —

(i) the amount payment of which was secured by the charge on the property referred to in section 27C(1)(b) of the Act; over

(ii) the amount which has been paid to the Board under section 27C(1)(i) of the Act towards covering the deficiency in the minimum sum which the spouse is required to set aside;

(b) in relation to a member who is required under section 27DA(1)(iii) of the Act to make a payment to the Fund upon the sale or disposal of a property, the excess, if any, of —

(i) the amount payment of which was secured by the charge constituted under section 15(11D) or (11E) of the Act on the property; over

- (ii) the amount which has been paid to the Board under section 27DA(1)(i) of the Act towards covering the deficiency in the minimum sum which the spouse is required to set aside; or
- (c) in relation to a member who is required under section 27E(1)(ii) of the Act to make a payment to the Fund upon the sale or disposal of a property, the excess, if any, of —
 - (i) the amount which would have been payable to the account of the member’s spouse in the Fund under paragraph (2) (excluding such interest or part thereof payable under that paragraph as the Board may determine), if there was no order of court referred to in section 27E(1)(c) of the Act requiring the transfer (other than by way of sale) of the spouse’s interest in the property to the member; over
 - (ii) the amount which has been paid to the Fund to the credit of the spouse under section 27E(1)(i) of the Act;

[S 695/2012 wef 01/01/2013]

“spouse” includes a former spouse;

[S 509/2007 wef 01/10/2007]

“time of the acquisition” means the date of issue of the notice of intention to acquire under —

(a) section 56(3) of the Housing and Development Act (Cap. 129); or

(b) any other written law,

as the case may be.

[S 509/2007 wef 01/10/2007]

(10) Nothing in this regulation shall apply to the acquisition of any property where the notice of intention to acquire from the Housing and Development Board under section 56(3) of the Housing and Development Act was issued before 21st December 2001.

(11) Regulation 12 in force immediately before 21st December 2001 shall continue to apply in respect of an acquisition referred to in paragraph (10).

Repayment of moneys where property is vested in Housing and Development Board

13.—(1) Subject to paragraph (2), where a member —

- (a) has withdrawn any moneys under these Regulations in respect of a property; or
- (b) is required under section 27C(1)(iii), 27DA(1)(iii) or 27E(1)(ii) of the Act to make a payment to the Fund upon the sale or disposal of a property,

[S 695/2012 wef 01/01/2013]

no moneys shall be payable by the member to the Fund where the property is vested in the Housing and Development Board under section 47 of the Housing and Development Act (Cap. 129), and the moneys paid or deposited in respect of the property are forfeited.

(2) Where any sum of money paid or deposited in respect of the property is refunded to the member by the Housing and Development Board, upon the vesting of the property referred to in paragraph (1), the member shall pay to his account in the Fund whichever is the lesser of the following amounts:

- (a) the amount so refunded to him; or
- (b) such of the following amounts as may be applicable to the member or, if both amounts are applicable to him, the aggregate of both amounts:
 - (i) where paragraph (1)(a) applies to him, all moneys withdrawn by him in connection with the purchase of the property (including any moneys lent to him under section 14A of the Act in connection with such purchase and withdrawn by him which have not been repaid), together with the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the withdrawal had not been made;

- (ii) where paragraph (1)(b) applies to him, the relevant amount as defined in regulation 11(11).

[S 509/2007 wef 01/10/2007]

Repayment of moneys where agreement for purchase of property is void or rescinded by court

14.—(1) Subject to paragraph (2), no moneys withdrawn shall be repayable by the member to the Fund where the withdrawal has been made from the Fund under these Regulations by a member and the agreement relating to the purchase of the property in respect of which the withdrawal was made is declared to be void or is rescinded by any court.

(2) Where any agreement relating to the purchase of a property is declared to be void or is rescinded by a court, and the member is entitled to any moneys arising therefrom, the member shall pay such moneys into his account in the Fund.

Distribution of amount paid to member's account in Fund, etc.

14A. Where any provision of these Regulations provides for any moneys withdrawn by a member to be paid to the member's account in the Fund or to the Board, the Board shall credit any amount so paid in the following manner:

- (a) where the moneys were withdrawn solely from the member's ordinary account or retirement account, or were withdrawn partly from the member's ordinary account and partly from the member's retirement account, the Board shall credit the amount so paid to the member's ordinary account; or
- (b) where the moneys were withdrawn solely from the member's special account, or were withdrawn partly from the member's special account and partly from either or both of the member's ordinary account and retirement account, the Board shall credit —
 - (i) the amount of the moneys withdrawn from the member's special account, together with the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the

withdrawal had not been made, to the member's special account; and

- (ii) any remainder of the amount so paid to the member's ordinary account.

