

# **COVID-19 (Temporary Measures) (Part 10A Relief) Regulations 2021**

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**No. S 578**

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

**COVID-19 (TEMPORARY MEASURES)  
(PART 10A RELIEF) REGULATIONS 2021**

In exercise of the powers conferred by section 79K of the COVID-19 (Temporary Measures) Act 2020, the Minister for National Development makes the following Regulations:

**PART 1**

**PRELIMINARY**

## Citation and commencement

1. These Regulations are the COVID-19 (Temporary Measures) (Part 10A Relief) Regulations 2021 and come into operation on 6 August 2021.

## Definitions

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

“application” means an application under section 79F(1) of the Act for the Part 10A Registrar to appoint a Part 10A assessor to adjust the contract sum for the purpose mentioned in section 79C(2) of the Act;

“Part 2 Regulations” means the COVID-19 (Temporary Measures) (Temporary Relief for Inability to Perform Contracts) Regulations 2020 (G.N. No. S 303/2020);

“Part 10A Registrar’s directives” means directives issued by the Part 10A Registrar under regulation 17;

“respondent”, in relation to an application, means the other party to the construction contract mentioned in section 79C(3) of the Act with whom the applicant made a reasonable attempt to negotiate for an adjustment of the contract sum;

“working day” means any day other than a Saturday, Sunday or public holiday.

## PART 2

### GENERAL MATTERS

#### Prescribed later date for sections 79C(2) and 79G(1)(b)(i) of Act

2A. The prescribed later date for the purposes of sections 79C(2) and 79G(1)(b)(i) of the Act is 31 March 2022.

*[S 723/2021 wef 29/09/2021]  
[S 972/2021 wef 27/12/2021]*

#### Prescribed forms

3.—(1) The forms to be used for the purposes of these Regulations are those set out on the Internet website at <https://go.gov.sg/cotma10a>, and any reference in these Regulations to a lettered form is a reference to the current version of the form bearing the corresponding letter that is displayed at that website.

(2) Every form to be served on any party or submitted to the Part 10A Registrar or a

Part 10A assessor must —

- (a) contain such particulars;
- (b) comply with such requirements; and
- (c) be accompanied by such documents,

as may be specified —

- (d) in the form;
- (e) by the Part 10A Registrar or the Part 10A assessor; and
- (f) in the Part 10A Registrar's directives,

whichever is applicable.

### **Prescribed mode of service**

4.—(1) In these Regulations, a person (*A*) serves a document on another person (*B*) by the prescribed mode of service if —

- (a) *A* sends the document to *B*'s last email address; or
- (b) where *A* is for any reason unable to send the document in the manner described in sub-paragraph (a) — *A* sends the document to *B*'s last postal address by prepaid registered post.

(2) In this regulation —

“document” includes a form;

“last email address” means —

- (a) an email address by which *A* corresponds with *B* on matters concerning the construction contract in question; or
- (b) if there is no such email address, an email address which *B* represents to *A* or to the public as the email address to which communications to *B* may be sent;

“last postal address” means —

- (a) the postal address designated by *B* for the purpose of receiving documents or communications under Part 10A of the Act or these Regulations; or
- (b) if *B* has not designated a postal address under paragraph (a) — *B*'s ordinary address;

“ordinary address” means —

- (a) in the case of a body corporate (including a limited liability partnership) or an unincorporated association —
  - (i) the body corporate’s or unincorporated association’s registered office, or principal office, in Singapore; or
  - (ii) in the absence of a registered office, or principal office, in Singapore, the body corporate’s or unincorporated association’s last known place of business in Singapore;
- (b) in the case of an individual, the individual’s usual or last known place of residence or business in Singapore; or
- (c) in the case of a partnership (other than a limited liability partnership), the partnership’s principal or last known place of business in Singapore.

## **Electronic system**

**5.**—(1) An electronic system is established for the purposes mentioned in paragraph (2).

(2) The purposes of the electronic system are —

- (a) to facilitate an application; and
- (b) to facilitate the submission of certain forms and documents to the Part 10A Registrar or a Part 10A assessor in relation to an application and the proceedings thereto.

(3) Regulation 8 of the Part 2 Regulations applies in relation to the use of the electronic system for the purposes in paragraph (1) as it applies in relation to the use of the electronic system for the purposes in regulation 7(2) of those Regulations.

## **PART 3**

### **PART 10A ASSESSOR’S DETERMINATION**

#### *Division 1 — Part 10A assessors*

## **Qualification of Part 10A assessors**