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

COVID-19 (TEMPORARY MEASURES)
(RENTAL AND RELATED MEASURES)
(AMENDMENT) REGULATIONS 2020

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

Citation and commencement

1.—(1) These Regulations are the COVID-19 (Temporary Measures) (Rental and Related Measures) (Amendment) Regulations 2020 and, except for regulations 4, 5 and 11 to 14, come into operation on 30 September 2020.

(2) Regulations 4, 5 and 11 to 14 are deemed to have come into operation on 31 July 2020.

Amendment of regulation 2

2. Regulation 2(1) of the COVID-19 (Temporary Measures) (Rental and Related Measures) Regulations 2020 (G.N. No. S 664/2020) (called in these Regulations the principal Regulations) is amended —

(a) by deleting the definition of “party” and substituting the following definition:

““party”, in relation to an assessor’s determination,
means —

(a) an applicant who makes an application for an assessor’s determination under section 19M(2)

of the Act in relation to a prescribed property; or

(b) the respondent to the application,

and includes a person authorised by that party to represent that party in the proceedings of the assessor’s determination;”;

(b) by inserting, immediately after the definition of “relevant officer”, the following definition:

““respondent”, for a determination in relation to a prescribed property, means —

(a) in the case of a determination mentioned in section 19M(3)(a), (b) or (c) of the Act — a tenant that is a PTO, or purportedly a PTO, of that property; or

(b) in the case of a determination mentioned in section 19M(4)(a) or (b) of the Act —

(i) where the applicant for the determination is a landlord of that property in the PTO chain — the tenant of the applicant in the PTO chain; or

(ii) where the applicant for the determination is a tenant of that property in the PTO chain — the landlord of the applicant in the PTO chain;”;

and

(c) by inserting, immediately after the definition of “specified person”, the following definition:

““specified regulations” means the COVID-19 (Temporary Measures) (Rental and Related

Measures) (Amendment) Regulations 2020 (G.N. No. S 835/2020);”.

Amendment of regulation 4

3. Regulation 4 of the principal Regulations is amended by deleting sub-paragraph (iv) of paragraph (c) and substituting the following sub-paragraphs:

“(iv) where sub-paragraphs (i), (ii) and (iii) do not apply but the tenant commenced carrying on the business (at the prescribed property or any other place) before 31 March 2020 — the tenant’s revenue from the business, calculated using the formula $12 \times A$, is not more than \$100 million, where A is the average monthly revenue from the tenant’s business for the period from the date of commencement of the tenant’s business to 31 March 2020 (both dates inclusive);

(v) where sub-paragraphs (i), (ii), (iii) and (iv) do not apply but —

(A) the tenant commenced carrying on the business (at the prescribed property (being a Type A property) or any other place) during the period from 1 April 2020 to 31 July 2020 (both dates inclusive) — the tenant’s revenue from the business, calculated using the formula $12 \times B1$, is not more than \$100 million, where B1 is the average monthly revenue from the tenant’s business for the period from the date of commencement of the tenant’s business to 31 July 2020 (both dates inclusive); or

(B) the tenant commenced carrying on the business (at the prescribed property (being a Type B property) or any other place) during the period from 1 April

2020 to 31 May 2020 (both dates inclusive) — the tenant’s revenue from the business, calculated using the formula $12 \times B2$, is not more than \$100 million, where B2 is the average monthly revenue from the tenant’s business for the period from the date of commencement of the tenant’s business to 31 May 2020 (both dates inclusive);

- (vi) where sub-paragraphs (i), (ii), (iii), (iv) and (v) do not apply — the tenant was unable to commence business (at the prescribed property or any other place) before 31 July 2020 (where the prescribed property is a Type A property) or before 31 May 2020 (where the prescribed property is a Type B property) due to any legal restriction imposed under the Act or any other written law arising from a COVID-19 event.”.

New regulation 11A

4. The principal Regulations are amended by inserting, immediately after regulation 11, the following regulation:

“Rental relief for immovable property that is both Type A property and Type B property at different times

11A.—(1) Despite regulations 10(2) and (3) and 11(2) and (3), where —

(a) a property is —

- (i) a Type A property during a portion of the prescribed period mentioned in regulation 10(1) (called in this regulation the Type A period); and

- (ii) a Type B property during the whole or a portion of the prescribed period mentioned in regulation 11(1) (called in this regulation the Type B period),

due to a change in the use of the property; and

- (b) the property is leased or licensed to the same tenant during the Type A period and the Type B period,

the amount of rent that is waived under section 19H(1) of the Act for the aggregate of the Type A period and the Type B period under a lease agreement between the tenant and the tenant's landlord in respect of the property is the lower of the following:

- (c) an amount calculated using the formula $A + B$;
- (d) C.

(2) In this regulation —

- (a) A means the amount of rent payable by the tenant for the property under the lease agreement for the Type A period that would be waived under section 19H(1) of the Act, read with regulation 10(2) or (3) (as the case may be), but for this regulation;
- (b) B means the amount of rent payable by the tenant for the property under the lease agreement for the Type B period that would be waived under section 19H(1) of the Act, read with regulation 11(2) or (3) (as the case may be), but for this regulation; and
- (c) C means the amount of rent payable by the tenant for the immovable property under the lease agreement that would be waived under section 19H(1) of the Act, read with regulation 10(2) or (3) (as the case may be), if the property were a Type A property throughout the Type A period and the Type B period.”.

New regulation 13A

5. The principal Regulations are amended by inserting, immediately after regulation 13, the following regulation: