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First published in the Government *Gazette*, Electronic Edition, on 18th May 2015 at 12 noon.

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## **No. S 291**

### **HOUSING DEVELOPERS (CONTROL AND LICENSING) ACT (CHAPTER 130)**

#### **HOUSING DEVELOPERS (AMENDMENT NO. 2) RULES 2015**

In exercise of the powers conferred by section 22 of the Housing Developers (Control and Licensing) Act, the Minister for National Development makes the following Rules:

#### **Citation and commencement**

1.—(1) These Rules may be cited as the Housing Developers (Amendment No. 2) Rules 2015 and, with the exception of rules 5 and 6, come into operation on 25 May 2015.

(2) Rules 5 and 6 come into operation on 20 July 2015.

#### **Amendment of rule 2**

2. Rule 2 of the Housing Developers Rules (R 1) (referred to in these Rules as the principal Rules) is amended —

(a) by inserting, immediately after the definition of “lot”, the following definition:

““no-sale licence” is a licence granted under section 4(4) of the Act by the Controller to a housing developer to carry out or undertake housing development subject to, amongst others, the condition that the housing developer must not grant any option to purchase, or enter into any agreement for the sale of, any unit of housing accommodation to be developed in the housing development except with the prior written approval of the Controller;”;

(b) by inserting, immediately after the definition of “Registrar of Titles”, the following definition:

“ “sale licence” is a licence granted under section 4(4) of the Act by the Controller to a housing developer to carry out or undertake housing development subject to, amongst others, the condition that the housing developer must not grant any option to purchase, or enter into any agreement for the sale of, any unit of housing accommodation to be developed in the housing development, before the plans for building works for the development of the housing accommodation are approved by the Commissioner of Building Control;” and

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

“ “temporary occupation permit” has the same meaning as in section 2(1) of the Building Control Act (Cap. 29);”.

### **New rule 2A**

3. The principal Rules are amended by inserting, immediately after rule 2, the following rule:

#### **“Prescribed amount of paid-up capital, deposit and security**

**2A.—**(1) For the purposes of section 5(1)(a) and (b) of the Act, the Controller must not grant a sale licence to a housing developer —

- (a) that is a company with a paid-up capital of less than \$1 million, or that does not lodge with the Controller, in such form and manner and on such terms as the Controller may determine, a deposit or security of \$1 million; or
- (b) that is an individual, a group of persons, a partnership, a society or a limited liability partnership that does not lodge with the Controller, in such form and manner and

on such terms as the Controller may determine, a deposit or security of \$1 million.

(2) For the purposes of section 5(1)(a) and (b) of the Act, the Controller must not grant a no-sale licence to a housing developer that is a company, unless the housing developer —

(a) has a paid-up capital of at least \$100,000; or

(b) has lodged with the Controller, in such form and manner and on such terms as the Controller may determine, a deposit or security of \$100,000.”.

#### **Amendment of rule 16**

4. Rule 16(6) of the principal Rules is amended by inserting, immediately after “\$400” in sub-paragraph (b), the words “(exclusive of goods and services tax)”.

#### **Amendment of Schedule**

5. The Schedule to the principal Rules is amended by deleting Forms 2 to 5 and substituting the following Forms:

## “FORM 2

Rule 10(1) and (3)

Serial No.: \_\_\_\_\_

**OPTION TO PURCHASE****Option date:****Vendor:**

Name: \_\_\_\_\_

Address of registered office: \_\_\_\_\_

Housing Developer's Licence No.:

**Intending Purchaser:**

S/N	Name	NRIC/ Identification No.	Address

Note: The particulars of the Intending Purchaser may be presented in another format, but in such a case, all the required particulars (i.e., S/N, name, NRIC/Identification No., and address) must be presented using that other format.

**Property:** <sup>1</sup>Detached house / Semi-detached house / Terrace house / Strata detached house / Strata semi-detached house / Strata terrace house / Flat / Condominium unit (\_\_\_\_\_ type) <sup>2</sup>on \_\_\_\_\_ storey marked on the <sup>1</sup>sale brochure / attached plan as <sup>1</sup>House / Plot / Flat / Unit No. \_\_\_\_, being part of the housing <sup>1</sup>project / estate known as \_\_\_\_\_ on Government Resurvey Lot No. \_\_\_\_ of <sup>1</sup>Mukim / Town Subdivision \_\_, Singapore.

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<sup>1</sup> Delete whichever is inapplicable.

<sup>2</sup> The words “on \_\_\_\_ storey” are applicable only to a flat or condominium unit and may be deleted in the case of a landed or strata-landed property.

**Address of Property (if known):**

**Tenure of Land:** <sup>1</sup> Estate in fee simple / Estate in perpetuity / Statutory Land Grant / Remainder of leasehold estate of \_\_\_\_\_ years commencing on \_\_\_\_\_.

**Encumbrances on the Land:** *(state nature and holder of encumbrance)*

<sup>1</sup> **Estimated Land Area:** \_\_\_\_\_ square metres as shown in the registered land surveyor's certificate

*(where Property is not intended to comprise a lot in a strata title plan)*

<sup>1</sup> **Estimated Strata Area:** \_\_\_\_\_ square metres (including areas of *(to specify the type of space, e.g. balcony, air-conditioner ledge, planter box, private enclosed space, void area where applicable)* which form part of the Property) as shown in the registered land surveyor's certificate

*(where Property is intended to comprise a lot in a strata title plan)*

<sup>3</sup> **Number of units in the Housing Project:** \_\_\_\_\_

<sup>3</sup> **Number of carparking spaces in the Housing Project:** \_\_\_\_\_

**Purchase Price:** S\$ \_\_\_\_\_

**Unit Purchase Price:** S\$ \_\_\_\_\_ per square metre

**Booking Fee:** S\$ \_\_\_\_\_ (\_\_\_\_ % of Purchase Price)

**Date of Approval of Building Plans:** \_\_\_\_\_

**No. of Building Plans Approved by**

**Commissioner of Building Control:** BP No. \_\_\_\_\_

**Vacant Possession Date:** \_\_\_\_\_

*(the latest date for delivery of vacant possession of the Property)*

**Latest Date of giving :** \_\_\_\_\_ or 3 years after the date of delivery of  
**Notice to Complete** vacant possession of the Property, whichever is the  
**sale and purchase** earlier.

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<sup>1</sup> Delete whichever is inapplicable.

<sup>3</sup> Applicable if the number of carparking spaces is less than the number of units in the Housing Project.