[S 695/2012 wef 01/01/2013]

Withdrawal of moneys in Fund permitted for purchase of only one property

15. Unless otherwise approved by the Board, no member of the Fund shall be entitled to make an application for the withdrawal of moneys under these Regulations in respect of more than one property.

Application for cancellation of charge on immovable property

15A.—(1) For the purposes of sections 21(10A), 21A(9A) and 27E(2)(ii) of the Act, where there is a charge under section 21(1) or 21A(1) of the Act, as the case may be, on a member's estate or interest in an immovable property, the member may apply to the Board for the charge to be cancelled.

(2) The Board may approve an application under paragraph (1) for the charge to be cancelled if the Board is satisfied that the member —

- (a) is entitled to withdraw the amount standing to his credit in the Fund under section 15(2)(a), (d), (e), (f) or (g), (3), (4), (7A) or (8) of the Act;
- (b) has complied with the requirements in section 15(2A), (6), (7B) or (8A) of the Act, as the case may be; and
- (c) has complied with such terms and conditions as the Board may impose.

[S 751/2013 wef 15/12/2013]

Manner of application

16.—(1) An application by a member under these Regulations shall be made in writing to the Board in such manner as the Board may direct.

[S 751/2013 wef 15/12/2013]

Central Provident Fund
(Approved Hdb-hudc Housing

CAP. 36, Rg 14]

Scheme) Regulations

[2006 Ed. p. 23

(2) Any member making the application shall furnish to the Board all such information, evidence and documents as the Board may require.

[S 751/2013 wef 15/12/2013]

Saving provision

17. Regulations 7 to 14 shall continue to apply to any withdrawal of money from the Fund authorised by the Board under these Regulations in force immediately before 16th November 1998.

*[G.N. Nos. S 298/87; S 25/97; S 597/98; S 90/99;
S 651/2001; S 219/2004; S 486/2004; S 360/2005;
S 369/2006]*

LEGISLATIVE HISTORY
CENTRAL PROVIDENT FUND (APPROVED HDB-HUDC
HOUSING SCHEME) REGULATIONS
(CHAPTER 36, RG 14)

This Legislative History is provided for the convenience of users of the Central Provident Fund (Approved HDB-HUDC Housing Scheme) Regulations. It is not part of these Regulations.

1. G. N. No. S 298/1987 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) Regulations 1987

Date of commencement : 1 December 1987

2. 1990 Revised Edition — Central Provident Fund (Approved HDB-HUDC Housing Scheme) Regulations

Date of operation : 25 March 1992

3. G. N. No. S 25/1997 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 1997

Date of commencement : 31 January 1997

4. 1998 Revised Edition — Central Provident Fund (Approved HDB-HUDC Housing Scheme) Regulations

Date of operation : 1 January 1998

5. G. N. No. S 597/1998 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 1998

Date of commencement : 16 November 1998

6. G. N. No. S 90/1999 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 1999

Date of commencement : 1 February 1999
(Regulation 2(b))

7. G. N. No. S 90/1999 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 1999

Date of commencement : 1 March 1999
(Except regulation 2(b))

8. G. N. No. S 651/2001 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2001

Date of commencement : 21 December 2001

9. G. N. No. S 219/2004 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2004

Date of commencement : 23 April 2004

10. G. N. No. S 486/2004 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment No. 2) Regulations 2004

Date of commencement : 23 April 2004

11. G. N. No. S 360/2005 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2005

Date of commencement : 15 June 2005

12. G. N. No. S 369/2006 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2006

Date of commencement : 1 July 2006

13. 2006 Revised Edition — Central Provident Fund (Approved HDB-HUDC Housing Scheme) Regulations

Date of operation : 30 November 2006

14. G. N. No. S 509/2007 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2007

Date of commencement : 1 October 2007

15. G. N. No. S 695/2008 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2008

Date of commencement : 1 January 2009

16. G. N. No. S 449/2009 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2009

Date of commencement : 1 October 2009

17. G.N. No. S 738/2011 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2011

Date of commencement : 30 December 2011

18. G.N. No. S 695/2012 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2012

Date of commencement : 1 January 2013

19. G.N. No. S 751/2013 — Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2013

Date of commencement : 15 December 2013