



REPUBLIC OF SINGAPORE
GOVERNMENT GAZETTE
ACTS SUPPLEMENT

Published by Authority

NO. 20]

FRIDAY, JUNE 30

[2000

First published in the *Government Gazette*, Electronic Edition, on 27th June 2000 at 5:00 pm.

The following Act was passed by Parliament on 23rd May 2000 and assented to by the President on 5th June 2000:—

REPUBLIC OF SINGAPORE

No. 21 of 2000.

I assent.



LIM KIM SAN,
*Person exercising the
Functions of the President.
5th June 2000.*

Date of coming into operation: 1st July 2000.

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 2000 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.

New sections 13A and 13B

2. The Housing and Development Act (referred to in this Act as the principal Act) is amended by inserting, immediately after section 13, the following sections:

“Symbol or representation of Board

13A.—(1) The Board shall have the exclusive right to the use of such symbol or representation as the Board may select or devise and thereafter display or exhibit in connection with its activities or affairs.

(2) Any person who uses a symbol or representation identical with that of the Board, or which so resembles the symbol or representation thereof as to deceive or cause confusion, or to be likely to deceive or cause confusion, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

Use of name, etc., of Board

13B.—(1) The Board may conduct its operations under its full name or under the acronym HDB.

(2) A person other than the Board shall not —

- (a) use in connection with a business, trade, profession or occupation;
- (b) use as the name, or as part of the name, of any firm, body corporate or institution; or
- (c) use in relation to —
 - (i) services or products; or
 - (ii) the promotion, by any means, of the supply of services or products,

the name of the Board or the acronym HDB, or a name or acronym so closely resembling the name of the Board or the acronym HDB, as to be likely to be mistaken for it.

(3) Any person who contravenes or fails to comply with subsection (2) shall be guilty of an offence and shall be liable on

conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.”.

Amendment of section 48A

3. Section 48A of the principal Act is amended —

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

“(1) Notwithstanding the provisions of any written law, every lessee of any flat comprised in any designated building and the Board shall be discharged, respectively, from the following covenant:

(a) in the case of a lessee, from any covenant in the lease —

- (i) restricting or prohibiting the use of the flat for any trade, business, manufacture or commercial purpose;
- (ii) prohibiting the erection or putting up of any signboard, advertisement, billboard or other sign on the exterior of the flat; or
- (iii) which would impede the reasonable use of that flat for any commercial purpose; and

(b) in the case of the Board, from any covenant in the lease requiring the Board —

- (i) to grant any lease of any other flat comprised in that designated building subject to any covenant referred to in paragraph (a) (i), (ii) or (iii); or
- (ii) to enforce any covenant referred to in paragraph (a) (i), (ii) or (iii) on behalf of any lessee of any flat comprised in that designated building.”;

(b) by deleting the words “the covenant” in the 2nd and 3rd lines of subsection (2) and substituting the words “any covenant”; and

(c) by inserting, immediately after the word “Board” in the section heading, the words “and lessees”.

Amendment of section 60

4. Section 60 of the principal Act is amended by deleting the words “purchase by such person” in the 1st line and substituting the words “purchase, mortgage, sale or transfer by such person or any other person”.

Amendment of section 65A

5. Section 65A of the principal Act is amended —

- (a) by inserting, immediately after the words “specified upgrading works” in the definition of “general upgrading works”, the words “and special upgrading works”;
- (b) by deleting the definition of “improvement contribution” and substituting the following definition:

““improvement contribution” means the costs in respect of general upgrading works, specified upgrading works or special upgrading works recoverable by the Board from the owner of a flat or a Town Council under section 65D (2) or (2A), as the case may be;”;

- (c) by inserting, immediately after the definition of “residential flat”, the following definition:

““special upgrading works” means —

- (a) any items of work necessary or ancillary to installing any lift or additional lift in a building or part thereof within a precinct; or
- (b) such other items of upgrading works prescribed by the Minister, being works to be carried out in a building comprising 2 or more storeys or part thereof (other than any part comprised in a flat) within a precinct for the erection, construction or installation of functional facilities for the convenience of residents of that building in general or a section thereof;”;
- (d) by inserting, immediately after the words “a precinct” in the definition of “specified upgrading works”, the words “but excludes any special upgrading works”.

Amendment of section 65C**6. Section 65C of the principal Act is amended —**

- (a) by deleting the words “specified upgrading works, if any” in the last line of subsection (1) (a) and substituting the words “(if any) specified upgrading works and special upgrading works”;
- (b) by inserting, immediately after subsection (1), the following subsection:

“(1A) A poll conducted in connection with any proposal to carry out special upgrading works in any building in a precinct shall be a poll of such owners of such flats within the building as may be prescribed, being flats the occupants of which directly benefit from the special upgrading works.”; and

- (c) by inserting, immediately after subsection (5), the following subsection:

“(5A) Where it appears from a poll conducted under subsection (1A) that 75% or more of the total value in votes of such owners of flats within a building in a precinct as are referred to in that subsection have been cast in favour of any proposal to carry out special upgrading works in the building, the Board may, with the approval of the Minister, carry out those special upgrading works in that building within that precinct.”.

Amendment of section 65D**7. Section 65D of the principal Act is amended —**

- (a) by deleting the words “section 65C (2) or (3)” in the 2nd line of subsection (1) and substituting the words “section 65C (2), (3) or (5A)”;
- (b) by inserting, immediately after the words “upgrading works” in the 4th line of subsection (1), the words “or special upgrading works”;
- (c) by inserting, immediately after subsection (2), the following subsection:

“(2A) Where the Board has completed any special upgrading works in a building in a precinct under this

section, the Board may recover the costs incurred by the Board in respect of the special upgrading works from —

- (a) every owner of such flats in the building as are referred to in section 65C (1A); and
 - (b) the Town Council responsible for the maintenance of the common property comprised in the building if the special upgrading works have been carried out on such common property.”; and
- (d) by inserting, immediately after the words “subsection (2)” in subsection (3), the words “or (2A)”.

Repeal of section 82

- 8.** Section 82 of the principal Act is repealed.
-