

Community Disputes Resolution (Amendment) Bill

Bill No. 30/2024.

Read the first time on 9 September 2024.

A BILL

intituled

An Act to amend the Community Disputes Resolution Act 2015 and to make related and consequential amendments to the Community Mediation Centres Act 1997, the Housing and Development Act 1959, the Police Force Act 2004 and certain other Acts, to provide for a community disputes management framework amongst neighbours and to enhance the powers and processes of Community Disputes Resolution Tribunals.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Community Disputes Resolution (Amendment) Act 2024 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

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PART 1

AMENDMENT OF COMMUNITY DISPUTES RESOLUTION ACT 2015

Amendment of long title

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2. In the Community Disputes Resolution Act 2015 (called in this Part the CDRA), in the long title, after “for community disputes”, insert “, a community disputes management framework”.

Amendment of section 2

3. In the CDRA, in section 2 —

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- (a) renumber section 2 as subsection (1) of that section;
- (b) in subsection (1), before the definition of “claim”, insert —

““auxiliary community relations officer” means an auxiliary community relations officer appointed under section 13D;”;

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- (c) in subsection (1), after the definition of “Community Mediation Centre”, insert —

““community relations officer” means a community relations officer appointed under section 13C;

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“Deputy Director” means a Deputy Director of Community Relations appointed under section 13B;

“Director” means a Director of Community Relations appointed under section 13B;

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“Director-General” means the Director-General of Community Relations appointed under section 13B;”;

(d) in subsection (1), in the definition of “Registry”, replace the full-stop at the end with a semi-colon;

(e) in subsection (1), after the definition of “Registry”, insert —

““Senior Assistant Director” means a Senior Assistant Director of Community Relations appointed under section 13B; 5

“statutory body” means a body corporate established by or under a public Act for the purposes of a public function; 10

“unreasonable interference”, in relation to a neighbour of an individual, means unreasonable interference with the enjoyment or use of the place of residence that the neighbour resides in.”; and 15

(f) after subsection (1), insert —

“(2) For the purposes of the definition of “unreasonable interference” in subsection (1) —

(a) whether an act or omission causes interference with a neighbour’s enjoyment or use of his or her place of residence is to be construed in accordance with section 4(2); and 20

(b) whether a person is a neighbour of an individual is to be construed in accordance with section 4(4) and (5).” 25

Amendment of section 3

4. In the CDRA, in section 3 —

(a) after the definition of “exclusion order”, insert —

““landlord” means the person who grants the right to occupy any place of residence under any lease or tenancy agreement and —

(a) includes a lessor, sub-lessor, licensor or sub-licensor of that place of residence under any lease or tenancy agreement;

(b) includes any person claiming to be entitled in any capacity to receive rents due under any lease or tenancy agreement; and

(c) excludes the following:

(i) a ministry or department of the Government, an Organ of State and a statutory body;

(ii) a person or class of persons prescribed in regulations made under section 33 as not being a landlord or landlords;”;

(b) after the definition of “special direction”, insert —

““tenant” means the person who has the right to occupy any place of residence under any lease or tenancy agreement and —

(a) includes a lessee, sub-lessee, licensee or sub-licensee of that place of residence under any lease or tenancy agreement;

(b) includes any person from whom a landlord claims rent to be due under any lease or tenancy agreement; and

(c) excludes the following:

- (i) a ministry or department of the Government, an Organ of State and a statutory body;
- (ii) a person or class of persons prescribed in regulations made under section 33 as not being a tenant or tenants;” 5

Amendment of section 4

5. In the CDRA, in section 4(4), replace the *Illustration* with — 10

“Illustrations

(a) X and Y live in the same apartment but in different rooms. X and Y occupy the same place of residence.

(b) An apartment with the same registered address is partitioned into sub-divided units with separate entrances. X and Y live in different sub-divided units in this apartment with the same registered address. X and Y occupy the same place of residence.”. 15

Amendment of section 5

6. In the CDRA, in section 5 —

(a) in subsection (1), after paragraph (d), insert — 20

“(da) any other order that the court may make under this Act;”;

(b) after subsection (1), insert —

“(1A) A court may also make one or more of the orders mentioned in subsection (1) if the court is satisfied that it is just and equitable to do so and that on a balance of probabilities — 25

(a) a respondent has failed to comply with an interim order made under section 5A against the respondent on an action on a claim under section 4 by the respondent’s neighbour; and 30

(b) the failure mentioned in paragraph (a) constitutes unreasonable interference with the respondent’s neighbour’s enjoyment or use of his or her place of residence.”;

5 (c) in subsection (2), after “subsection (1)”, insert “or (1A)”;
and

(d) after subsection (2), insert —

10 “(3) To avoid doubt, an order made under this section by the consent of the parties or in the absence of a party, in accordance with Rules of Court made under section 32, has the same force and effect as if the order were made by the court under this section after a hearing by the court.”.

New sections 5A and 5B

15 7. In the CDRA, after section 5, insert —

“Interim orders of court

20 **5A.**—(1) Where an action on a claim under section 4 has been brought on or after the appointed date, but no order under section 5 for that claim has been made, a court may, on an application by the claimant, make an interim order specified in subsection (2) if the court is satisfied that —

(a) there is prima facie evidence that —

25 (i) the respondent’s act or omission caused unreasonable interference with the respondent’s neighbour’s enjoyment or use of his or her place of residence; and

30 (ii) the act or omission mentioned in sub-paragraph (i) is likely to continue, and if allowed to continue is likely to have a substantial adverse effect on the respondent’s neighbour or the respondent’s neighbour’s day-to-day activities; and

(b) it is just and equitable for an interim order to be made.

(2) For the purposes of subsection (1), the court may make one or more of the following interim orders:

- (a) an interim order granting an injunction;
- (b) an interim order for specific performance;
- (c) any ancillary order as may be necessary to give effect to any of the interim orders.

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(3) In deciding whether it is just and equitable for an interim order to be made under subsection (1), the court is to consider all the matters mentioned in section 5(2).

(4) An application under subsection (1) may be made by an application without notice.

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(5) An interim order takes effect in respect of a party —

- (a) when the order is served on the party in the manner prescribed in Rules of Court made under section 32;
- (b) where the court dispenses with the service of the order, when the service of the order on the party is dispensed with by the court; or
- (c) at a later time specified by the court.

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(6) An interim order ceases to have effect at the earlier of the following times:

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- (a) when the claim before the court is determined, withdrawn, discontinued or abandoned;
- (b) when the interim order is suspended or revoked.

(7) A court may vary, suspend or revoke the interim order or extend the duration of the interim order, on the application of the applicant for an interim order, the respondent or any other person to whom the interim order is directed.

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(8) The respondent must not make an application under subsection (7) (to vary, suspend or revoke an interim order) more than 28 days after the date the interim order takes effect under subsection (5), unless the court grants the respondent permission to do so.

