

COVID-19 (Temporary Measures) (Temporary Measures for Conduct of Collective Sale of Property) Order 2020

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THE SCHEDULE Modified provisions of LTSA for collective sale of property affected by COVID-19 event

No. S 870

COVID-19 (TEMPORARY MEASURES) ACT 2020

(ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES)
(TEMPORARY MEASURES FOR CONDUCT OF
COLLECTIVE SALE OF PROPERTY) ORDER 2020

In exercise of the powers conferred by section 40 of the COVID-19 (Temporary Measures) Act 2020, the Minister for Law makes the following Order:

Citation and commencement

1. This Order is the COVID-19 (Temporary Measures) (Temporary Measures for Conduct of Collective Sale of Property) Order 2020 and comes into operation on 6 October 2020.

Definitions

2. In this Order, unless the context otherwise requires —

“affected party” means any of the following (as applicable), not being the applicant in question:

- (a) each subsidiary proprietor of any lot in the strata title plan under section 84A or 84FA of the LTSA, or each proprietor of any flat in the development under section 84D or 84E of the LTSA;
- (b) the mortgagee or chargee of each subsidiary proprietor or proprietor mentioned in paragraph (a) or other person (other than a lessee) with an estate or interest in the lot or flat mentioned in that paragraph whose interest is notified on the land-register for that lot or flat;
- (c) each proprietor of the land under section 84E of the LTSA;
- (d) the mortgagee or chargee of each proprietor mentioned in paragraph (c) or other person with an estate or interest in the land mentioned in that paragraph whose interest is notified on the land-register for that land;
- (e) the subsidiary proprietor in reversion of the leasehold estate in the lots under section 84FA of the LTSA;
- (f) the mortgagee or chargee of the subsidiary proprietor mentioned in paragraph (e) or other person with an estate or interest in the lots mentioned in that paragraph and whose interest is notified on the subsidiary strata land-register for the lots;
- (g) the management corporation in question;

“applicant” means a person who makes an application under paragraph 4(1);

“application” means an application made under paragraph 4;

“building”, “common property”, “flat”, “land”, “Land Titles Registry”, “lot”, “management corporation”, “proprietor”, “strata roll”, “strata title plan” and “subsidiary proprietor” have the meanings given by section 3(1) of the LTSA;

“LTSA” means the Land Titles (Strata) Act (Cap. 158);

“LTSA Schedule” means a Schedule to the LTSA;

“MLAW website” means the website at <http://www.mlaw.gov.sg/covid19-relief> or any other online location specified on that website for the purposes of this Order;

“subsidiary strata land-register” means the series of records by that name prepared and maintained under section 10(1)(a) of the LTSA;

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

Modified provisions of LTSA for collective sale of property affected by COVID-19 event

3.—(1) An application may be made to the Minister by a person specified in the first column of the Schedule (called in this paragraph the Order Schedule), in a case mentioned in section 40(2) of the Act where a requirement of an LTSA Schedule set out opposite that person in the second column of the Order Schedule was not satisfied (whether before, on or after 6 October 2020) or is unlikely to be satisfied for the reason in section 40(2)(c) of the Act, for the purpose in sub-paragraph (2).

(2) The purpose is for a provision of an LTSA Schedule to be applied to that case with the modifications set out opposite that person in the third column of the Order Schedule.

(3) If the application is approved by the Minister, then the provisions of the LTSA Schedule apply to that case with those modifications.

Requirements of application

4.—(1) An application mentioned in paragraph 3 must be made to the Minister no later than 25 March 2021.

(2) The application must be in Form A1, and must specify —

(a) the date the collective sale committee that is the subject of the application is constituted for the purposes of a collective sale of property under Part VA of the LTSA;

- (b) the requirement of an LTSA Schedule for the collective sale that was not satisfied or is unlikely to be satisfied; and
- (c) a brief explanation why it was or will be inexpedient or impracticable to carry out any act necessary for the requirement to be satisfied in view of a COVID-19 event.

(3) The application must be made to the Minister in the manner required by the Minister.

(4) The applicant must, within 10 working days after the date the application is made, serve on every affected party —

- (a) a copy of the application; and
- (b) Form A2, being the form in which an objection to the application is to be made.

(5) The applicant must also affix a copy of the application to a conspicuous part of each building comprised in the strata title plan or the development, as the case may be.

(6) If the applicant fails to satisfy the Minister that the applicant has complied with sub-paragraphs (4) and (5), the Minister must reject the application.

Objection

5. An affected party may, no later than 10 working days after being served with a copy of the application and Form A2, submit to the Minister an objection to the application in Form A2, and serve on the applicant a copy of the objection.

Determination of application

6.—(1) The Minister may refuse to consider an application if the application —

- (a) is incomplete;
- (b) is not accompanied by any document specified in the form or by the Minister; or
- (c) is not made in accordance with paragraph 4.

(2) The Minister may, after considering the application and objections (if any) submitted —

- (a) approve the application; or
- (b) reject the application.