

Housing and Development (Amendment) Bill

Table of Contents

Bill No: 5/1982

Read the first time: 15th March 1982

Long Title

Enacting Formula

1 Short title and commencement

2 Interpretation

3 New sections 30A, 30B, 30C and 30D

4 Amendment of section 41

5 Amendment of section 48A

6 New First and Second Schedules

Explanatory Statement

Expenditure of Public Money

Housing and Development (Amendment) Bill

Bill No. 5/1982

Read the first time on 15th March 1982.

An Act to amend the Housing and Development Act (Chapter 271 of the 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, 1982, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

2. Section 2 of the Housing and Development Act (referred to in this Act as the principal Act) is amended by inserting, immediately after subsection (1), the following subsection: —

“(1A) For the purposes of sections 30A, 30B, 30C, 30D and 48A(1)(j) —

“appointed day” means the date of commencement of the Housing and Development (Amendment) Act, 1982;

“Housing and Urban Development Company” means the Housing and Urban Development Company (Private) Limited incorporated in Singapore under the Companies Act (Cap. 185);

“Jurong Town Corporation” means the Jurong Town Corporation established by the Jurong Town Corporation Act (Cap. 209).”.

New sections 30A, 30B, 30C and 30D

3. The principal Act is amended by inserting, immediately after section 30, the following sections: —

“Transfer of properties, liabilities and obligations, etc.

30A.—(1) On the appointed day, all the estates and interests of —

- (a) the Housing and Urban Development Company in the lands described in the First Schedule to this Act; and
- (b) the Jurong Town Corporation in the lands described in the Second Schedule to this Act,

shall vest in the Board without further assurance subject to the same conditions of tenure incident thereto and to any subsisting encumbrances; and the Board shall have the power to execute any instrument under the Land Titles Act (Cap. 276),

disposing of or creating an interest in any of the lands so vested in the Board (hereinafter referred to as “transferred properties”).

(2) On the appointed day, any land described in the Second Schedule to this Act which immediately before that day was held in trust for the Jurong Town Corporation shall be held upon the same trust for the Board.

(3) Without prejudice to the generality of subsection (1), on the appointed day all the rights and liabilities of the Housing and Urban Development Company or the Jurong Town Corporation in connection with or pertaining to the transferred properties shall be transferred to the Board.

(4) All proceedings in respect of the transferred properties by or against the Housing and Urban Development Company or the Jurong Town Corporation which are pending on the appointed day may be continued, completed and enforced by or against the Board.

(5) Every agreement relating to any of the transferred properties to which the Housing and Urban Development Company or the Jurong Town Corporation was a party immediately before the appointed day, whether or not of such nature that the rights and liabilities thereunder could be assigned, shall have effect as from the appointed day as if —

- (a) the Board had been a party to such an agreement; and
- (b) for any reference to the Housing and Urban Development Company or the Jurong Town Corporation there were substituted in respect of anything to be done on or after the appointed day a reference to the Board.

(6) Without prejudice to the generality of subsection (1), in respect of lands vested in the Board under paragraph (b) of subsection (1), the Board may exercise all those powers conferred on the Jurong Town Corporation by Part IV of the Jurong Town Corporation Act (Cap. 209) and any reference to an appeal to the Minister in Part IV of that Act shall be construed as a reference to an appeal to the Minister charged with the responsibility for the Board.

Payment of compensation for transferred properties

30B.—(1) The Board shall pay to —

- (a) the Housing and Urban Development Company for the estates and interests in the lands vested in the Board under paragraph (a) of subsection (1) of section 30A such compensation as may be agreed between the Board and the Housing and Urban Development

Company; and

- (b) the Jurong Town Corporation for the estates and interests in the lands vested in the Board under paragraph (b) of subsection (1) of section 30A such compensation as may be agreed between the Board and the Jurong Town Corporation.

(2) Any dispute between the Board and the Housing and Urban Development Company or the Jurong Town Corporation as to the compensation to be paid under subsection (1) shall be referred to an arbitrator to be appointed by the Minister and the decision of the arbitrator shall be final and binding on the parties.

HUDC dwellings

30C. All dwellings erected before or after the appointed day on those lands which immediately prior to the appointed day were vested in the Housing and Urban Development Company and are vested in the Board pursuant to paragraph (a) of subsection (1) of section 30A shall be known as “HUDC dwellings” after the appointed day.

Transfer of rights and obligations relating to applications for HUDC dwellings

30D.—(1) Subject to this section, on and after the appointed day, all the rights and obligations of the Housing and Urban Development Company with respect to the sale of its dwellings (referred to in this Act as HUDC dwellings) shall be transferred to the Board.

(2) In all applications made to and registered with the Housing and Urban Development Company prior to the appointed day for the purchase of HUDC dwellings, any reference to the Housing and Urban Development Company shall be read as if it were a reference to the Board.

(3) The Board shall have power to vary the terms and conditions of any application made by an applicant and registered with the Housing and Urban Development Company prior to the appointed day for the sale and purchase of a HUDC dwelling after that day.

(4) Where an applicant refuses or fails to accept the terms and conditions as varied by the Board pursuant to subsection (3), the Board may cancel his application and refund the registration fee paid to the applicant; and no proceedings shall be instituted in any court by the applicant against the Board to recover any loss suffered directly or indirectly by the applicant arising out of or caused by the cancellation of his application.”.

Amendment of section 41

4. Section 41 of the principal Act is amended by deleting subsection (7) and substituting the following subsection: —

“(7) The Board may, in its discretion or on the direction of the Minister, exempt any person or class of persons from any or all of the provisions of this section.”.

Amendment of section 48A

5. Section 48A of the principal Act is amended —

(a) by inserting, immediately after the word “Singapore” in paragraph (j) of subsection (1), the words “or if the owner thereof has at any time whether before or after the appointed day ceased to be a permanent resident of Singapore”; and

(b) by inserting, immediately after subsection (7), the following subsection: —

“(8) The Minister may direct the Board to exempt any person or class of persons from any or all of the provisions of this section.”.

New First and Second Schedules

6. The principal Act is amended by inserting, immediately after section 67, the following Schedules: —

“FIRST SCHEDULE

Section 30A(1)(a).

DESCRIPTION OF LAND

Reference to Land Register		Town Subdivision	Mukim	Lot	Tenure
Volume	Folio				
184	59		XXVII	4458 } together with the buildings erected thereon	lease for a term of 103 years commencing from the 20th day of December 1974.