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(9) There is no appeal against a decision of the court made under this section.

(10) In this section and section 5B, “appointed date” means the date of commencement of section 7 of the Community Disputes Resolution (Amendment) Act 2024.

Power of court to vary orders

5B.—(1) Where an order was made under section 5 or 10A before, on or after the appointed date (called in this section the original order), the court may vary the original order or any of its terms if the court is satisfied —

(a) that on a balance of probabilities —

(i) there was a change in the personal circumstances of the applicant after the original order had been made; or

(ii) after the original order was made, the respondent, by any act or omission, caused unreasonable interference with the respondent’s neighbour’s enjoyment or use of the place of residence that the respondent’s neighbour resides in; and

(b) that it is just and equitable to vary the original order or any of its terms.

(2) An application for a variation mentioned in subsection (1) must be made by a party to the original order and no later than 2 years after the date of the original order.

(3) In deciding whether it is just and equitable for any original order to be varied under subsection (1), the court is to consider —

(a) in the case of an original order under section 5 — all the matters mentioned in section 5(2); and

(b) in the case of an original order under section 10A — the impact of the variation, if made, on the landlord.

- (4) The variation mentioned in subsection (1) must not —
- (a) add a party that was not a party to the original order;
 - (b) remove a party that was a party to the original order;
or
 - (c) impose an order in relation to a new act or omission causing unreasonable interference mentioned in subsection (1)(a)(ii) that is of a different category from the form of unreasonable interference addressed or contemplated in the original order. 5

Illustrations 10

(a) Where the original order is an injunction requiring the respondent to refrain from causing excessive noise in the form of hammering during specified times, the court may vary the injunction to include other forms of noise interference such as the playing of loud music during specified times, or all forms of noise interference. 15

(b) Where the original order is an order for specific performance requiring the respondent to prune a specific tree on his or her premises to prevent excessive leaf litter from the tree falling on his or her neighbour's place of residence, the court may vary the specific performance order to require the pruning of another tree on the respondent's premises to prevent excessive leaf litter from that tree falling on his or her neighbour's place of residence. 20

(c) Where the original order is an injunction requiring the respondent to refrain from causing excessive noise through the playing of loud music, the court must not vary the order to require the respondent to refrain from smoking in a manner that causes excessive second-hand smoke to enter the respondent's neighbour's place of residence. 25 30

(5) An application for a variation mentioned in subsection (1) does not operate as a stay of execution or enforcement of the original order, unless the court otherwise orders.”.

Amendment of section 9

8. In the CDRA, in section 9 — 35
- (a) replace subsection (1) with —

“(1) Where a contravening party fails to comply with —

(a) a special direction; or

(b) both an interim order of court under section 5A and an order of court under section 5 which were both made in substantially similar terms on the basis of substantially similar factual matrices,

the party in whose favour the special direction or both the orders of court mentioned in paragraph (b) (as the case may be) were made may apply to a court for an order that the contravening party be excluded from his or her place of residence.”;

(b) in the following provisions, delete “second”:

Subsections (2) and (3);

(c) in subsection (2), after “a special direction”, insert “or both the orders of court mentioned in subsection (1)(b) (as the case may be)”;

(d) replace subsection (5) with —

“(5) To avoid doubt, a court may make more than one exclusion order under this section against the same contravening party.”.

New section 10A

9. In the CDRA, after section 10, insert —

“Order for compliance by landlord

10A.—(1) Where a court has heard an action on a claim under section 4 brought before, on or after the appointed date, the court may (in addition to making an order under section 5) make an order specified in subsection (2) (called in this section a compliance order) against the landlord of the place of residence that the respondent resides in (called in this section the specified residence), if the court is satisfied that it is just and equitable to do so and that on a balance of probabilities —

- (a) the claimant gave to the landlord notice that the respondent (who is the landlord's tenant) was causing unreasonable interference by an act or omission specified in the notice;
- (b) the notice mentioned in paragraph (a) was in the form prescribed in Rules of Court made under section 32, and gave the landlord not less than the period specified in those Rules to abate the act or omission; 5
- (c) the act or omission specified in the notice mentioned in paragraph (a) falls within the same category of unreasonable interference to which any term of the order made or to be made under section 5 relates; and 10
- (d) the unreasonable interference mentioned in paragraph (a) continued after the end of the period of notice mentioned in paragraph (b) was given. 15

Illustrations

(a) Where the notice given to the landlord under subsection (1)(a) relates to excessive noise caused by the respondent in the form of hammering during specified times, the terms of the order made or to be made against the respondent under section 5 may impose restrictions on all forms of excessive noise interference during specified times, and a compliance order may be made against the landlord in respect of that order made or to be made under section 5. 20

(b) Where the notice given to the landlord under subsection (1)(a) relates to excessive noise caused by the respondent, and the claimant subsequently obtains an order against the respondent under section 5 in respect of excessive noise and excessive smoke interference, then a compliance order may be made against the landlord only in respect of the terms of that order that relates to excessive noise. A compliance order may not be made against the landlord in respect of the terms of that order that relates to excessive smoke because prior notice of an act or omission falling within that category was not given to the landlord in accordance with subsection (1)(a). 25 30 35

(2) A compliance order may for the purpose of ensuring compliance by the respondent with the terms of the order made

under section 5 that relates to the unreasonable interference mentioned in subsection (1)(a) and (c) —

(a) require that a landlord enter into a bond not exceeding \$10,000; and

5 (b) impose any condition on or direction to the landlord that the court thinks fit as part of the bond.

(3) Where a court has heard an application for a special direction under section 6, the court may (in addition to making an order under section 6) make a further compliance order specified in subsection (4) (called in this section a further compliance order) against the landlord of the specified residence, if the court is satisfied on a balance of probabilities that —

10 (a) a reasonable period has elapsed after a compliance order had been made under subsection (1) in addition to an order made under section 5 against the respondent; and

15 (b) the respondent has without reasonable excuse failed to comply with the terms of the order made under section 5 that relates to the unreasonable interference mentioned in subsection (1)(a) and (c) in relation to the specified residence.

20 (4) A further compliance order may for the purpose of ensuring compliance by the respondent with the terms of the order made under section 5 that relates to the unreasonable interference mentioned in subsection (1)(a) and (c) —

(a) require that a landlord enter into a bond not exceeding \$20,000 in addition to any bond mentioned in subsection (2); and

25 (b) impose any condition on or direction to the landlord that the court thinks fit as part of the bond.

(5) A compliance order or further compliance order may not be made without first giving the landlord an opportunity to attend and be heard.

