

Watch the YouTube on this Bill. It will be tested in the exam.

# Covid-19 (Temporary Measures) Bill

## Temporary Relief Measures



Prepared by Mdm Celeste Ng on 16 May 2020

Read the details at [www.celeste.com.sg](http://www.celeste.com.sg) under “Watch Videos”

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REPUBLIC OF SINGAPORE  
GOVERNMENT GAZETTE  
ACTS SUPPLEMENT

*Published by Authority*

NO. 13] THURSDAY, APRIL 9 [2020

The following Act was passed by Parliament on 7 April 2020 and assented to by the President on 7 April 2020:—

COVID-19 (TEMPORARY MEASURES) ACT 2020

(No. 14 of 2020)

I assent.

HALIMAH YACOB,  
*President.*  
7 April 2020.

The Amendment Act provides a **rental relief framework** for Small and Medium Enterprises (SMEs) and enhances the relief available for businesses, organisations and individuals, who are unable to fulfil their contractual obligations because of COVID-19.

The Act covers relevant contractual obligations that are to be performed **on or after 1 February 2020**, for contracts that were entered into **before 25 March 2020**.

<https://www.mlaw.gov.sg/covid19-relief/>

REPUBLIC OF SINGAPORE  
GOVERNMENT GAZETTE  
ACTS SUPPLEMENT

*Published by Authority*

NO. 26] FRIDAY, JUNE 19 [2020

The following Act was passed by Parliament on 5 June 2020 and assented to by the President on 16 June 2020:—

COVID-19 (TEMPORARY MEASURES)  
(AMENDMENT) ACT 2020

(No. 29 of 2020)

I assent.

HALIMAH YACOB,  
*President.*  
16 June 2020.

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## Types of Contracts Covered by the Act:

1. Leases and licences of non-residential property
2. Options to Purchase and Sales and Purchase Agreements with housing developers
3. Hire-Purchase and conditional sales agreements
4. Lease or Rental agreements for commercial equipment
5. Secured loan agreements to SMEs
6. Events and tourism-related contracts
7. Construction contracts and supply contracts

Click on this link to read the details

<https://www.mlaw.gov.sg/covid19-relief/temporary-relief-from-inability-to-perform-contract>

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## Contracts

Relief period from 20 April to 19 Oct 2020

Tenancy  
Agreement  
Or  
Licence  
Agreement

Signed **before**  
**25 March 2020**

Rental due for  
payment **on or**  
**after 1 Feb 2020**

Tenant can apply for  
Temporary Relief under this  
Bill if their inability to pay  
rent is **due to Covid-19**.

Rent is allowed to be  
deferred (not waived)  
till  
**19 Nov 2020**

Landlord is not allowed  
to evict or terminate  
the contract, but can  
charge nothing more  
than the interest rate  
mentioned in the  
contract.

Apply the relief to Ministry of Law

This Bill **excludes** contracts entered into on or after **25 March 2020**

# Contracts

Relief period from **20 April to 19 Oct 2020**

- Leases or licences for **non-residential property** whereby contractual obligations are to be performed on or after **1 Feb 2020** due to Covid-19.
  - E.g. TA signed before 25 March 2020 and the rental is due on or after 1 Feb 2020, tenants can apply this Bill to defer payment of rent till 19 Nov 2020 .
  - Landlords are not allowed to evict the tenants or take legal action against the tenants for non-payment of rent during this period till 19 Nov 2020.
- This Bill **excludes** contracts entered into on or after **25 March 2020**

Announced on 30 Sept 2020

## Amendments to the COVID-19 (Temporary Measures) Act

### (A) Expanded powers for rental relief assessors

Rental relief assessors can now make determinations on disputes relating to the actual amount of rent to be waived under the rental relief framework, where the amount is affected by any of the following factors:

- a. The amount of maintenance and service charges<sup>1</sup>, especially where such charges are not explicitly listed in the lease or licence agreement
- b. The amount that can be offset by assistance provided by the landlord earlier
- c. Tenant(s) occupying the property for only a part of the relief period
- d. Sub-division of the property, i.e. there are multiple sub-tenants, not all of whom may be eligible for the waivers

## Amendments to the COVID-19 (Temporary Measures) Act

### (B) Implementation of Part 8 of the Act

Relief for tenants of non-residential property who are unable to carry out or complete renovation or fitting out works during their rent-free period: A tenant of non-residential property may be granted a rent-free period to carry out renovation or fitting out works. Such a tenant may have lost the benefit of the rent-free period if its contractors were unable to carry out or complete the renovation or fitting out works due to the COVID-19 situation. The tenant may apply for relief under Part 8 in respect of the rent-free period that it was not able to utilise.

Relief for landlords who are unable to deliver possession or allow use of the property under a lease or licence of non-residential property: A landlord of non-residential property may be unable to deliver possession to the tenant by the date stipulated in the lease or licence, due to COVID-19 related delays in a separate construction contract that the landlord has with a third party. The landlord may apply for relief under Part 8 in respect of its inability to meet the delivery date to the tenant.

## Bankruptcy / Insolvency

		Previous	Now
<b>Min amount of debt to be made a bankrupt</b>	Person	\$15,000	\$60,000
	Company	\$10,000	\$100,000
<b>Debt Repayment Scheme</b>	Person	Not exceeding \$100,000	Not exceeding \$250,000
<b>Time period of demand from creditors</b>		21 days	6 months

# OTP, S&P & Lease granted by Housing Developers

Announced on 13 May

OTP / S&P / Lease  
From  
Housing  
Developer  
(only for  
residential  
development)

Signed **before  
25 March 2020**

Due for payment **on or  
after 1 Feb 2020** due to  
Covid-19

Payment refers to:

- Payment due upon exercising OTP
- Progress Payment under the S&P

**On or before 19 Oct  
2020**

Housing Developer is  
not allowed to forfeit  
the booking fee or  
terminate the S&P, but  
can charge nothing  
more than the interest  
rate mentioned in the  
contract.

Apply the relief to Ministry of Law to defer the payment from  
20 April 2020 till 31 Dec 2020.

OTP: Option to Purchase  
S&P: Sales and Purchase Agreement

## IRAS

### Covid-19 Support Measures

- **Income Tax:** Automatic Deferment for 3 months for Corporate and Self-Employed. Not automatic for employees (must apply). Deadline to file for income tax for individuals is extended to 31 May 2020.
- **Property Tax:** Non-residential properties will be granted property tax rebate for the period 1 January 2020 to 31 December 2020. Landlords must pass such rebate to the tenants.
  - Commercial properties badly affected by COVID-19 like hotels, serviced apartments, tourist attractions, shops and restaurants will receive a 100% rebate.
  - Other non-residential properties such as offices and industrial properties will get a 30% rebate on their property tax payable.

Announced on 6 May 2020

# Stamp Duty

## ABSD Remission for Married Couple

Pay ABSD first

**A**  
Current property  
Private residential or HDB

Buy B first, sell A later



**B**  
Purchased  
Private residential

Refund ABSD provided:

Sell current house within 6 months .....



This 6 months is now 12 months provided **B** is bought **on or before 1 Jun 2020**

Completed unit:  
upon exercising OTP of B

Uncompleted unit B:  
from earlier of TOP or CSC

OTP: Option to purchase  
TOP: Temporary Occupation Permit  
CSC: Certificate of Statutory Completion  
ABSD: Additional Buyer's Stamp Duty

Announced on 6 May & 8 Oct 2020

# Stamp Duty

## ABSD Remission for Housing Developers

Housing Developer

Buy residential land

Commence Development within 2 years (now **3** years bec' of Covid-19)

Pay 30% ABSD on the land (25% remission if following conditions are met)

Development of 5 or more units

If sell all units within 5 years from land acquisition date

Development of 4 or less units

If sell all units within 3 years from land acquisition date

## Stamp Duty

### QC Regime for Foreign Developer

Housing Developer with foreign shareholder

Apply QC to buy residential land

Must complete the project within 5 years (now **6** yrs bec' of Covid-19) from date of QC and sell off all units within 2 years from TOP/CSC otherwise pay heavy extension charge.

The new deadlines are extended during Covid-19 period provided the land is acquired or renewed on or before 1 June 2020 from SLA

SLA: Singapore Land Authority  
QC: Qualifying Certificate

TOP: Temporary Occupation Permit  
CSC: Certificate of Statutory Completion

## MAS

### Mortgage Repayment

- W.e.f 31 March 2020, mortgagor can apply to defer the mortgage payment (*principle only or principle and interest*) until **30 June 2021**.
- Interest will accrue only on the deferred principal amount, and no interest will be charged on the deferred interest payments. Reduced instalment repayment plans pegged at **60%** of borrowers' monthly instalment.
- Only apply to borrowers who were not in arrears for more than **90** days as at **6 April 2020**.
- This is offered to every mortgagor regardless whether he/she is hit by the Covid-19 situation.

Announced on 27 April 2020

## Strata Titles Board

### En Bloc Sales and MCST meetings

- The meetings required under the Land Titles (Strata ) Act can be conducted partially or wholly by electronic means during this period.
- Notice of the meeting may be sent by electronic means by the secretary of the MC. Casting of votes electronically must be able to identify the voters with due care and diligence that the email login details are not disclosed to any other party.
- Certain rules still must be adhered. Please refer to the link in the next slide.

MC: Management Corporation

MCST: Management Corporation Strata Title

Announced on 29 Sept 2020

## Strata Titles Board

### Proxy Restrictions at General Meetings for En Bloc Sales from 2021

- Today, under the LTSA, an owner of a strata-titled property may appoint a proxy to attend general meetings for en bloc sales and vote on proposals submitted at such meetings or the election of members of the collective sale committee on his behalf. However, there is no restriction on the number of owners a proxy may represent.
- With effect from Jan 2021, proxy holders are capped at either **2%** of the total number of lots in a strata development or **2** lots, whichever is higher.

<https://www.mlaw.gov.sg/news/press-releases/proxy-restrictions-at-general-meetings-for-en-bloc-sales-from-2021>

## How Long is the Relief Period and What Happens After That?

The relief from one's obligation to discharge one's contractual duties starts from 20 April 2020.

The end date of the relief depends on the type of contract that the parties are under:

Types of contracts	Relief period
<ul style="list-style-type: none"><li>Loans to Small-and-Medium Enterprises secured by certain collateral in Singapore</li><li>Commercial leases and licences</li><li>Hire-purchase and conditional sales agreements for commercial vehicles, or commercial plant/machinery</li><li>Rental agreements for commercial equipment or commercial vehicles</li></ul>	20 April 2020 to 19 November 2020
<ul style="list-style-type: none"><li>Event and tourism-related contracts</li><li>Options to purchase and sale and purchase agreements with developers</li></ul>	20 April 2020 to 31 December 2020
<ul style="list-style-type: none"><li>Construction contracts or supply contracts, or any performance bond granted thereto</li></ul>	20 April 2020 to 31 March 2021

[https://singaporelegaladvice.com/covid-19-temporary-relief-legal-obligations/?ck\\_subscriber\\_id=157825150](https://singaporelegaladvice.com/covid-19-temporary-relief-legal-obligations/?ck_subscriber_id=157825150)