

Housing and Development (Polling for Upgrading Works) (Amendment) Rules 2000

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No. S 299

**HOUSING AND DEVELOPMENT ACT
(CHAPTER 129)**

**HOUSING AND DEVELOPMENT
(POLLING FOR UPGRADING WORKS) (AMENDMENT) RULES 2000**

In exercise of the powers conferred by section 65K of the Housing and Development Act, the Minister for National Development hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Housing and Development (Polling for Upgrading Works) (Amendment) Rules 2000 and shall come into operation on 1st July 2000.

Amendment of rule 2

2. Rule 2 of the Housing and Development (Polling for Upgrading Works) Rules (R 7) (referred to in these Rules as the principal Rules) is amended —

- (a) by inserting, immediately before the definition of “building” in paragraph (1), the following definition:

““beneficiary flat”, in relation to any special upgrading works, means a flat prescribed in rule 2A to be a beneficiary flat in relation to those special upgrading works;”;

- (b) by deleting the words “or a secondary poll” in the definition of “poll” in paragraph (1) and substituting the words “, a secondary poll or a special poll”;
- (c) by inserting, immediately after the words “a register” in the definition of “registered owner” in paragraph (1), the words “or (as the case may be) a special register”;
- (d) by inserting, immediately after the definition of “Singapore corporation” in paragraph (1), the following definitions:

““special poll”, in relation to any building within a precinct, means a poll conducted under section 65C(1A) of the Act with a view to establishing the opinion of owners of beneficiary flats in the building about any proposal to carry out special upgrading works in that building;

“special register” means a register prepared under rule 3 (1A) in relation to certain special upgrading works in a building;”;
and

- (e) by inserting, immediately after the words “the register” at the end of paragraph (3), the words “or (as the case may be) the special register”.

New rule 2A

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

“Beneficiary flats of special upgrading works

2A. Where any special upgrading works in a building comprises items of works necessary or ancillary to installing any lift or lift landing or any additional lift or lift landing in the building or part thereof, the beneficiary flats in relation to those special upgrading works shall be all flats in that building or part thereof other than —

- (a) flats on the ground level; and
- (b) flats served by or which already have access to lifts on the same levels as that of the flats.”.

Amendment of rule 3

4. Rule 3 of the principal Rules is amended by inserting, immediately after paragraph (1), the following paragraph:

“(1A) Where there is any proposal to carry out special upgrading works in a building within a precinct, the Board shall, in addition to a register referred to in paragraph (1), prepare a special register of owners of beneficiary flats in the building for those works, entering the names and addresses of all persons who —

- (a) are owners of beneficiary flats in that building in relation to those special upgrading works or are entitled to have their names entered in the register as owners of such flats; and
- (b) are not disqualified under rule 5 from voting at the special poll relating to those special upgrading works.”.

Amendment of rule 4

5. Rule 4 of the principal Rules is amended by inserting, immediately after paragraph (5), the following paragraph:

“(6) This rule shall apply to any special poll as if —

- (a) all references in this rule to a primary poll relating to a precinct shall be read as references to a special poll relating to special upgrading works in a building within a precinct;
- (b) all references in this rule to a flat shall be read as references to a beneficiary flat in relation to those special upgrading works; and
- (c) all references in this rule to the register shall be read as a reference to the special register for those special upgrading works.”.

Amendment of rule 5

6. Rule 5 of the principal Rules is amended by deleting the words “relating to a precinct” in the 2nd line.

Amendment of rule 6

7. Rule 6 of the principal Rules is amended —

- (a) by inserting, immediately after paragraph (1), the following paragraph:

“(1A) The Board shall, not later than the day before the commencement of a special poll in relation to any special upgrading

works in a building within a precinct, complete the special register referred to in rule 3 (1A) and, shall certify the completed special register as the register in operation for those special upgrading works in that building.”;

- (b) by inserting, immediately after the words “for a precinct” in paragraph (2), the words “and the special register in operation for any special upgrading works in a building”; and
- (c) by inserting, immediately after the words “to that precinct” in paragraph (2), the words “and at a special poll in relation to those special upgrading works in that building, respectively”.

Amendment of rule 7

8. Rule 7 of the principal Rules is amended —

- (a) by inserting, immediately after paragraph (1), the following rule:

“(1A) Subject to the provisions of these Rules, every registered owner whose name appears in a special register prepared in relation to any special upgrading works in a building within a precinct shall be entitled to vote in a special poll relating to those special upgrading works.”; and

- (b) by inserting, immediately after paragraph (3), the following paragraph:

“(4) Subject to the provisions of these Rules, every registered owner whose name appears in a special register for any special upgrading works in a building within a precinct shall, for the purposes of a special poll relating to those special upgrading works in that building, have —

- (a) in the case of a common registered owner of more than one beneficiary flat within the building, one vote in respect of all those flats; and
- (b) in any other case, a number of votes equal to the number of beneficiary flats in that building in respect of which he has been registered as an owner.”.

Amendment of rule 7A

9. Rule 7A of the principal Rules is amended by inserting, immediately after paragraph (3), the following paragraph: