

Recovery of Possession of Controlled Premises (Special Provisions) Bill

Table of Contents

Bill No: 4/1968

Read the first time: 24th January 1968

Long Title

Enacting Formula

1 Short title and commencement

2 Interpretation

3 Minister may declare any area to be a designated development area

4 Recovery of possession of controlled premises for the purpose of development

5 Compulsory acquisition of land where landlord fails to develop

6 Constitution of Board

7 Payment of compensation to tenants to be within certain limits

8 Landlord may make compensation agreement with tenant and sub-tenant

9 Circumstances where landlord not liable to pay compensation to a sub-tenant

10 Landlord may make *ex gratia* payments to persons using or occupying controlled premises who do not pay rent

11 Order of Board to have effect to grant full and exclusive possession to landlord

12 Effect of order as against persons using or occupying the controlled premises who do not pay rent

13 Powers of the Board to examine on oath, etc

14 Duty of Board to advise tenants and sub-tenants of landlord's application

15 Orders and awards of Board to be binding and final

16 Register of Compensation Awards to be kept by Board

17 Proof of order of Board

18 Rules

Explanatory Statement

Expenditure of Public Money

Recovery of Possession of Controlled Premises (Special Provisions) Bill

Bill No. 4/1968

Read the first time on 24th January 1968.

An Act to provide for the recovery of possession of premises for development purposes where the premises are subject to control under the Control of Rent Ordinance (Chapter 242 of the Revised Edition), for the establishment of a Board to hear applications for recovery of possession of such premises and to assess the amount of compensation to be paid to tenants and sub-tenants on account of such recovery of possession and for

purposes connected therewith.

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 Recovery of Possession of Controlled Premises (Special Provisions) Act, 1968, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

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

“Board” means the Tenants’ Compensation Board constituted under section 6 of this Act;

“controlled premises” means any premises occupied or used as a dwelling house, flat, factory, warehouse, office, counting house, shop, school and any other building, whether of permanent or temporary construction in which persons are employed, and any part of any such building let or sublet separately; and includes any land whereon any such building is or has been erected with the consent of the landlord, where such premises are subject to control pursuant to the provisions of the Control of Rent Ordinance (Cap. 242) and are situated in a designated development area;

“Chairman” means the Chairman of the Board;

“designated development area” means an area designated for development by the Minister under subsection (1) of section 3 of this Act;

“develop” means to carry out any building, engineering or other operations in, on or over land in accordance with a plan for development; and “development” shall be construed accordingly;

“landlord” means the landlord of controlled premises in respect of which a tenancy exists and includes the landlord of a statutory tenant and in the case of a sub-tenancy a tenant who sublets the premises or any part thereof;

“plan for development” means a plan for development approved by a public officer appointed by the Minister for the purpose;

“rent” means the total amount paid by the tenant to the landlord in consideration of the enjoyment of the premises let to him, whether described as rent or not, and includes any sum paid as hire for the use of furniture where controlled premises

are let furnished or where controlled premises are let and the furniture therein is hired by the landlord to the tenant;

“tenancy” means any lease, demise, letting or holding of controlled premises whether in writing or otherwise, by virtue whereof the relationship of landlord and tenant is created, but does not include the letting or hiring of furnished rooms with board;

“tenant” means the tenant of controlled premises in respect of which a tenancy exists and includes a statutory tenant and in the case of a sub-tenancy a sub-tenant to whom the controlled premises or part thereof is sublet.

Minister may declare any area to be a designated development area

3.—(1) The Minister may, by notification in the *Gazette*, declare any part of Singapore to be a designated development area for the purposes of this Act.

(2) The notification shall state that a plan for development and more particular description of the part of Singapore that is referred to in the notification may be inspected at such place or places as are specified in the notification.

(3) Upon publication of the notification in the *Gazette* that part of Singapore referred to in the notification shall become a designated development area for the purposes of this Act.

Recovery of possession of controlled premises for the purpose of development

4.—(1) Notwithstanding the provisions of any written law but subject to the provisions of this Act, a landlord of any controlled premises may, upon payment of the prescribed fee, apply in writing to the Board for the recovery of the possession thereof if —

- (a) the controlled premises are situated in a designated development area; and
- (b) the landlord intends to effect or cause to be effected development under this Act in relation to the controlled premises, or any part thereof.

(2) Every application made under subsection (1) of this section shall be supported by —

- (a) evidence that funds are available for the purpose of putting into effect such development;
- (b) evidence that the landlord has obtained written approval for a plan of development;
- (c) an undertaking in writing that work for the purpose of putting into effect

such development will commence within six months of the date when possession of the controlled premises shall have been obtained or such further period as the Board may determine in any particular case;

- (d) an undertaking in writing that the landlord will deposit with the Board within fourteen days of the date that he is notified by the Board that his application has been granted such amount of compensation as the Board in accordance with the provisions of this Act determines to be a fair and reasonable compensation to the tenant for any damage or loss which would be sustained or any reasonable expenses which would be incurred by the tenant as a result of such recovery of the controlled premises.

(3) The Board after considering the application made under subsection (1) of this section and upon being satisfied as to the matters referred to in subsection (2) of this section may grant the application and make an order accordingly for the landlord to recover possession of the controlled premises.

(4) Where the Board makes an order for the recovery of possession of any controlled premises the following provisions shall apply: —

- (a) the landlord shall within fourteen days of the making of the order deposit with the Board the amount of compensation awarded in accordance with the provisions of section 7 of this Act and if he fails to deposit the same the order shall, unless the Board otherwise determines, be deemed to be revoked and of no legal effect; and
- (b) every tenant against whom the order is made shall vacate the controlled premises in question within ninety days of the making of the order or within such further period as the Board in any particular case may allow; and on vacating those controlled premises, or any part thereof, such tenant may remove any building or structure erected by him on those controlled premises.

(5) Upon vacating those controlled premises the compensation awarded under section 7 of this Act and deposited under subsection (4) of this section shall be paid by the Board to the tenant against whom the order was made.

(6) Where the tenant fails to vacate those controlled premises within the period of ninety days of the making of such order, or within such further period as the Board has allowed, the Board may, without further order, take such measures (including the calling for the assistance of the police) as are necessary to have the tenant evicted from the controlled premises.

(7) The controlled premises vacated by the tenant under this section shall not be used by the landlord for any purpose other than effecting development in accordance with the