(6) Despite subsection (5), a compliance order or further compliance order may be made if the landlord mentioned in subsection (5), having been given an opportunity to attend and be heard, has failed to do so or cannot be found within a reasonable time. 5

(7) A person who fails to comply with an order to enter into a bond under subsection (2)(a) or (4)(a) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(8) The court may forfeit the whole or any part of the amount of any bond entered into under subsection (2)(a) or (4)(a) (as the case may be) where — 10

(a) the landlord failed to comply with the compliance order or further compliance order; and

(b) the court is satisfied that it is just and equitable in the circumstances of the case for the whole or any part of the amount of the bond to be forfeited. 15

(9) A bond may not be forfeited under subsection (8) without first giving the landlord an opportunity to attend and be heard.

(10) Despite subsection (9), a bond may be forfeited under subsection (8) if the landlord mentioned in subsection (9), having been given an opportunity to attend and be heard, has failed to do so or cannot be found within a reasonable time. 20

(11) Where a person is convicted of an offence under subsection (7), the failure to comply with the order to enter into a bond under subsection (2)(a) or (4)(a) (as the case may be) is not punishable as a contempt of court. 25

(12) A person is not to be convicted of an offence under subsection (7) in respect of any non-compliance that has been punished as a contempt of court. 30

(13) In this section, “appointed date” means the date of commencement of section 9 of the Community Disputes Resolution (Amendment) Act 2024.”

Amendment of section 11

10. In the CDRA, in section 11 —

(a) in subsection (1), replace “section 6(3)” with “section 6(3) or 10A(2)(a) or (4)(a)”; and

5 (b) in subsection (2), after “14 days”, insert “(or such longer or shorter period as may be prescribed in substitution)”.

New section 11A

11. In the CDRA, after section 11, insert —

“Order to address hoarding

10 **11A.—**(1) A tribunal may, on the application of the Director-General, make an order to authorise a community relations officer or any other person specified in the order to remove and dispose of any thing or material in a place of residence specified in the order if the tribunal is satisfied on a
15 balance of probabilities that —

(a) there are accumulated or stockpiled, excessive or unconstrained things or material in the place of residence that a reasonable person would consider to be of low or no value or no utility in the
20 circumstances;

(b) the individual residing in the place of residence is unwilling or unable to remove or dispose of those things or material despite a notice or advisory to do so given by a community relations officer, a public officer, an officer or employee of a statutory body or a person exercising a public official function;

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(c) the accumulation or stockpiling of those things or material in the place of residence is of a nature or in a quantity that is causing unreasonable interference to the individual’s neighbour; and

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(d) an order for specific performance had been made under section 5(1)(c) whether before, on or after the appointed date but prior to the Director-General’s application, for the removal and disposal of the things or material mentioned in paragraphs (a), (b) and (c) but any term of the order has not been complied with. 5

(2) The order of the tribunal made under subsection (1) may authorise a community relations officer or any other person specified in the order to do any of the following with or without the consent of the owner or occupier of the place of residence: 10

(a) enter a place of residence at any reasonable time of the day for the purpose of enforcing the order;

(b) remove and dispose of any thing or material in the place of residence, that if not removed or disposed of would in the opinion of a reasonable person cause unreasonable interference to the individual’s neighbour; 15

(c) do any other act that may be specified in the order.

(3) The tribunal may vary, suspend or revoke the order made under subsection (1) on the application of the Director-General or any party to the order. 20

(4) In this section, “appointed date” means the date of commencement of section 11 of the Community Disputes Resolution (Amendment) Act 2024.”.

Amendment of section 12 25

12. In the CDRA, in section 12, replace “or 10” with “, 10 or 10A”.

New section 12A

13. In the CDRA, after section 12, insert —

“Mandatory treatment orders

12A.—(1) This section applies if the court is satisfied on a balance of probabilities that as a result of a respondent’s (X) 30

unreasonable interference with the respondent's neighbour's (*Y*) enjoyment or use of the place of residence that *Y* resides in —

- (a) an action on a claim under section 4, brought on or after the appointed date, by *Y* has been made out against *X*;
- (b) *X* failed to comply with an order of court made under section 5 pursuant to an action on a claim brought on or after the appointed date;
- (c) *X* failed to comply with a settlement agreement treated as an order of court under section 31A and registered on or after the appointed date; or
- (d) *X* failed to comply with a special direction made under section 6 for failure to comply with an order of court or settlement agreement mentioned in paragraph (b) or (c), respectively.

Power to make mandatory treatment orders

(2) The court may make a mandatory treatment order requiring *X* to undergo psychiatric treatment for a specified period, but *X* must not be subject to one or more mandatory treatment orders for a total period longer than 36 months in respect of the same basis for the court's satisfaction in subsection (1).

(3) A mandatory treatment order may be made —

- (a) on the initiative of the court; or
- (b) on an application by —
 - (i) *Y*; or
 - (ii) the Director-General.

Preliminary grounds

(4) Before making a mandatory treatment order, the court must have reasonable grounds to believe that —

- (a) *X* is likely to be suffering from a psychiatric condition; and

(b) the psychiatric condition is likely to be a contributing factor for *X*'s conduct or behaviour that was the basis for the court's satisfaction in subsection (1).

(5) Before deciding whether reasonable grounds exist for the purpose of subsection (4), the court — 5

(a) may call for a preliminary assessment report by a specified psychiatrist; and

(b) must consider any prescribed matter.

(6) If the court calls for a preliminary assessment report, the court — 10

(a) may order *X* to attend before the specified psychiatrist at the times and places required by the specified psychiatrist; and

(b) must cause a copy of the report to be extended to —

(i) *X*; 15

(ii) *X*'s advocate and solicitor; or

(iii) *X*'s representative mentioned in section 29(2).

(7) There is no appeal against any decision of the court to call for or not to call for a preliminary assessment report.

Calling for formal assessment report 20

(8) If the court considers that reasonable grounds exist for the purpose of subsection (4) —

(a) the court must call for a formal assessment report on *X* by an appointed psychiatrist; and

(b) subsections (9) to (13) apply to the preparation of the report. 25

(9) The court may order *X* to —

(a) reside in a psychiatric institution for observation for one or more periods (each not exceeding 3 weeks) as the court thinks fit; or 30

(b) attend before the appointed psychiatrist at a psychiatric institution at the times required by the appointed psychiatrist.

5 (10) The appointed psychiatrist must assess and report whether —

(a) *X* is suffering from a psychiatric condition;

(b) the psychiatric condition is a contributing factor for *X*'s conduct or behaviour that was the basis for the court's satisfaction in subsection (1);

10 (c) the psychiatric condition is susceptible to treatment; and

(d) *X* is suitable for the treatment.

(11) In assessing whether *X* is a person suitable for treatment for his or her psychiatric condition, the appointed psychiatrist
15 may consider the following factors:

(a) whether *X* is likely to attend the treatment sessions at the times and places required by the appointed psychiatrist;

(b) *X*'s physical and mental state;

20 (c) *X*'s financial standing and ability to pay all or any part of the cost of the treatment that is reasonable for *X* to pay.

(12) *X* may submit a report by another psychiatrist, engaged by *X*, to the appointed psychiatrist within —

25 (a) 3 weeks after the date the court calls for the formal assessment report; or

(b) any longer period allowed by the court.

(13) Before making the formal assessment report, the appointed psychiatrist must consider any report submitted by
30 *X* under subsection (12).

(14) The court must cause a copy of the formal assessment report to be given to —

- (a) *X*;
- (b) *X*'s advocate and solicitor; or
- (c) *X*'s representative mentioned in section 29(2).

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Matters to be certified before mandatory treatment order may be made

(15) A mandatory treatment order may only be made if the formal assessment report certifies all the following matters:

- (a) *X* is suffering from a psychiatric condition;
- (b) the psychiatric condition is a contributing factor for *X*'s conduct or behaviour that was the basis for the court's satisfaction in subsection (1);
- (c) the psychiatric condition is susceptible to treatment;
- (d) *X* is suitable for the treatment.

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(16) A mandatory treatment order must not be made if the formal assessment report certifies that the appointed psychiatrist is not satisfied as to any of the matters specified in subsection (15).

(17) The formal assessment report is to be taken to be final and conclusive as to the matters specified in subsection (15).

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Contents of mandatory treatment order

(18) A mandatory treatment order may require *X* to reside in —

- (a) a psychiatric institution; or
- (b) a prescribed place that provides psychiatric treatment, during the whole or a specified part of the period during which *X* is required by the order to undergo psychiatric treatment.

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(19) However, the requirement in subsection (18) may be imposed only if it is recommended by the appointed psychiatrist.

(20) A mandatory treatment order may include conditions specified by the court.

5 **Explanation of mandatory treatment order**

(21) Before making a mandatory treatment order, the court must explain to *X* in ordinary language —

- 10 (a) the purpose and effect of the order, and in particular the obligations of *X* as specified in subsection (22);
- (b) the consequences that may follow if *X* fails to comply with any of those obligations, or any conditions or requirements of the order; and
- 15 (c) that the court has the power, under subsection (23), to vary or revoke the order on an application by the appointed psychiatrist.

Obligations of person under mandatory treatment order

(22) If the court makes a mandatory treatment order, *X* must, while the order is in force —

- 20 (a) attend the treatment sessions at the times and places required by the appointed psychiatrist;
- (b) comply with all other conditions in connection with *X*'s treatment as the appointed psychiatrist may require; and
- 25 (c) comply with all other conditions or requirements of the order.

Variation and revocation of mandatory treatment order

(23) A mandatory treatment order may be varied or revoked by the court on an application by the appointed psychiatrist.

(24) A variation of a mandatory treatment order may include —

- (a) reducing or extending the period that *X* has to undergo psychiatric treatment; and
- (b) varying the conditions or requirements of the order. 5

(25) However, the period for which *X* has to undergo psychiatric treatment under a mandatory treatment order must not be extended beyond 36 months after the date the order is first in force.

(26) An application to vary or revoke a mandatory treatment order must be accompanied by the appointed psychiatrist's report on — 10

- (a) the extent to which *X* has complied with the order; and
- (b) any progress *X* has made in the treatment.

(27) In deciding whether to vary or revoke a mandatory treatment order, the court must consider — 15

- (a) the report by the appointed psychiatrist; and
- (b) any change of circumstances after the order was made.

Contempt of court 20

(28) To avoid doubt, *X* commits contempt of court if he or she intentionally contravenes subsection (22) or an order under subsection (6)(a) or (9).

Regulations

(29) The Minister charged with the responsibility for health may make regulations in relation to the treatment of a person subject to a mandatory treatment order, including but not limited to, prescribing the matters and places mentioned in subsections (5)(b) and (18)(b), respectively. 25

Definitions, etc.

(30) In this section —

“appointed date” means the date of commencement of section 13 of the Community Disputes Resolution (Amendment) Act 2024;

“appointed psychiatrist” means a psychiatrist appointed by the Director-General of Health for the purposes of this section;

“psychiatric institution” has the same meaning given by section 2(1) of the Mental Health (Care and Treatment) Act 2008;

“specified psychiatrist” means a psychiatrist, or a registered medical practitioner in post-graduate psychiatry training, specified by the court calling for a preliminary assessment report under subsection (5)(a).

(31) To avoid doubt, this section does not apply to any criminal proceedings or affect the application of section 339 of the Criminal Procedure Code 2010 in criminal proceedings.”.

New Part 2A

14. In the CDRA, after Part 2, insert —

“PART 2A

COMMUNITY RELATIONS OFFICERS

Division 1 — Preliminary

Interpretation of this Part

13A. In this Part, unless the context otherwise requires —

“abate”, in relation to an act or omission causing unreasonable interference, includes to prevent, reduce, eliminate or control the act or omission;

“auxiliary police officer” means an auxiliary police officer appointed under Part 9 of the Police Force Act 2004;

- “court” means a court of competent jurisdiction and includes a Community Disputes Resolution Tribunal;
- “detection and monitoring equipment” means any equipment or device (including any software) or a combination of such equipment and devices (including any software) that is capable of detecting, monitoring or recording any activity causing unreasonable interference in a place of residence or the vicinity of a place of residence; 5
- “entity responsible for the vicinity of a place of residence” means a person, agency or other entity that has the charge, management or control of the vicinity of the place of residence either on his, her or its own account or as agent of another person, including but not limited to, the Housing and Development Board established under the Housing and Development Act 1959, a Town Council established under the Town Councils Act 1988 or a management corporation for a strata title plan; 10 15
- “occupier”, in relation to a place of residence, means a person in occupation of the place of residence or having the charge, management or control of the place either on his, her or its own account or as agent of another person, but does not include a lodger; 20
- “owner”, in relation to a place of residence, means a person other than the mortgagee or chargee not in possession, who is for the time being entitled to dispose of the freehold of the place of residence whether in possession or reversion, or who holds under a leasehold or is entitled to the rents and profits of the place of residence; 25 30
- “place of residence” means a house, a flat, an apartment or other dwelling place used for the purpose of residence;
- “prescribed limitations” means the limitations prescribed under section 13G;

“suspected individual” means an individual who is suspected of an act or omission which causes unreasonable interference with his or her neighbour’s enjoyment or use of the place of residence that the neighbour resides in;

“vicinity”, in relation to a place of residence, includes any common corridor, common space or common property, any road, or any building or other property, in the surrounding area of the place of residence.

*Division 2 — Director-General of
Community Relations, community relations officers
and auxiliary community relations officers*

Appointment of Director-General, Directors, Deputy Directors and Senior Assistant Directors of Community Relations

13B.—(1) The Minister may appoint any person to be the Director-General of Community Relations who is responsible for the administration of this Part and to perform the following functions:

- (a) to facilitate the amicable and early resolution of disputes relating to unreasonable interference with an individual’s enjoyment or use of his or her place of residence;
- (b) to administer this Part subject to the general or special directions of the Minister;
- (c) to inform and advise the Minister on matters relating to this Part;
- (d) to perform such other functions and duties as the Minister may assign to the Director-General.

(2) The Minister may in writing appoint such numbers of Directors of Community Relations, Deputy Directors of Community Relations and Senior Assistant Directors of Community Relations as the Minister may consider expedient or necessary for the purposes of this Part.

(3) An appointment under subsection (1) must be published in the *Gazette*.

(4) Subject to the directions of the Director-General, the powers and duties of the Director-General under this Act may be exercised and discharged by a Director, Deputy Director or Senior Assistant Director of Community Relations.

5

Appointment of community relations officers

13C.—(1) The Director-General may in writing appoint any of the following individuals to be a community relations officer to facilitate the amicable and early resolution of disputes relating to unreasonable interference with an individual's enjoyment or use of his or her place of residence in any particular area or areas in Singapore:

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(a) a police officer;

(b) a public officer;

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(c) an officer or employee of a statutory body.

(2) The Director-General may, for any reason that appears to the Director-General to be sufficient, at any time revoke an individual's appointment as a community relations officer.

(3) An individual who is appointed as a community relations officer under subsection (1) does not, only because of the appointment, become an employee or agent of the Government.

20

Appointment of auxiliary community relations officers

13D.—(1) The Director-General may in writing appoint any of the following individuals who is at least 18 years of age to be an auxiliary community relations officer to facilitate the amicable and early resolution of disputes relating to unreasonable interference with an individual's enjoyment or use of his or her place of residence in any particular area or areas in Singapore:

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(a) an auxiliary police officer;

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(b) an individual who is not mentioned in section 13C(1) but who has the suitable training to properly exercise the powers of an auxiliary community relations officer.

5 (2) The Director-General may, for any reason that appears to the Director-General to be sufficient, at any time revoke an individual's appointment as an auxiliary community relations officer.

10 (3) An individual who is appointed as an auxiliary community relations officer under subsection (1) does not, only because of the appointment, become an employee or agent of the Government.

Identification cards and equipment

15 **13E.**—(1) The Director-General must issue to each community relations officer and auxiliary community relations officer an identification card, which must be carried at all times by the community relations officer or auxiliary community relations officer (as the case may be) when exercising powers under any provision in this Act or in any other written law.

20 (2) A community relations officer and an auxiliary community relations officer whose appointment as such ceases must return any identification card issued to him or her under subsection (1) to the Director-General.

25 (3) A community relations officer and an auxiliary community relations officer must produce his or her identification card for inspection —

(a) before exercising a power under this Act; and

(b) at any time during the exercise of a power under this Act, if asked to do so.

30 (4) A community relations officer and an auxiliary community relations officer is to be issued with such equipment, or such description of equipment, as the Director-General may determine to be necessary for the effectual discharge of the

duties of a community relations officer or an auxiliary community relations officer, as the case may be.

Public servants

13F. A community relations officer and an auxiliary community relations officer who, in the course of his or her duty as a community relations officer or an auxiliary community relations officer (as the case may be), exercises any power under this Part, in accordance with the written authorisation of the Director-General is taken to be a public servant for the purposes of the Penal Code 1871 when exercising the power.

*Division 3 — Powers and duties of Director-General,
community relations officers
and auxiliary community relations officers*

Powers and duties under this Part subject to prescribed limitations

13G.—(1) The powers and duties of the Director-General, Directors, Deputy Directors, Senior Assistant Directors, community relations officers and auxiliary community relations officers under this Part (called in this section the powers and duties) are subject to the following limitations that the Minister may prescribe by regulations made under section 13Z:

- (a) limitations as to the categories or types of unreasonable interference in relation to which the powers and duties may be exercised or performed;
- (b) limitations as to the degree of seriousness or severity of the unreasonable interference before certain powers and duties may be exercised or performed;
- (c) limitations as to the conduct of any relevant person or other circumstances in which the powers and duties may be exercised or performed;

(d) limitations as to the geographical area or location in which the powers and duties may be exercised or performed;

(e) limitations as to the types and capabilities of the detection and monitoring equipment that may be used or installed.

(2) The regulations mentioned in subsection (1) may —

(a) make different provisions for different categories or types of unreasonable interference;

(b) make different provisions for different classes of powers and duties that may be exercised or performed under different provisions of this Part;

(c) provide for the scope and application of any of the prescribed limitations to be determined by the Director-General including but not limited to determining the degree of seriousness or severity of the unreasonable interference before certain powers and duties may be exercised; and

(d) provide for factors which may be taken into account by the Director-General in determining whether a particular complaint or circumstance falls within the scope of the prescribed limitations.

Authorisation of community relations officers and auxiliary community relations officers to exercise powers

13H.—(1) The Director-General must issue each community relations officer and auxiliary community relations officer a written authorisation specifying each power mentioned in section 13I, 13J, 13L or 13M that the community relations officer or auxiliary community relations officer (as the case may be) may exercise subject to the prescribed limitations.

(2) A community relations officer or an auxiliary community relations officer (as the case may be) who is authorised to exercise any power under section 13I, 13J, 13L or 13M may only exercise the power —

(a) to the extent authorised by the Director-General under this section and subject to the prescribed limitations; and

(b) in any case where an individual is suspected of an act or omission which causes unreasonable interference with his or her neighbour's enjoyment or use of the place of residence that the neighbour resides in.

5

(3) The Director-General's authorisation under subsection (1) for a community relations officer or an auxiliary community relations officer (as the case may be) may also do all or any of the following:

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(a) limit the powers in section 13I, 13J, 13L or 13M that the community relations officer or auxiliary community relations officer (as the case may be) may exercise;

15

(b) limit when the community relations officer or auxiliary community relations officer (as the case may be) may exercise those powers;

(c) limit the geographical area or location in Singapore in which the community relations officer or auxiliary community relations officer (as the case may be) may exercise those powers;

20

(d) limit the categories or types of unreasonable interference in relation to which those powers may be exercised by the community relations officer or auxiliary community relations officer, as the case may be;

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(e) limit the circumstances in which the community relations officer or auxiliary community relations officer (as the case may be) may exercise those powers.

30

(4) A community relations officer or an auxiliary community relations officer who is authorised under subsection (1) to exercise any power under section 13I, 13J, 13L or 13M (as the

case may be) must obey all lawful directions (general or specific) of the Director-General when exercising that power.

(5) Nothing in section 13I, 13J, 13L or 13M and this section limits the Director-General of Public Health's powers under Part 5 of the Environmental Public Health Act 1987 or a Magistrate Court's powers under section 15 of the Miscellaneous Offences (Public Order and Nuisance) Act 1906.

