

Updated on 30 May 2020

FREQUENTLY ASKED QUESTIONS REGARDING ADVISORY ON CLOSURE OF SHOW GALLERIES

Q1 Can developers arrange for viewings by prospective purchasers at the show galleries and for completed properties on an appointment basis?

All show galleries set up by developers must be closed from 7 April 2020 until further notice. Developers are strictly not allowed to conduct any viewings and marketing activities in their show galleries during this period. Developers should also not conduct any in-person viewings of completed properties until further notice.

Q2 Can developers continue to showcase and market their projects digitally, such as having a video or live viewing of the show gallery or completed property?

Yes, developers can continue to showcase and market their projects using technology and digital platforms which do not involve in-person interactions.

Q3 Can developers or their appointed agent be allowed a one-time access to the show gallery to take video and/or photographs for the purpose of marketing the project?

Yes, developers or their appointed agent can be allowed a one-time access to the show gallery to take video and/or photographs to facilitate the setting up of virtual show galleries for online marketing and sales, subject to a cap of 3 persons for a maximum period of 3 hours at the show gallery. The relevant safe-distancing measures must be observed e.g. maintain safe distancing, wear mask. There should be no other persons at the show gallery at the same time.

Q4 Can developers carry out cleaning works at their show galleries from 2 June 2020?

Yes, developers can carry out cleaning/upkeeping of a show gallery, subject to a cap of 3 persons for a maximum of 3 hours once a week. The relevant safe-distancing measures must be observed e.g. maintain safe distancing, wear mask. There should be no other persons at the show gallery at the same time.

If developers wish to carry out renovation or rectification works at the show gallery, they will have to apply to BCA for approval.

Q5 Can developer's staff work at the backend office of the show gallery?

No, the show galleries shall remain closed until further notice. While developers can resume operation under the Safe Re-opening in Phase One, MTI's guideline is for businesses to adopt telecommuting to the maximum extent. Those who have been working from home so far should continue to do so. Employees should only go to office when demonstrably needed e.g. to access specialised systems/equipment that cannot be accessed from home or to complete a contract or transaction that is legally required to be completed in person and on-site.

Q6 Does the closure of show galleries apply to non-residential projects?

Yes, the closure applies to all show galleries, including those for non-residential projects.

Q7 Can developers continue to sell units in their projects during the closure of show galleries?

Yes, developers can continue to showcase and market their projects using technology and digital platforms which do not involve in-person interactions, and use digital modes of payment and communication without in-person interactions wherever feasible to continue conducting their business, in compliance with the enhanced safe distancing measures.

However, all physical, in-person meetings, whether at the show galleries or elsewhere, should not be held until further notice.

Q8 Can developers accept electronic payment from purchasers?

Yes, developers who wish to allow purchasers to pay the booking fees and progress payments using electronic payment can adopt the pre-approved amendments to the Option to Purchase (OTP) and Sale & Purchase Agreement (S&PA) to include payment by FAST, MEPS or GIRO, in addition to the existing modes via cheques or cashier's orders or telegraphic transfer. Please refer to our circular issued on 9 April 2020.

Developers must ensure that all purchase price paid by purchasers, regardless of the mode of payment, are deposited into the project account of the housing project. The Controller of Housing will conduct ad hoc checks on developers' booking register to check for compliance.

Q9 Can developers provide the Particulars, Documents and Information (PDI) on the housing project, and issue Option to Purchase and Sale & Purchase Agreement digitally to purchasers?

Developers can provide the PDI in digital forms to intending purchases provided that they can authenticate the identity of the intending purchasers and obtain their written acknowledgement of the PDI before accepting the booking fee. Developers should check with their solicitors on the conveyancing practice and guidelines if they wish to issue the Option to Purchase and Sale & Purchase Agreement digitally to purchasers to ensure that they comply with the relevant legislative requirements.

Q10 Can developers go back to their offices for a while during the "circuit breaker" period to carry out administrative work related to sale of properties, such as issuing notices to purchasers and signing legal documents, such as the Sale & Purchase Agreement?

During the "circuit breaker" period until 1 June 2020, developers can apply to MTI for a time-limited exemption through <https://covid.gobusiness.gov.sg> should there be any time-sensitive work that are critical to be executed but cannot be performed via telecommuting. We are prepared to support applications by developers for not more

than 3 staff to work at their offices for not more than 3 hours once a week for this purpose, subject to MTI's prevailing guidelines.

From 2 June 2020, firms involved in real estate activities may resume operations. MTI's guideline is for businesses to adopt telecommuting to the maximum extent. Those who have been working from home so far should continue to do so. Employees should only go to office when demonstrably needed e.g. to access specialised systems/equipment that cannot be accessed from home or to complete a contract or transaction that is legally required to be completed in person and on-site. Please refer to the details in MTI's guidelines at <https://covid.gobusiness.gov.sg/safemanagement/general>.

Developers are encouraged to carry out their business via telecommuting during this period, e.g. have legal documents posted/couriered to and signed by authorised employees or directors from their homes, and issuing notices via courier service.

Q11 Can developers arrange to meet purchasers to hand over vacant possession of units?

No, developers are not allowed to meet purchasers to hand over vacant possession of the units. For developers who need to deliver vacant possession of completed units to purchasers on urgent basis, they may do so provided there is no in-person interaction between any party. For example, developers can courier the keys with relevant documents to the purchaser such that no face-to-face interaction between the developer representative and purchasers is required.

If developers are unable to deliver vacant possession of the units without face-to-face interaction with the purchaser, developers should defer issuing the notice of Temporary Occupation Permit (TOP) until after the measures are lifted. For developers who have issued notice of TOP, they should discuss with purchasers to defer handing over the units until after the measures are lifted. To facilitate a mutually agreeable arrangement, developers can offer to defer the commencement date of the defects liability period and maintenance charges until the unit is handed over.

Q12 Can developers carry out defects rectification works during the "circuit breaker" period and Phase One "Safe Re-opening" starting from 2 June 2020?

Under BCA's advisory to the construction industry, only essential services such as the repair of roofs, ceilings, walls, floor water leakages, electrical repairs, aircon repairs and plumbing repairs in homes are permitted during this period. Developers can discuss with purchasers to defer non-essential defect rectification works until after the measures are eased. To facilitate a mutually agreeable arrangement, developers can offer to extend the defects liability period for purchasers as they are unable to carry out non-essential defect rectification works.

From 2 June 2020 onwards, developers who wish to carry out defect rectification works (involving construction sector WPH/S Pass workers) must seek approval from BCA and demonstrate that they are able to comply with the COVID-Safe restart criteria and the prevailing safe distancing and management measures, e.g. minimising number of persons involved and physical interactions, maintaining a distance of at least one metre apart, and wearing a mask.

Q13 Can developers carry out works to setup new show galleries and/or rectify existing the show galleries?

Developers who wish to set up or carry out any works at show galleries must get BCA's approval before doing so.