

Circular No : URA/COH/Circular-2020-01

Our Ref: URA/COH/Circular

Date: 9 April 2020

CIRCULAR TO PROFESSIONAL INSTITUTES

Who should know

Developers and solicitors

Effective date

With effect from 9 April 2020

PRE-APPROVED AMENDMENTS TO THE OPTION TO PURCHASE AND SALE & PURCHASE AGREEMENT FOR ELECTRONIC PAYMENT

- 1 Developers are required to use the standard Option to Purchase (OTP) and Sale and Purchase Agreement (S&PA) under the Housing Developers Rules (HDR) and Sale of Commercial Properties Rules (SCPR) for the sale of uncompleted properties. The Controller's approval is required for any amendments to the standard OTP and S&PA.
- 2 To facilitate the use of electronic payment of purchase price, the Controller has pre-approved amendments to the standard OTP and S&PA, to allow for payments of the instalment of purchase price by Fast and Secure Transfers (FAST), MAS Electronic Payment System (MEPS) or General Interbank Recurring Order (GIRO), as set out in [Annex A](#). Developers may adopt the pre-approved amendments for all OTPs to be issued and S&PAs to be entered into without further approval from the Controller of Housing.
- 3 For OTPs that have been issued or S&PAs that have been signed, the OTP and S&PA may also be amended to incorporate the pre-approved modes of payment of purchase price if both developers and purchasers agree, e.g. by way of a side letter or supplemental agreement. If the side letter or supplemental agreement is solely to effect the pre-approved amendments, without any other changes, the prior written approval of the Controller for the side letter or supplemental agreement is not required.

- 4 We would appreciate it if you could convey the contents of this circular to the relevant members of your organisation. If you or your members have any feedback or queries concerning this circular, you may contact us via email: ura_coh_registry@ura.gov.sg.

Thank you.

LING HUI LIN (MS)
CONTROLLER OF HOUSING
URBAN REDEVELOPMENT AUTHORITY

PRE-APPROVED AMENDMENTS TO PRESCRIBED FORMS UNDER THE HOUSING DEVELOPERS RULES

Effective date: 9 April 2020

The prescribed Form 2 under the Housing Developers Rules may be amended as stated below for all Options to Purchase to be issued without further approval from the Controller of Housing.

Form 2 – Option to Purchase	
Clause	Pre-approved amendments
1	<p>Clause 1.1</p> <p>Payment by FAST, MEPS and GIRO may be included as additional modes of payment:</p> <p>In consideration of the Booking Fee paid by way of ¹Cheque/Cashier's Order No. _____ crossed "Account Payee only" and drawn in favour of / by telegraphic transfer/Fast and Secure Transfers/MAS Electronic Payment System/General Interbank Recurring Order to (name of Vendor's project account opened with bank or finance company) which the Vendor has received from the Intending Purchaser, the Vendor grants the Intending Purchaser the option of purchasing the Property at the Purchase Price.</p> <p>¹ Delete whichever is inapplicable.</p>
2	<p>Clause 4.3</p> <p>Payment by FAST, MEPS and GIRO may be included as additional modes of payment:</p> <p>The Intending Purchaser who exercises this Option shall pay the Vendor S\$ _____, being 20% of the Purchase Price less the Booking Fee, ¹on the exercise of this Option/within 8 weeks after the date of this Option by way of Cheque or Cashier's Order crossed "Account Payee only" and drawn in favour of the following or by telegraphic transfer, Fast and Secure Transfers, MAS Electronic Payment System or General Interbank Recurring Order to the following: <u>(name of payee for the project account opened with bank or finance company)</u>.</p> <p>¹ Delete whichever is inapplicable.</p>

The prescribed Forms 4 and 5 under the Housing Developers Rules may be amended as stated below for all Sale and Purchase Agreements to be entered into by licensed housing developers without further approval from the Controller of Housing.

Sale and Purchase Agreement (Forms 4 and 5)		
Clause		Pre-approved amendments
1	Clause 5.9	<p>Payment by FAST, MEPS and GIRO may be included as additional modes of payment:</p> <p>“The Purchaser shall pay all instalments or amounts of the Purchase Price which are to be paid to the Vendor under items 1 to 3 of the Payment Schedule by way of cheque or cashier’s order crossed “Account Payee only” drawn in favour of (name of project account opened with bank or finance company) or by telegraphic transfer, <i>Fast and Secure Transfers, MAS Electronic Payment System or General Interbank Recurring Order</i> to the aforesaid Project Account.</p>

PRE-APPROVED AMENDMENTS TO PRESCRIBED FORMS UNDER THE SALE OF COMMERCIAL PROPERTIES RULES

Effective date: 9 April 2020

The prescribed Forms B and D under the Sale of Commercial Properties Rules may be amended as stated below for all Options to Purchase to be issued and Sale and Purchase Agreements to be entered into by non-residential developers without further approval from the Controller of Housing.

Form B – Option to Purchase	
Clause	Pre-approved amendments
Clause 1.1	<p>Payment by telegraphic transfer, FAST, MEPS and GIRO may be included as additional modes of payment:</p> <p>In consideration of the booking fee of \$ _____ plus \$ _____ (GST) paid by way of *Cheque/Cashier's Order No. _____ /<i>by telegraphic transfer/Fast and Secure Transfers/MAS Electronic Payment System/General Interbank Recurring Order</i> which We have received from You, We grant You the option of purchasing the Unit at the Purchase Price of \$ _____.</p> <p>* Delete whichever is inapplicable.</p>

Form D – Sale and Purchase Agreement	
Clause	Pre-approved amendments
Clause 5.8	<p>Payment by cashier's order, telegraphic transfer, FAST, MEPS and GIRO may be included as additional modes of payment:</p> <p>All instalments in items 1 to 3 of the Payment Schedule are to be paid to the Vendor by way of cheque <i>or cashier's order</i> crossed "Account Payee only" drawn in favour of the bank account which the Vendor has opened with (name of bank or financial institution) <i>or by telegraphic transfer, Fast and Secure Transfers, MAS Electronic Payment System or General Interbank Recurring Order to the aforesaid bank account.</i></p>