Powers of community relations officers

13I.—(1) The powers that a community relations officer may be authorised under section 13H to exercise are all or any of the following:

- (a) to require a suspected individual to state the suspected individual's name and residential address;
- (b) to require any person present or residing in a place of residence to provide information on the identity and particulars of the owner of or any person residing in the same place of residence, where an act or omission causing unreasonable interference was reasonably suspected to have been committed in that place;
- (c) to require any of the following individuals to attend before a community relations officer, if any prior reasonable attempt to meet and communicate with the individual has not been successful:
 - (i) a suspected individual;
 - (ii) any complainant against the suspected individual;
 - (iii) any other individual who may assist in the investigation of the complaint against the suspected individual;
- (d) to advise a suspected individual to abate the act or omission causing unreasonable interference;
- (e) to photograph or film, or otherwise make an audio or visual recording in the place or the vicinity of the

- place where, or in respect of which, an act or omission causing unreasonable interference was committed or was reasonably suspected to have been committed, and any individual, thing, document or record in that place and to retain the photograph, film or recording; 5
- (f) to make a copy of and retain the copy of any document or record mentioned in paragraph (e);
- (g) to take statements from —
- (i) a suspected individual;
 - (ii) any complainant against the suspected individual; or 10
 - (iii) any other individual who may assist in the investigation of the complaint against the suspected individual;
- (h) to require any individual or complainant mentioned in paragraph (g) to make and sign a declaration of the truth of the statement that he or she makes; 15
- (i) to issue a written warning to a suspected individual to cease any act or omission causing unreasonable interference; 20
- (j) to issue written advisories to residents to maintain neighbourly relations and community peace;
- (k) to carry out an order made by a tribunal under section 11A and for this purpose the community relations officer may exercise the powers mentioned in this section; 25
- (l) to serve or deliver to a suspected individual, if he or she is alleged to have committed an offence, an offer of composition made by the Director-General or a person authorised by the Director-General; 30
- (m) to enter a place of residence at any reasonable time of the day, with the consent of the owner or occupier of the place of residence, for the purpose —

(i) of installing detection and monitoring equipment; or

(ii) of exercising any power under paragraph (e) or (f);

5 (n) to install detection and monitoring equipment in the vicinity of a place of residence without entering the place of residence and with the consent of the entity responsible for the vicinity of the place of residence;

10 (o) to serve or deliver any other direction, notice, order or requirement issued by the Director-General, a community relations officer or a tribunal under this Act.

15 (2) The powers that a community relations officer may be authorised under section 13H to exercise, with the Director-General's prior written approval, are all or any of the following:

20 (a) to require any person, organisation or public agency to provide information on the identity and particulars of the owner of or any person or tenant residing in a place of residence in respect of which an act or omission causing unreasonable interference was reasonably suspected to have been committed;

25 (b) to require any person to provide any other information in the possession or within the knowledge of that person that in the opinion of the Director-General is required to investigate an act or omission causing unreasonable interference that was reasonably suspected to have been committed;

30 (c) to enter a place of residence at any reasonable time of the day, without the consent of the owner or occupier of the place of residence for the purpose of exercising any power under subsection (1)(e) or (f).

(3) A community relations officer may, in the exercise of his or her powers under subsection (1)(m)(i) and (n) and (2)(c), be

accompanied by a person authorised by the Director-General to render technical and other assistance.

(4) The Director-General or a community relations officer may disclose or provide any information, statement, image, audio or visual recording, document or other evidence obtained under this section —

(a) to any court in relation to or in support of any claim or application under this Act; or

(b) for the purposes of exercising the functions or powers of the Director-General or a community relations officer under this Act.

(5) To avoid doubt, it is not necessary to obtain the consent of the owner or occupier of the place of residence mentioned in subsection (1)(n) in exercising the power in that provision to install detection and monitoring equipment in the vicinity of that place of residence.

Powers of auxiliary community relations officers

13J.—(1) The powers that an auxiliary community relations officer may be authorised under section 13H to exercise are all or any of the following:

(a) to require a suspected individual to state the suspected individual's name and residential address;

(b) to advise a suspected individual to abate the act or omission causing unreasonable interference;

(c) to photograph or film, or otherwise make an audio or visual recording in the place or the vicinity of the place where, or in respect of which, an act or omission causing unreasonable interference was committed or was reasonably suspected to have been committed, and any individual, thing, document or record in that place and to retain the photograph, film or recording;

(d) to make a copy of and retain the copy of any document or record mentioned in paragraph (c);

- (e) to take statements from —
- (i) a suspected individual;
 - (ii) any complainant against the suspected individual; or
 - (iii) any other individual who may assist in the investigation of the complaint against the suspected individual;
- (f) to require any individual or complainant mentioned in paragraph (e) to make and sign a declaration of the truth of the statement which he or she makes;
- (g) to serve or deliver a written warning to cease any act or omission causing unreasonable interference;
- (h) to serve or deliver written advisories to residents to maintain neighbourly relations and community peace;
- (i) to accompany and assist a community relations officer in the exercise of the community relations officer's powers under this Part, subject to the directions of the community relations officer;
- (j) to serve or deliver to a suspected individual, if he or she is alleged to have committed an offence, an offer of composition made by the Director-General or a person authorised by the Director-General;
- (k) to serve or deliver any other direction, notice, order or requirement issued by the Director-General, a community relations officer or a tribunal under this Act.

(2) The powers that an auxiliary community relations officer may be authorised under section 13H to exercise, with the Director-General's prior written approval, are all or any of the following:

- (a) to install detection and monitoring equipment in the vicinity of a place of residence without entering the place of residence and with the consent of the entity responsible for the vicinity of the place of residence;

(b) to enter a place of residence at any reasonable time to install detection and monitoring equipment with the consent of the owner or occupier of the place of residence.

(3) An auxiliary community relations officer may, in the exercise of his or her powers under subsection (2), be accompanied by a person authorised by the Director-General to render technical and other assistance. 5

(4) The Director-General or an auxiliary community relations officer may disclose or provide any information, statement, image, audio or visual recording, document or other evidence obtained under this section — 10

(a) to any court in relation to or in support of any claim or application under this Act; or

(b) for the purposes of exercising the functions or powers of the Director-General or an auxiliary community relations officer under this Act. 15

(5) To avoid doubt, it is not necessary to obtain the consent of the owner or occupier of the place of residence mentioned in subsection (2)(a) in exercising the power in that provision to install detection and monitoring equipment in the vicinity of that place of residence. 20

Discretion not to investigate or take further action

13K.—(1) The Director-General or a community relations officer may dismiss any complaint relating to unreasonable interference without any investigation or further action, if the Director-General or the officer is satisfied that the complaint is trivial, frivolous or vexatious or not made in good faith. 25

(2) The Director-General may in writing direct that a person be prohibited from making any further complaint if the Director-General is satisfied that the person had habitually and persistently, and without any reasonable ground, made trivial, frivolous or vexatious complaints relating to unreasonable interference. 30

(3) In deciding whether to issue a direction against a person under subsection (2), the Director-General may consider all the circumstances of the case including whether any civil restraint order under section 31C, 31D or 31E has been made against the person.

