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ACTS SUPPLEMENT

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The following Act was passed by Parliament on 12th October 1998 and assented to by the President on 9th November 1998:—

REPUBLIC OF SINGAPORE

No. 41 of 1998.

I assent.



ONG TENG CHEONG,
President.
9th November 1998.

An Act to amend the Housing and Development Act (Chapter 129 of the 1997 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.—(1) This Act may be cited as the Housing and Development (Amendment) Act 1998 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

Amendment of section 4

2. Section 4 of the Housing and Development Act (referred to in this Act as the principal Act) is amended by deleting subsection (4).

Amendment of section 22

3. Section 22 of the principal Act is amended —

- (a) by deleting the word “or” in the fourth line; and
- (b) by inserting, immediately after the words “ancillary thereto” in the sixth line, the words “or, with the approval of the Minister, in relation to any services not connected with housing or buildings ancillary thereto”.

Amendment of section 27

4. Section 27 of the principal Act is amended —

- (a) by inserting, immediately after paragraph (b) of subsection (2), the following paragraphs:
 - “(ba) regulating the carrying out of any renovation in any flat, house or other building sold under this Act;
 - (bb) prescribing the form or forms of the contract or agreement that shall be used by every owner of any such flat, house or other building and a purchaser other than the Board;
 - (bc) prescribing the conditions which, if used in any contract or agreement between any owner of any such flat, house or other building and a purchaser other than the Board, shall be void;”;
- (b) by inserting, immediately after subsection (2), the following subsection:
 - “(2A) Any rules made under subsection (2) (ba) may prescribe —
 - (a) the procedure and fees relating to the application and grant of a licence to carry out any renovation in any such flat, house or other building;
 - (b) the conditions of any such licence;

- (c) the deposit of security to the satisfaction of the Board for the due performance of all or any of the obligations imposed on the licensee by the licence or by this Act or any rules made thereunder; and
- (d) the procedure for cancelling or suspending any such licence or forfeiting any such deposit of security, including a right of appeal to the Minister (whose decision shall be final) against any such proposed cancellation, suspension or forfeiture.”.

New section 49A

5. The principal Act is amended by inserting, immediately after section 49, the following section:

“Prohibition of sale within minimum occupation period, etc.

49A.—(1) Except with the prior written consent of the Board, no owner of any flat, house or other building which has been sold by the Board under the provisions of this Part shall, within the prescribed minimum occupation period, by contract, agreement or otherwise, sell or agree to sell his flat, house or other building or any estate or interest therein to any other person.

(2) Unless otherwise authorised by the Board, every contract, agreement or other document relating to the sale of any such flat, house or other building which is made between the owner of the flat, house or other building and a purchaser other than the Board shall be in the prescribed form.

(3) Any contract, agreement or other document which is made on or after the commencement of the Housing and Development (Amendment) Act 1998 in contravention of subsection (1) or (2) shall be null and void.”.

Amendment of section 51

6. Section 51 of the principal Act is amended by inserting, immediately after subsection (3), the following subsection:

“(3A) Subsections (2) and (3) shall not apply if the owner of any such flat, house or other building is or, where there is more than one owner, all the owners are not citizens of Singapore.”.

Amendment of section 65J

7. Section 65J of the principal Act is amended —

- (a) by inserting, immediately after the word “entry” in the section heading, the words “and compulsory acquisition”; and
- (b) by inserting, immediately after subsection (6), the following subsections:

“(7) After the Minister has given his approval under section 65C (2) or (3) in relation to any upgrading works in a precinct, the Board may compulsorily acquire the whole of any particular flat in the precinct for the purpose of those upgrading works to be carried out in that precinct.

(8) Where the Board intends to exercise its powers of compulsory acquisition conferred by subsection (7), the Board shall serve a notice in writing on the owner of the flat and all persons known or believed to be interested in claiming all or any part of the compensation to be paid for the flat (referred to in this section as an interested person) stating the intention of the Board to acquire the flat and the compensation to be paid therefor.

(9) Any owner or interested person may, within 28 days after the service of a notice referred to in subsection (8), submit in writing to the Board his objections to the compensation offered by the Board, stating precisely the grounds upon which he objects.

(10) The Board shall consider the objection and may either disallow it or allow it either wholly or in part, and shall serve on the owner or interested person by post or otherwise with a written notice of its decision.

(11) Any appeal by any owner or interested person aggrieved by the decision of the Board shall be made to the Minister within 28 days after the date of service of such decision on the owner or interested person, and the decision of the Minister shall be final.

(12) The compensation to be paid by the Board for any flat compulsorily acquired by the Board under this section shall be determined by the Board.

(13) This section shall not limit or affect the powers conferred upon the Board by any other provision of this Act or under any other written law to exercise its right of forfeiture and right of re-entry for a breach of the conditions of a lease.

(14) Sections 57, 58 and 59 shall apply, with the necessary modifications, to any exercise of the power of compulsory acquisition under this section.”.

Amendment of section 66

8. Section 66 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsection:

“(1) The Board may, from time to time, for the purposes of this Act, raise loans —

(a) from the Government;

(b) with the approval of the Minister and subject to the provisions of any written law, within or outside Singapore by any of the methods set out in subsection (3); or

(c) from such other source within or outside Singapore as the Minister may direct.”;

(b) by deleting paragraph (c) of subsection (3) and substituting the following paragraph:

“(c) the creation and issue of debentures, stocks or bonds or otherwise.”; and

(c) by inserting, immediately after subsection (3), the following subsection:

“(4) For the purposes of this section, the power to raise loans shall include the power to make any financial agreement whereby credit facilities are granted to the Board for the purchase of goods, materials or things.”.

Amendment of section 71

9. Section 71 (2) of the principal Act is amended by deleting the words “who shall be appointed by and be responsible to the Board”.

Saving and transitional

10. Section 6 of this Act shall not apply in respect of any flat, house or other building sold by the Housing and Development Board under Part IV of the principal Act where —

- (a) the owner or owners thereof is or are adjudged bankrupt before the commencement of that section; or
 - (b) a decree of any court has been ordered against the owner or owners thereof before the commencement of that section.
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