

# **Housing and Development (Amendment) Bill**

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**Bill No: 31/1989**

*Read the first time: 29th May 1989*

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## Explanatory Statement

### Expenditure of Public Money

#### Housing and Development (Amendment) Bill

#### Bill No. 31/1989

*Read the first time on 29th May 1989.*

An Act to amend the Housing and Development Act (Chapter 129 of the 1985 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 Housing and Development (Amendment) Act 1989 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

#### Amendment of section 6

2. Section 6 of the Housing and Development Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting “5” in subsection (1)(c) and substituting “7”; and
- (b) by inserting, immediately after subsection (1), the following subsection:

“(1A) The Minister may appoint the Chief Executive Officer to be a member of the Board.”.

#### Amendment of section 15

3. Section 15 of the principal Act is amended —

- (a) by deleting subsection (1) and substituting the following subsection:

“(1) The Board may, with the approval of the Minister, form or

participate in the formation of a private company or companies (referred to in this section as the company) having such object as may be approved by the Minister.”; and

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

“(4) The Board may, with the written approval of the Minister, grant loans to any company in which the Board holds any shares.”.

### **Repeal of section 25**

4. Section 25 of the principal Act is repealed.

### **Amendment of section 26**

5. Section 26 (1) of the principal Act is amended —

- (a) by deleting the word “No” in the first line and substituting the words “Notwithstanding the repeal of section 25 of this Act by the Housing and Development (Amendment) Act 1989, no”; and
- (b) by deleting the words “section 25” in the last line and substituting the words “the repealed section”.

### **Amendment of section 27**

6. Section 27 of the principal Act is amended by deleting subsection (2) and substituting the following subsection:

“(2) Without prejudice to the generality of subsection (1), the Board may, with the approval of the Minister, make rules for or in respect of all or any of the following matters:

- (a) regulating the use and enjoyment of common property and open spaces in any land vested in or held in trust for the Board;
- (b) prohibiting or regulating the parking of vehicles on such common property or in such open spaces other than parking places;
- (c) prescribing that any act or omission in contravention of any rule shall be an offence punishable by a fine not exceeding \$4,000; and
- (d) prescribing the penalty (such penalty, if unpaid, to constitute a debt due to the Board and be recoverable as such) to be paid by the Board’s tenant or licensee, an owner of any flat, house or other living accommodation sold by the Board or an owner of any HUDC dwelling for late payment of any of the following moneys due to the

Board:

- (i) rent;
- (ii) licence fees;
- (iii) maintenance fees;
- (iv) moneys due under any loan provided to such owner for his purchase of such HUDC dwelling, flat, house or other living accommodation.”.

### **New sections 27A and 27B**

7. The principal Act is amended by inserting, immediately after section 27, the following sections:

#### **“Powers of composition**

**27A.**—(1) The Board may, in its discretion, compound any offence under any rules made under section 27 which is prescribed as a compoundable offence by collecting from the person reasonably suspected of having committed the offence a sum not exceeding \$400.

(2) The Board may, with the approval of the Minister, make rules prescribing the offences which may be compounded and the method and procedure by which such offences may be compounded.

(3) All sums of money received for the composition of offences under this section shall be paid into the funds of the Board.

#### **Liability of owner of vehicles for parking offences**

**27B.**—(1) When a parking offence is committed, the person who at the time of the commission of the offence is the owner of the vehicle in respect of which the offence is committed shall be guilty of an offence under the rules made under section 27 in all respects as if he were the actual offender guilty of the parking offence unless the court is satisfied that the vehicle was at the relevant time a stolen vehicle or a vehicle illegally taken or used.

(2) Nothing in this section shall affect the liability of the actual offender except that where a penalty has been imposed on or recovered from a person in relation to any parking offence no further penalty shall be imposed on or recovered from any other person in relation thereto.

(3) Notwithstanding subsection (1), no owner of a vehicle shall by virtue of this

section be guilty of an offence if he —

- (a) within 7 days after service on him of a notice alleging that he has been guilty of the offence, furnishes by statutory declaration to the Board the name and address of the person who was in charge of the vehicle at all relevant times relating to the parking offence concerned;
- (b) satisfies the Board that he did not know and could not with reasonable diligence have ascertained such name and address; or
- (c) satisfies the court that he did not know and could not with reasonable diligence have ascertained such name and address.

(4) A statutory declaration made under subsection (3)(a) if produced in any proceedings against the person named therein and in respect of the parking offence concerned shall be prima facie evidence that the person was in charge of the vehicle at all relevant times relating to such parking offence.

(5) A statutory declaration which relates to more than one parking offence shall not be regarded as a statutory declaration under, or for the purposes of, subsection (3)(a).

(6) In this section —

“owner”, in relation to a vehicle, includes —

- (a) every person who is the joint owner or part owner of the vehicle and any person who has the use of the vehicle under a hire-purchase agreement but not the owner under any such agreement;
- (b) the person in whose name the vehicle is registered except where the person has sold or otherwise disposed of the vehicle and has complied with the provisions of the rules applicable to him in regard to such sale or disposal; and
- (c) in the case of a vehicle in respect of which a general licence is issued under section 28 of the Road Traffic Act [Cap. 276], the person to whom the general licence is issued;

“parking offence” means an offence of parking a vehicle or of causing or permitting a vehicle to stand, wait or be parked in contravention of any rules made under section 27.”

## **Amendment of section 29**