(4) Any person who without reasonable excuse fails to comply with a direction issued under subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

(5) Without affecting subsections (1) and (2), the Director-General or a community relations officer may dismiss any complaint relating to unreasonable interference without any investigation or further action after considering the following factors:

- (a) the likelihood that an amicable resolution to the dispute may be achieved;
- (b) the availability and need to prioritise the resources available;
- (c) the degree of seriousness or severity of the alleged unreasonable interference.

Division 4 — Abatement orders

Powers to issue and enforce abatement orders

13L.—(1) The Director-General may issue an abatement order in writing against any suspected individual or any other individual residing in the same place of residence as the suspected individual if —

- (a) the Director-General is satisfied after considering any complaint and the evidence and information obtained by the community relations officer or auxiliary community relations officer under section 13I or 13J (as the case may be) that the suspected individual or another individual residing in the same place of residence was responsible for the act or omission causing unreasonable interference;

(b) the suspected individual or another individual residing in the same place of residence was given a reasonable opportunity to make representations to the Director-General; and

(c) the suspected individual or another individual residing in the same place of residence was previously issued a written warning to cease that act or omission causing unreasonable interference but failed to do so.

(2) Despite subsection (1), where the Director-General —

(a) has reasonable grounds to believe that the act or omission causing unreasonable interference mentioned in subsection (1)(a) poses a serious and imminent threat or risk to the mental or physical health or welfare of other persons in the vicinity of the place of residence; and

(b) is satisfied that it is impracticable in the circumstances of the particular case for the requirements in subsection (1)(b) and (c) to be complied with,

the Director-General may issue an abatement order in writing under subsection (1) without complying with subsection (1)(b) and (c) except that a reasonable opportunity to make representations to the Director-General must be given immediately after the abatement order is issued.

(3) An abatement order may for the purpose of abating the act or omission causing unreasonable interference —

(a) require the individual specified in the abatement order to stop or to take any reasonable steps to stop any act specified in the order within a reasonable time specified in the order;

(b) require the individual specified in the abatement order to take any reasonable steps to stop any act, specified in the order, by any other individual residing in the

same place of residence within a reasonable time specified in the order;

- (c) require any other specified steps to be taken to abate the act or omission causing unreasonable interference; and
- (d) impose any conditions that the Director-General thinks fit.

(4) The Director-General may vary or revoke any abatement order issued under subsection (1).

(5) Any person who, without reasonable excuse, fails to comply with an abatement order within the time specified in the order shall be guilty of an offence and shall be liable on conviction —

- (a) to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part of a day during which the offence continues after conviction; and
- (b) in the case of a second or subsequent conviction, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 3 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part of a day during which the offence continues after conviction.

(6) The Director-General may (even though proceedings for an offence under subsection (5) have not started) authorise in writing a community relations officer to exercise the powers set out in subsection (7) if the Director-General is satisfied that —

- (a) an individual has, without any reasonable excuse, failed (in whole or in part) to comply with an abatement order within the time specified in the order;
- (b) at least 2 written warnings have been given to the individual to comply with the order; and
- (c) in the case where any instrument or object was used to cause the unreasonable interference, the removal of

the instrument or object will reduce the unreasonable interference.

(7) The powers mentioned in subsection (6) are all or any of the following:

- (a) to enter a place of residence at any reasonable time of the day (with or without the consent of the owner or occupier of the place of residence) for the purpose of taking reasonable steps to abate or investigate the act or omission causing unreasonable interference; 5
 - (b) to require an owner or occupier of the place of residence to produce and surrender any instrument or object suspected to have been used to cause the unreasonable interference; 10
 - (c) to take reasonable steps, with or without the consent of the owner or occupier of the place of residence — 15
 - (i) to abate or investigate the act or omission causing unreasonable interference in any appropriate manner; or
 - (ii) to seize and remove any instrument or object suspected to have been used to cause the unreasonable interference; 20
 - (d) to retain or dispose of, in accordance with regulations made under section 13Z, any instrument or object that has been seized or removed under paragraph (c)(ii).
- (8) Despite subsection (6), where the Director-General — 25
- (a) has reasonable grounds to believe that the failure to comply with an abatement order mentioned in subsection (6)(a) poses a serious and imminent threat or risk to the mental or physical health or welfare of other persons in the vicinity of the place of residence; and 30

(b) is satisfied that it is impracticable in the circumstances of the particular case for the requirement in subsection (6)(b) to be complied with,

5 the Director-General may authorise in writing a community relations officer to exercise any of the powers set out in subsection (7) without complying with subsection (6)(b).

10 (9) An auxiliary community relations officer may accompany and assist a community relations officer in the exercise of the community relations officer's powers under subsection (7), subject to the directions of the community relations officer.

(10) To avoid doubt, any reasonable step taken under subsection (7) does not affect any proceedings for an offence under subsection (5) but may be taken into consideration by the court in those proceedings.

15 (11) Where the abatement order under subsection (1) is issued to an individual who is not the owner of the place of residence in which that individual resides, the Director-General must cause a copy of the order to be given to the owner.

Division 5 — Referral for mediation

Referral for mediation by community relations officer, etc.

20 **13M.**—(1) Despite any written law, the persons mentioned in subsection (2) may in writing direct all or any of the following persons to a Community Mediation Centre or to any other prescribed person or entity for mediation (called in this section a mediation entity), with or without the consent of the persons to be directed for mediation:

25 (a) the individuals involved in a complaint or dispute involving alleged unreasonable interference with a neighbour's enjoyment or use of the neighbour's place of residence;

30 (b) a landlord of the place of residence of an individual mentioned in paragraph (a).

(2) The persons who may issue a direction under subsection (1) are —

- (a) a community relations officer so authorised under this Part;
- (b) where the complaint or dispute involves an allegation that a person who is a party to a settlement agreement breached the settlement agreement — a person authorised in writing by the mediation entity that administered the mediation where the settlement agreement was made;
- (c) a person authorised in writing by a mediation entity that administers a mediation under a direction issued under subsection (1); and
- (d) any of the following persons appointed in writing by the Minister to issue a direction under subsection (1) subject to any condition or limitation that the Minister may impose:
 - (i) a public officer;
 - (ii) an officer or employee of a statutory body.

