

Housing and Development (Amendment) Bill

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Bill No: 14/1986

Read the first time: 5th May 1986

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Expenditure of Public Money

Housing And Development (Amendment) Bill

Bill No. 14/1986

Read the first time on 5th May 1986.

An Act to amend the Housing and Development Act (Chapter 271 of the 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 1986 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2(1) of the Housing and Development Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the word “therein” at the end of the definition of “authorised occupier”, the words “except that where such a person has entered, stayed or remained in Singapore in contravention of any provision of any written law relating to immigration, he shall be deemed not to be an authorised occupier from the date of contravention”.

New section 13A

3. The principal Act is amended by inserting, immediately after section 13, the following section:

“Power to vary rate of interest payable under mortgage

13A.—(1) Where loans are provided by the Board for the purchase of any property upon a mortgage of that property to the Board, whether such mortgage was entered into before or after the commencement of the Housing and Development (Amendment) Act 1986, the Board shall have the power, notwithstanding anything contained in the mortgage document, to vary the rate of

interest payable under the mortgage upon giving the mortgagor one month's notice of the Board's intention to do so.

(2) Any notice under subsection (1) shall be in writing and shall be deemed to be sufficiently served on the mortgagor if sent by ordinary post to the mortgagor at the address of the mortgaged property and shall be deemed to be served on the mortgagor at the time when the letter would in the ordinary course of post be delivered.”.

Amendment of section 26

4. Section 26 of the principal Act is amended by inserting, immediately after subsection (1), the following subsection:

“(1A) The rules made under subsection (1) —

- (a) may prescribe that any act or omission in contravention of the provisions of any regulation shall be an offence and may provide that the penalty for such an offence shall be a fine not exceeding \$4,000; and
- (b) may prescribe the penalty (such penalty, if unpaid, to constitute a debt due to the Board and be recoverable as such) to be paid by the Board's tenant or licensee or an owner of any flat, house or other living accommodation sold by the Board for late payment of any rent, licence fees or maintenance fees.”.

Repeal and re-enactment of section 29

5. Section 29 of the principal Act is repealed and the following section substituted therefor:

“Power to fix and vary the rent, licence fees and maintenance fees

29.—(1) The Board may from time to time with the approval of the Minister fix the amount of —

- (a) rent and licence fees payable in respect of any property provided under this Act which is subject to a tenancy or licence agreement; and
- (b) maintenance fees payable in respect of any property provided under this Act.

(2) Notwithstanding anything contained in any tenancy or licence agreement or sale and purchase agreement in respect of any property provided under this Act, the Board shall have the power to vary, with the approval of the Minister, the rent,

licence fees or maintenance fees fixed under subsection (1).

(3) Any variation in the rent, licence fees or maintenance fees made pursuant to subsection (2) shall be published in the *Gazette* and shall take effect on such date as may be specified therein.”.

Amendment of section 30A

6. Section 30A of the principal Act is amended by deleting subsection (6) and substituting the following subsections:

“(6) Any flat, house or other living accommodation which has been built on any land vested in the Board under subsection (1)(b) and which has been sold by the Jurong Town Corporation under Part IV of the Jurong Town Corporation Act (Cap. 209) shall be deemed to be a flat, house or other living accommodation sold by the Board under Part IV of this Act.

(7) In all applications made to and registered with the Jurong Town Corporation prior to the appointed day for the purchase of such flat, house or other living accommodation as is referred to in subsection (6), any reference to the Jurong Town Corporation shall be read as if it were a reference to the Board.”.

Amendment of section 41

7. Section 41 of the principal Act is amended by inserting, immediately after subsection (8), the following subsection:

“(9) Without prejudice to any other rights, contractual or otherwise, which the Board may exercise, the Board may cancel an application to the Board, whether registered before or after the commencement of the Housing and Development (Amendment) Act 1986, for the purchase of a flat, house or other living accommodation where —

- (a) the applicant has made any misrepresentation of a material fact or false statement in a material particular, whether innocently or otherwise, in relation to his application;
- (b) the applicant, his spouse or any person above the age of 14 years listed in his application as intending to reside in the premises applied for has been convicted of an offence under section 304A, 336, 337 or 338 of the Penal Code (Cap. 103) in connection with the throwing of any matter or thing from any property belonging to, sold by or leased from the Board;
- (c) the applicant has paid in full or partially the purchase price or any