

Control of Rent (Abolition) Bill

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Bill No: 16/2001

Read the first time: 23rd February 2001

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Explanatory Statement

Expenditure of Public Money

Control of Rent (Abolition) Bill

Bill No. 16/2001

Read the first time on 23rd February 2001.

An Act to provide for the repeal of the Control of Rent Act (Chapter 58 of the 1985 Revised Edition), the Premiums on Leases Act (Chapter 238 of the 1985 Revised Edition) and the Controlled Premises (Special Provisions) Act (Chapter 60 of the 1995 Revised Edition) and to provide for consequential matters related thereto.

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 Control of Rent (Abolition) Act 2001 and shall, with the exception of section 4, come into operation on 1st April 2001.

(2) Section 4 shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Repeal of Control of Rent Act and Premiums on Leases Act

2.—(1) The Control of Rent Act (Cap. 58) and the Premiums on Leases Act (Cap. 238) are repealed.

(2) The provisions of the First Schedule shall have effect with respect to the transitional matters on the repeal of the Control of Rent Act.

Amendments to Controlled Premises (Special Provisions) Act

3. The Controlled Premises (Special Provisions) Act (Cap. 60) is amended in the manner set out in the Second Schedule.

Repeal of Controlled Premises (Special Provisions) Act

4.—(1) The Controlled Premises (Special Provisions) Act is repealed.

(2) The provisions of the Third Schedule shall have effect with respect to the transitional matters on the repeal of the Controlled Premises (Special Provisions) Act.

FIRST SCHEDULE

Section 2(2)

SAVINGS AND TRANSITIONAL PROVISIONS ON REPEAL OF CONTROL OF RENT ACT

Interpretation

1. In this Schedule —

“landlord” has the same meaning as in section 2 of the repealed Act;

“premises” has the same meaning as in section 2 of the repealed Act but excludes any premises or class or group of premises which had been excepted or exempted from the provisions of the repealed Act by the Minister under section 30 of the repealed Act;

“Rent Conciliation Board” means the Rent Conciliation Board established under section 8 of the repealed Act;

“repealed Act” means the Control of Rent Act (Cap. 58, 1985 Ed.) repealed by this Act;

“statutory tenants” has the same meaning as in section 27 of the repealed Act;

“tenant” has the same meaning as in section 2 of the repealed Act.

Sanction for proceedings for offence

2. No proceedings shall be taken for any offence under section 5 of the repealed Act on or after 1st April 2001 without the prior sanction of the Public Prosecutor.

Discontinuance of proceedings before Rent Conciliation Board

3. Any application, proceeding, hearing or matter before the Rent Conciliation Board which has not been determined by the Board before 1st April 2001 shall be discontinued as from that date.

Discontinuance of certain proceedings before High Court

4.—(1) Subject to sub-paragraph (2), any application, proceeding, hearing or matter before the High Court under sections 12 and 13 of the repealed Act which has not been determined by the High Court before 1st April 2001 shall be discontinued as from that date.

(2) The High Court may, subject to sub-paragraph (3), make such order regarding the cost of the application, proceeding, hearing or matter that is discontinued under sub-paragraph (1).

(3) No member of the Rent Conciliation Board shall be personally liable to any costs ordered by the High Court under sub-paragraph (2).

Discontinuance of proceedings for recovery of possession

5.—(1) Subject to sub-paragraph (2), any application, proceeding, hearing or matter before any court for the recovery of possession of premises under Part III of the repealed Act which has not been determined by the court before 1st April 2001 shall be discontinued as from that date.

(2) The court before which the application, proceeding, hearing or matter was pending may make such order regarding the cost of the application, proceeding, hearing or matter which is discontinued under sub-paragraph (1).

Position of former statutory tenants

6.—(1) Subject to sub-paragraph (2), any person who immediately before 1st April 2001 was a statutory tenant (referred to in this paragraph as the former statutory tenant) shall on and after 1st April 2001 hold the premises in respect of which he was a statutory tenant upon the same terms and conditions as specified under section 28(a) and (c) of the repealed Act.

(2) The tenancy referred to in sub-paragraph (1) may be determined either by the landlord or by the former statutory tenant by giving such notice as would be required by law to determine a monthly tenancy of the premises containing no express provision for determination.

SECOND SCHEDULE

Section 3

AMENDMENTS TO CONTROLLED PREMISES (SPECIAL PROVISIONS) ACT

1. The Controlled Premises (Special Provisions) Act (Cap. 60) is amended by inserting, immediately after the words “Control of Rent Act” in the definitions of “controlled premises” or “premises” and “statutory tenant” in section 2 and in section 10(1)(c), the words “in force before 1st April 2001”.

2. Section 4 of the Controlled Premises (Special Provisions) Act is amended —

- (a) by deleting subsection (10);
- (b) by deleting the words “and any landlord who in contravention of subsection (10) uses any premises, the possession of which is recovered under this section, otherwise than for the purpose of effecting development in accordance with a plan approved for that purpose,” in the 3rd to 7th lines of subsection (11); and
- (c) by inserting, immediately after subsection (11), the following subsections:

“(12) Notwithstanding anything to the contrary in any written law or rule of law —

- (a) no application may be made under subsection (1) for the recovery of controlled premises on or after 1st April 2001; and
- (b) any application, proceeding, hearing or matter before the Board under subsections (1) and (3) which has not been determined by the Board before 1st April 2001 shall be discontinued as from that date.

(13) A prosecution for an offence under this section shall not be instituted except by or with the consent of the Public Prosecutor.”.

3. Section 5 of the Controlled Premises (Special Provisions) Act is repealed.

4. Section 16 of the Controlled Premises (Special Provisions) Act is amended by deleting subsection (2) and substituting the following subsection: