

Hire-Purchase (Amendment) Bill

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Bill No: 37/2004

Read the first time: 1st September 2004

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Hire-Purchase (Amendment) Bill

Bill No. 37/2004

Read the first time on 1st September 2004.

An Act to amend the Hire-Purchase Act (Chapter 125 of the 1999 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title, commencement and application

1.—(1) This Act may be cited as the Hire-Purchase (Amendment) Act 2004 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) This Act shall not apply to hire-purchase agreements entered into before the date of commencement of this Act.

Amendment of section 1

2. Section 1 of the Hire-Purchase Act is amended —

- (a) by deleting the words “the First Schedule” in subsection (3) and substituting the words “any of the Schedules”; and
- (b) by inserting, immediately after subsection (3), the following subsection:

“(4) The Minister may, in any order made under subsection (3), make such transitional and savings provisions as he may consider necessary or expedient.”.

Amendment of section 2

3. Section 2(1) of the Hire-Purchase Act is amended —

- (a) by inserting, immediately after the definition of “action”, the following definition:

“ “business day” means any day other than a Saturday, Sunday or public holiday;”;
- (b) by deleting the definition of “court” and substituting the following definitions:

“ “certificate of entitlement” means a permit issued by the Registrar of Vehicles under section 10A of the Road Traffic Act (Cap. 276);

“court” means a Magistrate’s Court or a District Court;”;
- (c) by inserting, immediately after the definition of “hirer”, the following definition:

“ “motor vehicle” means a motor vehicle within the meaning of the Road Traffic Act;”;

- (d) by deleting the definition of “statutory rebate”; and
- (e) by inserting, immediately after the words “third-party insurance” in the definition of “vehicle registration fees”, the words “and for the issue of a certificate of entitlement”.

Amendment of section 3

4. Section 3 of the Hire-Purchase Act is amended —

- (a) by deleting the words “duly completed in accordance with the form” in subsection (1) and substituting the words “which shall contain the items”;
- (b) by inserting, immediately before the words “showing separately” in subsection (3)(e)(ii), the words “, if any,”;
- (c) by inserting, immediately after the word “deposit” in subsection (3)(e)(vi), the words “, if any”;
- (d) by deleting the word “and” at the end of subsection (3)(e)(viii);
- (e) by deleting the full-stop at the end of sub-paragraph (ix) of subsection (3)(e) and substituting the word “; and”, and by inserting immediately thereafter the following sub-paragraph:

“(x) any other item set out in the Second Schedule.”; and
- (f) by deleting subsection (4).

Amendment of section 4

5. Section 4(1) of the Hire-Purchase Act is amended by deleting the words “14 days” and substituting the words “7 business days”.

Amendment of section 8

6. Section 8 of the Hire-Purchase Act is amended —

- (a) by deleting the words “14 days” in the 1st line of subsection (1) and substituting the words “7 business days”;
- (b) by deleting the words “a payment of \$2” in subsection (2)(b) and substituting the words “a reasonable fee, which shall not exceed such amount as may be prescribed,”; and
- (c) by deleting subsection (4).

Amendment of section 11

7. Section 11 of the Hire-Purchase Act is amended by inserting, immediately after the word “interest” in the section heading, the words “of hirer”.

New section 11A

8. The Hire-Purchase Act is amended by inserting, immediately after section 11, the following section:

“Assignments of right, title and interest of owner under hire-purchase agreement

11A.—(1) The hirer under a hire-purchase agreement may, by notice in writing to the owner, require the owner to assign his right, title and interest under the agreement to another person.

(2) As a condition of the assignment of the right, title and interest of the owner under a hire-purchase agreement, the owner may —

- (a) stipulate that all defaults under the agreement shall be made good; and
- (b) require the hirer and assignee —
 - (i) to deliver to the owner a form of assignment whereby the assignee agrees to pay to the owner the net balance due under the agreement; and
 - (ii) to pay to the owner any reasonable costs incurred by the owner (including legal expenses) in relation to the assignment.

(3) Except as otherwise provided in this section, no payment or other consideration shall be required by an owner for an assignment referred to in subsection (1).

(4) Where an owner fails or refuses to assign his right, title and interest under the hire-purchase agreement as required by the hirer in accordance with this section, the hirer may apply to a court for an order requiring the owner to do so.”.

Amendment of section 13

9. Section 13 of the Hire-Purchase Act is amended —

- (a) by deleting subsection (2); and
- (b) by deleting the words “14 days” in subsection (3)(b) and substituting the words “7 business days”.