
First published in the Government *Gazette*, Electronic Edition, on 14 January 2021 at 8 pm.

No. S 19

COVID-19 (TEMPORARY MEASURES) ACT 2020 (ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES) ACT 2020 (AMENDMENT OF SECOND, THIRD AND FOURTH SCHEDULES) ORDER 2021

In exercise of the powers conferred by section 78 of the COVID-19 (Temporary Measures) Act 2020, the Minister for Law makes the following Order:

Citation and commencement

1. This Order is the COVID-19 (Temporary Measures) Act 2020 (Amendment of Second, Third and Fourth Schedules) Order 2021 and comes into operation on 15 January 2021.

Amendment of Second Schedule

2. The Second Schedule to the COVID-19 (Temporary Measures) Act 2020 is amended —

(a) by deleting sub-paragraph (a) of paragraph 2 of Part 1 and substituting the following sub-paragraph:

“(a) any contract where any party to the contract is an individual, unless the individual entered into the contract —

(i) under the individual’s registered business name (within the meaning of section 2(1) of the Business Names Registration Act 2014 (Act 29 of 2014)); or

(ii) principally for the purposes of any business of the individual;”;

(b) by inserting, immediately after sub-paragraph (e) of paragraph 2 of Part 1, the following sub-paragraph:

“(ea) any lease of a private hire car (as described in the Second Schedule to the Road Traffic Act (Cap. 276)) where the private hire car is to be used as a whole under the lease by the hirer, or any other person authorised by the hirer in the lease, to drive the private hire car personally;”;

- (c) by deleting the words “a goods-cum-passengers vehicle as defined in rule 2(1) of the Road Traffic (Motor Vehicles, Registration and Licensing) Rules (Cap. 276, R 5)” in paragraph (a) of the definition of “commercial vehicle” in paragraph 4 of Part 1 and substituting the words “an excluded goods-cum-passengers vehicle”;
- (d) by inserting, immediately after the definition of “commercial vehicle” in paragraph 4 of Part 1, the following definition:

““excluded goods-cum-passengers vehicle” means a vehicle —

- (a) with folding seats and side doors and either a tailboard or doors opening at the rear, constructed or adapted for the carriage of goods as well as 7 passengers or more, excluding the driver; and
- (b) registered by the owner for the use by the owner or a member of the owner’s family, or any person with the owner’s authority and without consideration, for social or domestic purposes;”;
- (e) by deleting the words “(where *A*, *C* or *D* is a member of a group)” in paragraph 1(a) of Part 3 and substituting the words “(where *A*, *C* or *D*, on the date of the notice of negotiation or notice of negotiation for contract of national interest, is a member of a group formed on or before 30 November 2020)”;
- (f) by deleting the full-stop at the end of sub-paragraph (b) of paragraph 1 of Part 3 and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraph:

“(c) where *A*, *C* or *D* (as the case may be) is a non-profit organisation, it must be one of the following:

- (i) a registered charity or an exempt charity; or
- (ii) any of the following that is not a registered charity or an exempt charity:
 - (A) a member of the National Council of Social Service;
 - (B) a national sports association;
 - (C) a national disability sports association;
 - (D) an arts and culture society;
 - (E) a trade association.”; and

(g) by inserting, immediately after paragraph 1 of Part 3, the following paragraphs:

“2. For the purposes of this Part, a reference to a group is a reference to 2 or more entities where —

- (a) each entity is either a parent or a subsidiary, or both, of at least one other entity, and for this purpose —
 - (i) an entity is a parent of another entity if the entity controls the other entity;
 - (ii) an entity is a subsidiary of another entity if the entity is controlled by the other entity; and
- (iii) an entity controls another entity if —
 - (A) the entity has existing rights that give the entity the current ability to direct the activities of the other entity in a way that significantly affects the amount of the other entity’s returns;
 - (B) the entity has exposure, or rights, to variable returns from its involvement with the other entity; and
 - (C) the entity has the ability to use the existing rights mentioned in sub-paragraph (A) over the other entity to affect the amount of the firstmentioned entity’s returns from its involvement with the other entity; or

- (b) the entities are related to each other through ownership or control in such a way that the group is required to prepare consolidated financial statements for financial reporting purposes under FRS 110 or an equivalent accounting standard.

3. In this Part —

“Accounting and Corporate Regulatory Authority” means the body established under section 3 of the Accounting and Corporate Regulatory Authority Act (Cap. 2A);

“arts and culture society” means a society that —

- (a) is classified under any of the following classification codes under the Singapore Standard Industrial Classification 2015 (Version 2018) established by the Department of Statistics of the Ministry of Trade and Industry:

<i>Code</i>	<i>Description</i>
85420	Music, dancing, art, speech and drama instruction
90001	Production of live theatrical presentations (e.g. stage plays, musicals and theatre productions)
90002	Performing arts venue operation
90003	Operas, wayang and puppet shows
90004	Orchestras, musical bands, choirs and dance groups
90009	Dramatic arts, music and other arts production-related activities not elsewhere classified (e.g. stage, lighting and sound services)
91021	Museums
91022	Art galleries (excluding retail)
91029	Preservation of historical sites, buildings, artefacts and paintings, cultural villages and other related activities not elsewhere classified;