

**Housing and Development (Common Property and Open Spaces) (Amendment No. 2) Rules 2000**

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**No. S 549**

**HOUSING AND DEVELOPMENT ACT  
(CHAPTER 129)**

**HOUSING AND DEVELOPMENT (COMMON PROPERTY AND OPEN SPACES)  
(AMENDMENT NO.2) RULES 2000**

In exercise of the powers conferred by section 27(1) of the Housing and Development Act, the Housing and Development Board, with the approval of the Minister for National Development, hereby makes the following Rules:

**Citation and commencement**

1. These Rules may be cited as the Housing and Development (Common Property and Open Spaces) (Amendment No.2) Rules 2000 and shall come into operation on 1st December 2000.

**Deletion of rules 3A and 4 and substitution of rule 4**

2. The Housing and Development (Common Property and Open Spaces) Rules (R 3) are amended by deleting rules 3A and 4 and substituting the following rule:

**“Power to detain and remove vehicles**

4.—(1) Where a vehicle is parked on any common property or in any open

space in contravention of any of the provisions of these Rules, or appears to have been abandoned on any common property or in any open space, any officer authorised by the Board (referred to in this rule as an authorised officer) may, in his discretion —

- (a) remove the vehicle to a place of safety or any other place and detain it thereat; or
- (b) prevent the removal of the vehicle without his consent by fixing an immobilisation device to the vehicle.

(2) Where any authorised officer has removed any vehicle to a place of safety or any other place under paragraph (1)(a) or fixed an immobilisation device to the vehicle under paragraph (1)(b), he shall, with reasonable despatch, give notice in writing to the owner of the vehicle as to the procedure by which the owner may secure the release of the vehicle, and such notice shall be served on the owner of the vehicle —

- (a) in the case where the vehicle has been removed to a place of safety or any other place, in accordance with the Act or where this is not possible, by posting it on any notice board maintained by the relevant Town Council that is nearest the part of the common property or open space where the vehicle was parked or found; or
- (b) in the case where an immobilisation device has been fixed to the vehicle, by affixing the notice onto the windscreen or any conspicuous part of the vehicle.

(3) No vehicle which has been removed and detained by an authorised officer under paragraph (1)(a) or to which an immobilisation device has been fixed under paragraph (1)(b) shall be released to the owner of the vehicle except —

- (a) by or under the direction of an authorised officer; and
- (b) upon the owner of the vehicle having paid all expenses incurred by the Board, and such other charges as may be imposed under these Rules.

(4) Any person who, without the authority of an authorised officer, removes or tampers with any notice affixed to a vehicle under paragraph (2)(b) shall be guilty of an offence.

(5) Any person who, without being authorised to do so in accordance with this rule, removes or attempts to remove —

- (a) any vehicle from any place at which it is being detained under