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ACTS SUPPLEMENT

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The following Act was passed by Parliament on 3 November 2020 and assented to by the President on 12 November 2020:—

REPUBLIC OF SINGAPORE

No. 37 of 2020.

I assent.



HALIMAH YACOB,
President.
12 November 2020.

An Act to amend the COVID-19 (Temporary Measures) Act 2020.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1.—(1) This Act is the COVID-19 (Temporary Measures) (Amendment No. 3) Act 2020.

(2) Sections 3 and 11(b) are deemed to have come into operation on 15 October 2020.

(3) Sections 6, 7, 8, 9, 10 and 11(a) and (c) to (k) come into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 1

2. Section 1 of the COVID-19 (Temporary Measures) Act 2020 (called in this Act the principal Act) is amended by inserting, immediately after subsection (4), the following subsections:

“(4A) Despite the expiry of Part 2, provisions in Part 2 and regulations made under section 19 that have been incorporated by reference in any other Part or regulations made under any other Part, continue to have effect in relation to that other Part or those other regulations.

(4B) Despite the expiry of Part 2, sections 10 and 11 continue to apply for the purpose of appointing assessors to make determinations under Part 8.”.

Amendment of section 3

3. Section 3 of the principal Act is amended by deleting subsections (2) and (3) and substituting the following subsections:

“(2) The Minister may, by order in the *Gazette*, extend or shorten for or by a period determined by the Minister, the prescribed period as it applies to —

(a) this Part or Part 2 or 3; or

(b) a description of scheduled contracts in Part 2, or a description of contracts within such description in Part 2,

and that period may be extended or shortened more than once.

(3) An order mentioned in subsection (2) made in relation to a description of contracts under paragraph (b) of that subsection may specify that the extension of the prescribed period does not apply in relation to any paragraph of section 5(3), and the provisions of Part 2 apply in relation to such contracts during the extension as if that paragraph were omitted.”.

Amendment of section 19X

4. Section 19X(5) of the principal Act is amended by inserting, immediately after the words “prescribed property,”, the words “the criteria for a PTO or the additional criteria that a PTO is to satisfy for the additional rental relief,”.

Amendment of section 32

5. Section 32 of the principal Act is amended —

(a) by deleting the word “and” at the end of paragraph (h), and by inserting immediately thereafter the following paragraphs:

“(ha) for the purpose of accounting for any rental relief or additional rental relief to which a tenant of any property is entitled under Part 2A —

- (i) to treat the whole or part of the benefit that the owner of the property has yet to pass to the tenant by the prescribed time under section 29(2), as having already been passed to the tenant by a date specified in the regulations;
- (ii) to provide that the Panel, when making a determination under section 30, must take into account the benefit that is treated by a regulation made pursuant to sub-paragraph (i) as having been passed to the tenant;

- (iii) to treat the whole or part of the benefit that the Panel has determined under section 30 that the owner is required to pass to the tenant, as having already been passed to the tenant by a date specified in the regulations; and
 - (iv) to provide for the recovery by the owner of the whole or part of the benefit that the owner has already passed to the tenant after the prescribed time in section 29(2) in reliance on the regulations in force before the date of the making of a regulation pursuant to this sub-paragraph, or pursuant to a determination of the Panel;
- (*hb*) to provide for the recovery by the owner of a property from a tenant of the property of the whole or part of the benefit that was passed to the tenant under specified circumstances; and”; and
- (*b*) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsections:
 - “(2) Regulations made under this section for the purpose of prescribing the amount or extent of the benefit that the owner of any property has to pass to a tenant of the property, may be made to operate retrospectively but not earlier than 13 May 2020.
 - (3) Regulations made under this section may, in respect of any retrospective regulations in subsection (2), also provide for the recovery by the owner of any property from a tenant of the property of the whole or part of the benefit that was passed to the tenant in reliance on the regulations in force before

the date the retrospective regulations in subsection (2) were made.”.

New Part 8A

6. The principal Act is amended by inserting, immediately after section 39, the following Part:

“PART 8A

EXTENSION OF TIME FOR CONSTRUCTION CONTRACTS

Application and interpretation of this Part

39A.—(1) This Part applies to a construction contract (including one to which the Government is a party) —

- (a) that was entered into before 25 March 2020, but not if the construction contract was renewed (other than automatically) on or after that date;
- (b) that remains in force on 2 November 2020; and
- (c) where, as at 7 April 2020, any construction works to be performed under the construction contract have not been certified in accordance with the construction contract as completed.

(2) In this Part —

“completion date”, in relation to any construction works to be performed under a construction contract, means the date by which the construction works must be certified in accordance with the construction contract as completed, failing which liquidated damages become payable by the party failing to so complete the construction works;

“construction works”, in relation to a construction contract, means the construction works (within the meaning given by section 3(1) of the Building and Construction Industry Security of Payment Act (Cap. 30B)) to be performed under the construction contract.