

Housing and Development (Amendment) Bill

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Bill No: 14/2010

Read the first time: 19th July 2010

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Expenditure of Public Money

Housing and Development (Amendment) Bill

Bill No. 14/2010

Read the first time on 19th July 2010.

An Act to amend the Housing and Development Act (Chapter 129 of the 2004 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 2010 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 13

2. Section 13 of the Housing and Development Act (referred to in this Act as the principal Act) is amended by inserting, immediately after paragraph (*d*), the following paragraph:

“(da) to provide technical and consultancy services within or outside Singapore, in respect of matters within its expertise acquired in the exercise of its functions under this Act, and to act as an agent for the Government or, with the approval of the Minister, as an agent for another public authority in the provision of such services;”.

New section 22A

3. The principal Act is amended by inserting, immediately after section 22, the following section:

“Power in respect of intellectual property rights

22A. The Board may create, develop, apply for, acquire and hold intellectual property rights and enter into agreements (whether in Singapore or elsewhere) for the sale, licensing or commercial application of such rights, on its own or in conjunction with other persons.”.

Amendment of section 27

4. Section 27(2) of the principal Act is amended —

- (a) by deleting the word “and” at the end of paragraph (*c*); and
- (b) by deleting the full-stop at the end of paragraph (*d*) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:

“(e) prescribing the penalty (such penalty, if unpaid, to constitute a debt due to the Board and be recoverable as such) to be paid by the person who leases a flat from the Board, for non-observance or non-compliance with any of the restrictions, conditions or requirements of the lease.”.

Repeal and re-enactment of section 51

5. Section 51 of the principal Act is repealed and the following section substituted therefor:

“Property not to be used as security or attached, etc., and no trust in respect thereof to be created without approval of Board

51.—(1) Subject to subsection (4), any contract or agreement to directly or indirectly use protected property (or the proceeds of sale of protected property) as security or collateral for any debt, obligation or claim shall be null and void.

(2) Any act (including the deposit of title deeds), deed, instrument or document that purports to protect rights under or give effect to any contract or agreement that is null and void under subsection (1) shall be of no effect and shall not result in or create any interest in land or be capable of being registered under the provisions of the Registration of Deeds Act (Cap. 269) or the Land Titles Act (Cap. 157).

(3) Where any deed, instrument or document referred to in subsection (2) is registered under the provisions of the Registration of Deeds Act or the Land Titles Act —

- (a) the Board may, by an instrument lodged with the Registrar of Deeds or the Registrar of Titles, as the case may be, declare such deed, instrument or document to be null and void; and
- (b) the Registrar of Deeds or the Registrar of Titles shall register the instrument lodged by the Board under paragraph (a) without being concerned to inquire into its regularity or validity, and upon registration thereof shall cancel the registration of such deed, instrument or document declared by the Board to be null and void.

(4) Subsection (1) does not apply if the security or collateral is to be created or granted in favour of —

- (a) the Board;
- (b) an approved financial institution; or