

Planning (Amendment) Bill

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Bill No: 27/2003

Read the first time: 16th October 2003

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Expenditure of Public Money

Planning (Amendment) Bill

Bill No. 27/2003

Read the first time on 16th October 2003.

An Act to amend the Planning Act (Chapter 232 of the 1998 Revised Edition) and to make consequential amendments to certain other written laws.

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 Planning (Amendment) Act 2003 and shall, with the exception of section 6, come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) Section 6 shall be deemed to have come into operation on 24th December 1998.

Amendment of section 2

2. Section 2 of the Planning Act is amended by inserting, immediately after the definition of “purchase notice”, the following definition:

“ “qualified person” means a person specified in the First Schedule;”.

Amendment of section 3

3. Section 3(3) of the Planning Act is amended —

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

“(i) the use and operation as 2 or more separate entities of any building or buildings or part of a building which is or are approved or authorised to be used and operated as one single entity for any of the uses specified in the Second Schedule involves a material change in the use of the building or buildings or part of the building.”.

Amendment of section 4

4. Section 4 of the Planning Act is amended —

- (a) by deleting the word “Schedule” in subsection (2)(a) and (b) and substituting in each case the words “Third Schedule”;
- (b) by deleting subsection (3) and substituting the following subsection:

“(3) The Minister may, at any time, by order published in the *Gazette* amend, delete or add to the list of leases in subsection (2) which shall not be regarded as a disposal of land or part thereof.”; and

- (c) by deleting the words “14 years or 7 years, as the case may be” in subsection (4)(a) and substituting the words “any of the periods specified in subsection (2)”.

Amendment of section 10

5. Section 10 of the Planning Act is amended by deleting subsection (3).

Amendment of section 14

6. Section 14(2) of the Planning Act is amended —

- (a) by inserting, immediately after the word “approves,”, the words “either in relation to a particular application or a class of applications, as the case may be,”;
- (b) by deleting the word “or” at the end of paragraph (d); and
- (c) by deleting the full-stop at the end of paragraph (e) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:
 - “(f) the planning permission or conservation permission to be granted for the development proposed in the application is for a specified period not exceeding 10 years.”.

New section 14A

7. The Planning Act is amended by inserting, immediately after section 14, the following section:

“Applications determined in reliance of certificate or declaration of qualified person

14A.—(1) Where, in accordance with rules made under section 61, an application for written permission is required to be accompanied by any certificate or declaration by an appropriate qualified person that to the best of his knowledge and belief —

- (a) the information contained in any specified document, form and plan submitted for the application is true and correct in all material particulars; and
- (b) every such document, form and plan submitted for the application has been completed or prepared in accordance with the provisions of this Act and all requirements as may be specified by the competent authority in respect of the application,

the competent authority may, without checking the information, documents, forms or plans, determine the application on the basis of the certificate or declaration of

the qualified person.

(2) Notwithstanding subsection (1), the competent authority may, in his discretion, carry out random checks on any information, document, form or plan relating to any application for written permission before or after determining the application.

(3) The competent authority may at any time revoke any written permission granted under subsection (1) if he is satisfied that —

- (a) any information contained in any document, form or plan submitted for the application is false or misleading in any material particular; or
- (b) any document, form or plan submitted for the application is not in compliance in any material particular with the provisions of this Act and the requirements as may be specified by the competent authority in respect of the application.

(4) Where the competent authority revokes a written permission under subsection (3), any development of land, works within a conservation area or subdivision of land (as the case may be) carried out pursuant to that written permission shall be deemed to have been carried out without the requisite written permission.

(5) Any qualified person who —

- (a) makes a certificate or declaration referred to in subsection (1) which is false or misleading in any material particular; or
- (b) recklessly makes such certificate or declaration which is false or misleading in any material particular,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$30,000 or to imprisonment for a term not exceeding 6 months or to both.”.

Amendment of section 15

8. Section 15 of the Planning Act is amended —

- (a) by deleting paragraph (g) of subsection (1);
- (b) by deleting the word “or” at the end of subsection (2)(a);
- (c) by deleting the full-stop at the end of paragraph (b) of subsection (2) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph: