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The following Act was passed by Parliament on 31st October 2002 and assented to by the President on 12th November 2002:—

REPUBLIC OF SINGAPORE

No. 31 of 2002.

I assent.

(LS)

S R NATHAN,
President.
12th November 2002.

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. This Act may be cited as the Housing and Development (Amendment) Act 2002 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 24

2. Section 24(2) of the Housing and Development Act (referred to in this Act as the principal Act) is amended by deleting the word “Minister” and substituting the words “prescribed approving authority”.

Amendment of section 27

3. Section 27(2A) of the principal Act is amended by deleting the words “application and grant of a licence” in paragraph (a) and substituting the words “application by and grant of a licence to a lessee or contractor”.

Amendment of section 29

4. Section 29 of the principal Act is amended —

- (a) by inserting, immediately after the word “money” in the last line of subsection (2), the words “, the power to make any subsidiary legislation and the power of delegation conferred by this section”; and
- (b) by inserting, immediately after the word “corporation,” in the 6th line of subsection (3), the words “the power to make subsidiary legislation or the power to delegate under this section,”.

Amendment of section 48A

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

- (a) by deleting the words “, every lessee of any flat comprised in any designated building and the Board” in the 1st, 2nd and 3rd lines of subsection (1) and substituting the words “but subject to subsection (3), the Board and every lessee of any flat comprised in any building comprising flats sold by the Board”; and
- (b) by deleting the words “designated building” in subsection (1)(b)(i) and (ii) and substituting in each case the words “same building”; and

- (c) by deleting subsection (3) and substituting the following subsection:

“(3) Notwithstanding subsection (1), a lessee shall not use or allow to be used his flat or any part thereof for any purpose that is not permitted by the lease unless he has the prior written approval of the Board.”.

Amendment of section 51

6. Section 51 of the principal Act is amended by deleting subsection (3) and substituting the following subsection:

“(3) No such flat, house or other building shall be attached in execution of an order of any court unless the order of the court is obtained by —

- (a) a mortgagee in exercise of his rights under a mortgage created with the prior written consent of the Board; or
- (b) a chargee in exercise of his rights under a charge under any written law,

over that flat, house or other building.”.

Amendment of section 55

7. Section 55(1) of the principal Act is amended by deleting paragraph (f) and substituting the following paragraph:

“(f) if the owner has, without the prior written approval of the Board, used or allowed the use of the flat, house or other building otherwise than for the purpose permitted by the lease.”.

Amendment of section 56

8. Section 56(1) of the principal Act is amended by deleting paragraph (c) and substituting the following paragraph:

“(c) if the flat, house or other living accommodation has, without the prior written approval of the Board, been used otherwise than for the purpose permitted by the lease;”.

Amendment of section 65

9. Section 65(1) of the principal Act is amended by inserting, immediately after paragraph (a), the following paragraph:

- “(aa) the terms and conditions which the Board may impose in granting its consent under section 50 to any sale, lease, mortgage or disposal of a flat, house or other building; and those rules may provide that in specified circumstances, the Board shall be deemed for the purposes of that section to have granted its prior written consent subject to such terms and conditions;”.

Amendment of section 65A

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

- (a) by deleting the words “a building comprising 2 or more storeys” in the 3rd and 4th lines of paragraph (b) of the definition of “special upgrading works” and substituting the words “any building”; and
- (b) by inserting, immediately after the definition of “Town Council”, the following definition:

““transfer” means a conveyance, sale, purchase, assignment, legal or equitable mortgage, charge, surrender or disposal in any manner of any estate or interest in a flat and includes a discharge of a mortgage, a reconveyance or the devolution of the rights of a deceased owner of a flat to another person;”.

Amendment of section 65C

11. Section 65C of the principal Act is amended —

- (a) by deleting the words “and special upgrading works” in the penultimate and last lines of subsection (1)(a) and substituting the words “or special upgrading works”; and
- (b) by deleting subsection (5A) and substituting the following subsection:

“(5A) The Board may, with the approval of the Minister, carry out special upgrading works in any building within a precinct if and only if —

- (a) it appears from a poll of such owners referred to in subsection (1A) that 75% or more of the total value in votes of such owners within the building in the precinct have been cast in favour of the proposal to carry out special upgrading works in the building; and
- (b) where the proposal is for the special upgrading works to be carried out in the building in the precinct together with any general upgrading works within the precinct, it also appears from a poll of prescribed owners referred to in subsection (2) that 75% or more of the total value in votes of all such owners of all flats within the precinct have been cast in favour of the proposal to carry out the general upgrading works in the precinct.”.

Amendment of section 65F

12. Section 65F of the principal Act is amended —

- (a) by deleting the words “one month of notice of” in the penultimate line of subsection (1) and substituting the words “one month from the date of”; and
- (b) by deleting subsection (4).

Amendment of section 65G

13. Section 65G of the principal Act is amended —

- (a) by inserting, immediately after the words “registered proprietor” in the 4th line of subsection (1)(b), the words “or owner”;
- (b) by inserting, immediately after the words “subsisting mortgage” in the 1st line of subsection (3), the words “, charge or other encumbrance”; and
- (c) by inserting, immediately after the words “Any transfer” in the 1st line of subsection (4), the words “or dealing in respect”.

Amendment of section 65J

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

- (a) by inserting, immediately after the word “premises” in the last line of subsection (2), the words “forcibly, if necessary”; and
- (b) by inserting, immediately after subsection (4), the following subsection:

“(4A) Any officer or person authorised by the Board entering any premises by virtue of a warrant issued under this section may do all or any of the following:

- (a) break open any outer or inner door or window leading to the premises;
- (b) forcibly enter such premises and every part thereof;
- (c) remove by force any obstruction to such entry.”.

Amendment of section 80

15. Section 80(3) of the principal Act is amended by deleting “\$200” in the last line and substituting the words “\$2,000 or to imprisonment for a term not exceeding 3 months or to both”.
