

Housing and Development (Amendment) Bill

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Bill No: 35/2002

Read the first time: 1st October 2002

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Expenditure of Public Money

Housing and Development (Amendment) Bill

Bill No. 35/2002

Read the first time on 1st October 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”;
- (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