

**Housing Developers (Control and Licensing) Act
(CHAPTER 130)**

Table of Contents

Long Title

Part I PRELIMINARY

1 Short title

2 Interpretation

3 Minister to appoint Controller and other officers

Part II LICENSING OF HOUSING DEVELOPERS

4 Housing development to be carried out only by licensed housing developer

5 Licences not to be granted or valid in certain cases

6 Restriction on use of words "housing developer" and on use of certain other words

7 Revocation of licence

Part III DUTIES OF LICENSED HOUSING DEVELOPERS

8 Controller to be advised of alteration

9 Licensed housing developer to open and maintain Project Account

10 Audited balance-sheet and profit and loss account

11 Statement to be supplied

12 Sale, disposal, etc., of business requires consent of Controller

13 Appointment of auditors

14 Controller or inspector may investigate licensed housing developers

15 Special investigation of licensed housing developers

16 Examination of affairs of licensed housing developer

17 Production of books, accounts and documents of licensed housing developer

18 Action by Minister if licensed housing developer unable to meet obligations or is conducting business to the detriment of purchasers or the public

19 Control of licensed housing developer by company or statutory board

20 Punishment for failure to comply with directions of Minister

21 Licensed housing developer under control of company or statutory board to co-operate with company or statutory board and Controller

Part IV POWER TO MAKE RULES AND TO ISSUE DIRECTIONS

22 Rules

23 Power to give directions

Part V GENERAL

24 Indemnity

25 Individual not eligible to take part in management of business of licensed housing developer

26 Penalty for offences not otherwise provided for

27 Offences by companies, etc., and by employees and agents

28 Exemption

29 Fiat of Public Prosecutor

Legislative History

HOUSING DEVELOPERS (CONTROL AND LICENSING) ACT (CHAPTER 130)

(Original Enactment: Act 4 of 1965)

REVISED EDITION 1985

(30th March 1987)

An Act for the licensing and control of housing developers.

[1st October 1965]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Housing Developers (Control and Licensing) Act.

Interpretation

- 2.—(1) In this Act, unless the context otherwise requires —

“company” means any company incorporated, formed or registered under the provisions of the Companies Act [Cap. 50] or any corresponding previous written law;

“Controller” means the Controller of Housing appointed under section 3(1);

“develop” means to construct or cause to construct housing accommodation, including any building operations in, on, over or under the land for the purpose of erecting housing accommodation and the sale by a housing developer of land which would be appurtenant to such housing accommodation;

“housing accommodation” includes a building or tenement wholly or principally constructed, adapted or intended for human habitation or for human habitation and as business premises;

“housing developer” means any —

- (a) person;
- (b) group of persons, whether in partnership or otherwise;
- (c) society, whether a co-operative society or otherwise; or
- (d) company,

who or which engages in or undertakes housing development, but does not include any —

- (i) bank which is in possession of a valid licence granted by the Monetary Authority of Singapore under section 4 of the Banking Act [Cap. 19];
- (ii) insurance company registered under section 7 of the Insurance Act [Cap. 142],

so long as such bank or insurance company only lends or provides money for housing development;

“housing development” means the business of —

- (a) developing;
- (b) providing the money for developing or for the purchase of, more than 4 units of housing accommodation; or
- (c) developing and providing the money for the purchase of more than 4 units of housing accommodation resulting from such development;

“inspector” means an inspector appointed under section 3(2);

“licence” means a licence granted under section 4(4);

“licensed housing developer” means a housing developer holding a valid licence.

Minister to appoint Controller and other officers

3.—(1) The Minister shall appoint an officer to be styled the Controller of Housing for the purposes of this Act.

(2) The Minister may appoint such number of inspectors and other officers and employees as he thinks necessary for the purposes of this Act.

PART II

LICENSING OF HOUSING DEVELOPERS

Housing development to be carried out only by licensed housing developer

4.—(1) No housing development shall be carried out or undertaken in Singapore except by a housing developer who or which is in possession of a licence in writing from the Controller authorising it to do so.

(2) A housing developer that desires to carry out or undertake housing development in Singapore may apply to the Controller in the prescribed form for a licence and shall supply —

- (a) if a company, a copy of the memorandum of association and articles of association or other instrument under which the company is incorporated;
- (b) if a group of persons or a partnership, a copy of any agreement between those persons or the partnership agreement, as the case may be;
- (c) if a society, the rules or by-laws of the society;
- (d) a copy of the latest balance-sheet of the partnership, society or company or, in the case of a person or group of persons, the balance-sheet, if any, relating to any housing development undertaken by the person or group of persons; and
- (e) such other information as may be required by the Controller.

(3) Any copy of a memorandum, articles of association, agreement, partnership agreement, rules or by-laws of a society or balance-sheet which is supplied to the Controller under subsection (2) shall be duly verified by a statutory declaration in the case of —

- (a) a company, by a senior officer of the company;