

Central Provident Fund (Approved Non-Residential Properties Scheme) Regulations

Table of Contents

1 Citation

2 Definitions

3 Scheme applicable to property of certain tenures only

4 Application by member to withdraw amount standing to his credit

**5 Amount standing to the credit of member may be applied in
payment of mortgaged property**

6 Discretion of Board

7 Maximum withdrawal limit under regulations 3 and 4

8 Maximum withdrawal limit

9 Mortgaged property

10 Withdrawal of whole amount for costs, etc.

11 Maximum withdrawal limits for co-purchasers or co-owners

12 Government valuer to assess property

13 Second application for withdrawal of funds

14 Board to pay vendor, etc., direct

15 No disposal of property without Board's permission

16 Conditions for disposal of property

17 Prohibition on mortgage

18 Repayment of moneys withdrawn

19 Member liable for costs, fees, etc., of application

20 Applications in manner and with information required by Board

Legislative History

CENTRAL PROVIDENT FUND ACT (CHAPTER 36, SECTION 77(1)(g))

CENTRAL PROVIDENT FUND (NON-RESIDENTIAL PROPERTIES SCHEME) REGULATIONS

Rg 10

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(25th March 1992)

[1st May 1986]

Citation

1. These Regulations may be cited as the Central Provident Fund (Non-Residential Properties Scheme) Regulations.

[Deleted by S 479/92 wef 01/12/1992]

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“loan” means a loan obtained by a member to finance or re-finance in whole or in part the purchase of a property, including the payment of any costs, fees, stamp duties or other incidental expenses incurred in obtaining the loan for the financing or re-financing in whole or in part of such purchase;

“mortgage” includes any charge on any property for securing the repayment of any

money lent to a person;

“property” means any building or part of a building or any flat which is permitted pursuant to any written law to be used for any commercial or industrial purpose or any such building or flat which is in the course of erection but does not include any temporary building;

“temporary building” means a building which is permitted by the Building Authority under the Building Control Act [Cap. 29] to be erected or to remain for a specified period at the expiration of which the building shall be demolished and includes a building erected, in the opinion of the Board, with materials either wholly or in part which are in the absence of special care, liable to rapid deterioration or are otherwise unsuitable for the erection of a permanent building.

(2) A reference in these Regulations to the purchase of a property includes a purchase made under an agreement for the sale and purchase of the property where title to the property will be conveyed, transferred or assigned to the purchaser on payment of the full purchase price.

Scheme applicable to property of certain tenures only

3. No money standing to the credit of a member in the Fund shall be withdrawn under these Regulations for the payment of the purchase price or part thereof of a property or for the repayment of any loan in full or in part unless he has acquired or will acquire with respect to the property —

- (a) an estate in fee simple or perpetuity; or
- (b) a leasehold estate having an unexpired term of at least 60 years at the date of his application for the withdrawal of money under these Regulations.

[S 479/92 wef 01/12/1992]

Application by member to withdraw amount standing to his credit

4.—(1) A member who has purchased a property or has obtained a loan for the purchase of property, whether before or after 1st May 1986, may submit an application to the Board to withdraw the whole or part of the amount standing to his credit in the Fund to be used for the payment of the purchase price or part thereof or for the repayment of any loan in full or in part, or for both.

(2) An application under paragraph (1) may be approved by the Board subject to such terms and conditions as the Board may impose.

(3) A member who has obtained a loan shall not be entitled to make any withdrawals under these Regulations for the repayment of the loan unless the loan is a term loan or is

granted on an overdraft basis and the repayment of the loan is secured by a mortgage on the property or an another property of which he is the owner or a joint-owner.

Amount standing to the credit of member may be applied in payment of mortgaged property

5. Where a member has, whether before or after 1st May 1986, obtained a loan for the purchase of a property the repayment of which is secured by a mortgage on that property or another property of which he is the owner or a joint-owner and is required to pay instalments of principal and interest towards the loan either at monthly intervals or otherwise, the Board may, on application being made by the member and subject to such terms and conditions as the Board may impose, authorise the whole or part of the amount standing to his credit in the Fund to be withdrawn by him and used for the payment of those instalments.

Discretion of Board

6. Notwithstanding regulations 4 and 5, the Board may, at its discretion and subject to such terms and conditions as it may impose, allow a member to withdraw money under any of those regulations even if the loan obtained by the member is not secured by a mortgage on the property or any other property.

Maximum withdrawal limit under regulations 3 and 4

7. The total amount which may be withdrawn by a member to repay one or more loans under regulations 3 and 4 shall be determined by the Board but in no case shall such amount exceed 70% of the value of the property at the date of the signing of the agreement for the sale and purchase of the property as assessed by the Board.

Maximum withdrawal limit

8. The total amount of money which may be withdrawn by a member under these Regulations for any one or both of the following purposes:

- (a) to make full or partial payment towards the purchase of a property;
- (b) to make periodic payments towards the repayment of a loan or to make full or partial repayment of a loan,

shall not exceed 70% of the value of the property on the date of the signing of the agreement for the sale and the purchase of the property as assessed by the Board.

Mortgaged property

9.—(1) Where the property is subject to one or more subsisting mortgages, the Board may, as a condition for the withdrawal of money under these Regulations, require the