

# **Town Councils (Amendment) Bill**

## **Table of Contents**

**Bill No: 13/2005**

***Read the first time: 16th May 2005***

**Long Title**

**Enacting Formula**

**1 Short title and commencement**

**2 Amendment of section 3**

**3 Amendment of section 19**

**4 Amendment of section 21**

**5 Amendment of section 23**

**6 New Part IVA**

**7 Amendment of section 33**

**8 Amendment of section 39**

**9 Amendment of section 44**

**10 Amendment of section 46**

**11 Amendment of section 50**

**12 Related amendments to Central Provident Fund Act**

**13 Related amendments to Housing and Development Act**

## **Explanatory Statement**

## **Expenditure of Public Money**

### **Town Councils (Amendment) Bill**

#### **Bill No. 13/2005**

*Read the first time on 16th May 2005.*

An Act to amend the Town Councils Act (Chapter 329A of the 2000 Revised Edition) and to make related amendments to the Central Provident Fund Act (Chapter 36 of the 2001 Revised Edition) and the Housing and Development Act (Chapter 129 of the 2004 Revised Edition).

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

#### **Short title and commencement**

1. This Act may be cited as the Town Councils (Amendment) Act 2005 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

#### **Amendment of section 3**

2. Section 3(2) of the Town Councils Act (referred to in this Act as the principal Act) is amended by deleting the words “8 days” and substituting the words “14 days”.

#### **Amendment of section 19**

3. Section 19 of the principal Act is amended —

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

“(aa) with the approval of the Minister and the consent of the owner of the property on which the facilities are or to be erected, installed or planted, erect, install,

plant (including landscaping), repair and maintain facilities within the Town that is outside the common property of the residential and commercial property in the housing estates of the Board within the Town;”; and

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

“(3A) Nothing in subsection (3) shall authorise a Town Council to enter upon the property of any person within the Town unless the consent of the owner thereof has been first obtained.”.

### **Amendment of section 21**

4. Section 21(1) of the principal Act is amended by inserting, immediately after paragraph (e), the following paragraph:

“(ea) properly maintain and keep in a good and serviceable repair (including landscaping of) the facilities within the Town that is outside the common property of the residential and commercial property in the housing estates of the Board within the Town, where the facilities are erected, installed or planted by the Town Council with the approval of the Minister and the consent of the owner of the property on which the facilities are erected, installed or planted;”.

### **Amendment of section 23**

5. Section 23 of the principal Act is amended —

(a) by inserting, immediately after subsection (1), the following subsections:

“(1A) A Town Council may, by its employees or agents, also enter at any reasonable time, upon any flat of the Board within the Town for the purpose of determining whether any work is required to be carried out by the Town Council in accordance with this Act.

(1B) A person authorised under subsection (1A) to enter upon any premises shall not demand to do so as of right unless prior notice of the intended entry has been given to the occupier of those premises.”; and

(b) by inserting, immediately after the words “subsection (1)” in subsection (2), the words “or (1A)”.

### **New Part IVA**

6. The principal Act is amended by inserting, immediately after section 24, the following Part:

## “PART IVA

### LIFT UPGRADING WORKS

#### **Interpretation of this Part**

**24A.** In this Part, unless the context otherwise requires —

“improvement contribution” means the costs in respect of lift upgrading works recoverable by a Town Council from the owner of a flat or a Town Council under section 24D;

“lift upgrading works” means any building operations, demolition or installation works necessary or ancillary to installing any lift or additional lift in a building or part thereof;

“precinct” means any housing estate of the Board or any part thereof within a Town that is declared by the Minister under section 24B to be a precinct for the purposes of this Part;

“transfer” means a conveyance, sale, purchase, assignment, legal or equitable mortgage, charge, surrender or disposal in any manner of any estate or interest in a flat and includes a discharge of a mortgage, a reconveyance or the devolution of the rights of a deceased owner of a flat to another person;

“voting value” means the prescribed value of the vote of an owner of a flat at any poll under this Part.

#### **Declaration of precincts**

**24B.—**(1) The Minister may, after consulting the Board and the Town Council concerned, from time to time by order published in the *Gazette*, declare any housing estate of the Board or any part thereof within that Town Council’s Town to be a precinct for the purposes of the Town Council carrying out any lift upgrading works in buildings within the precinct.

(2) Any order made under subsection (1) shall include a plan with a description of the housing estate and the buildings within the precinct.

(3) The Minister may, by order published in the *Gazette*, revoke or amend any order made under subsection (1).

(4) In this section, any reference to the Minister shall include a reference to a Minister of State for the Ministry of National Development.

### **Lift upgrading works in a precinct**

**24C.**—(1) Where any housing estate of the Board or any part thereof within a Town has been declared a precinct under section 24B, the Town Council for that Town shall, as soon as practicable —

- (a) make arrangements to conduct in the manner prescribed a poll of such owners of the flats within the precinct as may be prescribed with a view to establishing their opinions about the Town Council's proposals to carry out lift upgrading works in buildings within the precinct; and
- (b) do such other things as the Minister may direct.

(2) A poll in connection with any Town Council's proposal to carry out lift upgrading works in any building within a precinct within its Town —

- (a) shall not be conducted except with the prior written approval of the Board; and
- (b) shall be a poll of such owners of such flats within the building as may be prescribed, being flats the occupants of which directly benefit from the lift upgrading works.

(3) A Town Council may carry out lift upgrading works in any building within a precinct within its Town if, and only if —

- (a) it appears from a poll of the prescribed owners of flats referred to in subsection (2)(b) that the total voting value of votes in favour of the Town Council's proposal to carry out lift upgrading works in the building is at least 75% of the total voting value of votes of all such owners; and
- (b) the Minister approves the carrying out of such lift upgrading works.

(4) No poll shall be invalid by reason of any failure to comply with any provision of this Part or any rules made thereunder relating to the conduct of a poll if it appears that the poll was conducted in accordance with the principles laid down in that provision, and that the failure did not affect the result of the poll.

(5) In this section, "owner" includes the Board in respect of any flat which the Board has not sold the leasehold interest therein.