
First published in the Government *Gazette*, Electronic Edition, on 31st December 2012 at 12 noon.

No. S 695

**CENTRAL PROVIDENT FUND ACT
(CHAPTER 36)**

**CENTRAL PROVIDENT FUND
(APPROVED HDB-HUDC HOUSING SCHEME)
(AMENDMENT) REGULATIONS 2012**

In exercise of the powers conferred by section 77(1) of the Central Provident Fund Act, Mr Tan Chuan-Jin, Senior Minister of State, charged with the responsibility of the Minister for Manpower, after consulting with the Central Provident Fund Board, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Central Provident Fund (Approved HDB-HUDC Housing Scheme) (Amendment) Regulations 2012 and shall come into operation on 1st January 2013.

Amendment of regulation 2

2. Regulation 2 of the Central Provident Fund (Approved HDB-HUDC Housing Scheme) Regulations (Rg 14) (referred to in these Regulations as the principal Regulations) is amended —

- (a) by inserting, immediately after the word “lessee,” in the definition of “property” in paragraph (1), the words “and includes any land adjacent to the house or flat that the Housing and Development Board has approved for purchase or acquisition as part of the house or flat,”; and
- (b) by deleting paragraph (3).

Amendment of regulation 5

3. Regulation 5 of the principal Regulations is amended —

- (a) by inserting, immediately after sub-paragraph (a) of paragraph (1), the following sub-paragraphs:

-
-
- “(aa) any change in the manner of holding of a property (in which the member has an estate or interest) from a joint tenancy to a tenancy in common, or vice versa;
 - (ab) the transfer of any part (but not the whole) of the member’s estate or interest in a property to any other person;”;
 - (b) by deleting the words “of any interest or title by the member” in paragraph (2)(a) and substituting the words “by the member of the whole of his interest or title”; and
 - (c) by inserting, immediately after the words “divestment by the member of” in paragraph (2)(b), the words “the whole of”.

Amendment of regulation 8

4. Regulation 8(1) of the principal Regulations is amended by inserting, immediately after the words “section 27C(1)(iii)” in sub-paragraph (b), “, 27DA(1)(iii)”.

Amendment of regulation 9

5. Regulation 9 of the principal Regulations is amended —

- (a) by deleting the words “paragraph (2) and” in paragraph (1);
- (b) by inserting, immediately after the words “section 27C(1)(iii)” in paragraph (1)(b), “, 27DA(1)(iii)”;
- (c) by deleting sub-paragraph (ii) of paragraph (1) and substituting the following sub-paragraph:
 - “(ii) when the member is entitled to withdraw the amount standing to his credit in the Fund under section 15(2)(b) or (c) of the Act, and the Board has given its authority under section 15(1) of the Act for such withdrawal,”; and
- (d) by deleting paragraph (2).

Amendment of regulation 11**6. Regulation 11 of the principal Regulations is amended —**

- (a) by inserting, immediately after the words “section 27C(1)(iii)” in paragraph (1)(b), “, 27DA(1)(iii)”;
- (b) by deleting the words “Subject to paragraphs (6), (9) and (10), where the member making the sale, transfer, assignment or disposal is below the age of 55 years at the time of the sale, transfer, assignment or disposal, he” in paragraph (2) and substituting the words “Subject to paragraphs (3), (4) and (5), the member making the sale, transfer, assignment or disposal”;
- (c) by deleting paragraphs (4), (5), (6), (9) and (10) and substituting the following paragraphs:

“(3) Subject to paragraphs (4) and (5), where the member sells, transfers, assigns or disposes of the property or his estate or interest therein to any person without consideration or for a consideration below the market value of the property, the member shall, unless the Board otherwise directs, pay to his account in the Fund, in such manner as the Board may determine, the amount prescribed in paragraph (2)(b).

(4) Paragraphs (1), (2) and (3) do not apply where the member sells, transfers, assigns or disposes of only part (but not the whole) of his estate or interest in the property.

(5) Notwithstanding paragraphs (2), (3) and (4), where the member transfers (other than by way of sale) his estate or interest in the property to his spouse pursuant to an order of court referred to in section 27C(1)(c), 27DA(1)(c) or 27E(1)(c) of the Act —

- (a) in the case of an order of court referred to in section 27C(1)(c) of the Act, the person referred to in section 27C(1)(i) of the Act shall pay to the member’s account in the Fund, in such manner as the Board may determine, any amount

referred to in section 27C(1)(i) of the Act which the person may be required by the order of court to pay to the Board;

- (b) in the case of an order of court referred to in section 27DA(1)(c) of the Act, the person referred to in section 27DA(1)(i) of the Act shall pay to the member's account in the Fund, in such manner as the Board may determine, any amount referred to in section 27DA(1)(i) of the Act which the person may be required by the order of court to pay to the Board; or
- (c) in the case of an order of court referred to in section 27E(1)(c) of the Act, the member or person referred to in section 27E(1)(i) of the Act shall pay to the member's account in the Fund, in such manner as the Board may determine, such of the amounts referred to in section 27E(1)(i)(A), (B) and (C) of the Act as may be applicable to the member or person.”; and
- (d) by deleting the definitions of “net proceeds” and “relevant amount” in paragraph (11) and substituting the following definitions:

 - ““net proceeds”, in relation to any property, or a member's estate or interest in a property, which is sold, transferred, assigned or disposed of, means the excess, if any, of —

 - (a) the consideration for the sale, transfer, assignment or disposal of the property, or of the member's estate or interest in the property, as the case may be, or, if the Board so elects, the value of the property, or of the member's estate or interest in the property, as the case may be, at the time of the sale, transfer, assignment or disposal as assessed by the Board; over

(b) the aggregate of the following amounts paid in the following order:

- (i) any amount under a housing loan for the purchase or acquisition of the property, or of the member's estate or interest in the property, as the case may be, which has not been repaid; and
- (ii) any amount which, under any written law, is to be paid to any other person in priority to the Fund, or such part of that amount as the Board determines to be attributable to the member's estate or interest in the property, as the case may be;

“relevant amount” means —

(a) in relation to a member who is required under section 27C(1)(iii) of the Act to make a payment to the Fund upon the sale or disposal of a property, the excess, if any, of —

- (i) the amount payment of which was secured by the charge on the property referred to in section 27C(1)(b) of the Act; over
- (ii) the amount which has been paid to the Board under section 27C(1)(i) of the Act towards covering the deficiency in the minimum sum which the spouse is required to set aside;

(b) in relation to a member who is required under section 27DA(1)(iii) of the Act to make a payment to the Fund upon the sale