(3) The persons mentioned in subsection (2) may, in issuing a direction under subsection (1), direct all or any of the persons referred for mediation to attend (personally or by a representative permitted under section 14 of the Community Mediation Centres Act 1997 or under a prescribed written law) before a mediation entity —

- (a) at a time and place to be specified in the direction; or
- (b) in the case where the mediation is to be conducted by electronic communication, video conferencing or other electronic means, at a time to be specified in the direction and in accordance with the electronic means specified in the direction.

(4) A direction issued under subsection (1) is final.

(5) Without affecting section 30, a direction under subsection (1) must not be made with respect to a complaint

or dispute involving alleged unreasonable interference with a neighbour's enjoyment or use of the neighbour's place of residence where —

- (a) an action on a claim under section 4 has been brought in any court; and
- (b) the subject of the claim is substantially the same as that of the complaint or dispute.

Division 6 — Offences

Obstructing community relations officer or auxiliary community relations officer

13N.—(1) Any person who without reasonable excuse —

- (a) refuses to give access to, or obstructs, hinders or delays; or
- (b) refuses to comply with any request, demand or order made or given by,

a community relations officer or an auxiliary community relations officer in the discharge of his or her duties under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) However, it is not an offence under subsection (1) for any person to refuse to comply with any request, demand or order made or given by a community relations officer or an auxiliary community relations officer (as the case may be) who —

- (a) fails to declare his or her office; or
- (b) refuses to produce his or her identification card on demand being made by that person.

Damaging, altering, etc., detection and monitoring equipment

13O. Any person who without reasonable excuse —

- (a) damages or alters; or

(b) obstructs or impairs the proper functioning of, any detection and monitoring equipment that has been installed in a place of residence or in the vicinity of a place of residence by a community relations officer or an auxiliary community relations officer pursuant to his or her powers under section 13I or 13J shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both. 5

Offence of providing false information, etc.

13P.—(1) If — 10

(a) a person provides a document, or makes a statement (whether orally, in writing or any other way) or gives information, to the Director-General, a Director, a Deputy Director, a Senior Assistant Director, a community relations officer or an auxiliary community relations officer; 15

(b) the document, statement or information is false or misleading, or the statement or information omits any matter or thing without which the statement or information (as the case may be) is misleading; 20

(c) the person knows, or ought reasonably to know, that the document is false or misleading, or that the statement or information is as described in paragraph (b); and

(d) the document is provided, or the statement is made or the information is given, for or in connection with a question or request of the Director-General, a Director, a Deputy Director, a Senior Assistant Director, a community relations officer or an auxiliary community relations officer (as the case may be) under this Act, 25 30

the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) Subsection (1) does not apply if the document, statement or information is not false or misleading in a material particular, or if the statement or information did not omit any matter or thing without which the statement or information (as the case may be) would be misleading in a material particular.

Impersonating community relations officer or auxiliary community relations officer

13Q.—(1) An individual who represents himself or herself, by word or conduct to be a community relations officer or an auxiliary community relations officer, when he or she is not a community relations officer or an auxiliary community relations officer (as the case may be), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 6 months or to both.

(2) However, it is a defence in any proceedings for an offence under subsection (1) where the accused proves, on a balance of probabilities, that the accused used or possessed the equipment or identification card issued under section 13E for the purposes of a public entertainment provided in compliance with the Public Entertainments Act 1958.

Failure to comply with mediation direction

13R.—(1) A person served a direction under section 13M(1) (called in this section a mediation direction) commits an offence if he or she does not attend the mediation (personally or by a representative) at the time specified in the direction.

(2) A person (*A*) who attends a mediation (personally or by a representative) at a time specified in a mediation direction commits an offence if *A* or *A*'s representative (as the case may be) withdraws from the mediation before the person conducting the mediation in accordance with that direction allows *A* or *A*'s representative (as the case may be) to do so.

(3) It is a defence for any person charged with an offence for contravening subsection (1) or (2) to prove that the person had a reasonable excuse for the contravention.

(4) A person who is guilty of an offence under subsection (1) or (2) shall be liable on conviction to a fine not exceeding \$1,500.

(5) In this section, “representative”, in relation to a person *A* who is served a mediation direction, means another person permitted, under section 14 of the Community Mediation Centres Act 1997 or under a prescribed written law, to represent *A* at the mediation.

Division 7 — Enforcement

Power to investigate offences under this Part

13S.—(1) For the purpose of investigating any offence under this Part, the Director-General or a community relations officer may —

- (a) examine orally any person supposed to be acquainted with the facts and circumstances of the case; and
- (b) by written order require any person within the limits of Singapore, who appears to be acquainted with the facts and circumstances of the case, to attend before the Director-General or community relations officer.

(2) The person mentioned in subsection (1)(a) is bound to state truly the facts and circumstances with which the person is acquainted concerning the case except only that the person may decline to make, with regard to any fact or circumstance, a statement which would have a tendency to expose the person to a criminal charge or to penalty or forfeiture.

(3) A statement made by any person examined under this section must —

- (a) be reduced to writing;
- (b) be read over to the person;
- (c) if the person does not understand English, be interpreted for the person in a language that the person understands; and

(d) after correction, if necessary, be signed by the person.

(4) If any person fails to attend before the Director-General or a community relations officer as required by a written order under subsection (1)(b), the Director-General or community relations officer may report such failure to a Magistrate who may issue a warrant to secure the attendance of that person as required by the order.

Notice to attend court

13T.—(1) Where the Director-General or a community relations officer has reasonable grounds for believing that a person has committed an offence under this Part, the Director-General or community relations officer may, in lieu of applying to a court for a summons, serve upon that person a prescribed notice requiring that person to attend at the court described, at the hour and on the date specified in the notice.

(2) A duplicate of the notice must be prepared by the Director-General or a community relations officer and, if so required by a court, produced to the court.

(3) The notice may be served on the person alleged to have committed the offence in the same manner as the service of a summons under section 116 of the Criminal Procedure Code 2010.

(4) On an accused person appearing before a court pursuant to a notice under subsection (1), the court is to take cognizance of the offence alleged, and is to proceed as though the accused person were produced before it pursuant to section 153 of the Criminal Procedure Code 2010.

(5) If a person upon whom a notice has been served under subsection (1) fails to appear before a court in person or by counsel as required by that notice, the court may, if satisfied that the notice was duly served, issue a warrant for the arrest of the person unless, in the case of an offence which may be compounded, that person has before that date been permitted to compound the offence.

(6) Upon a person arrested pursuant to a warrant issued under subsection (5) being produced before a court, the court is to proceed as though the person were produced before it pursuant to section 153 of the Criminal Procedure Code 2010.

(7) The Director-General or a community relations officer may, at any time before the date specified in the notice under subsection (1), cancel the notice.

Composition of offences under this Part

13U.—(1) The Director-General or a person authorised by the Director-General may compound any offence under this Part that is prescribed as a compoundable offence —

(a) by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

(i) one half of the amount of the maximum fine that is prescribed for the offence;

(ii) \$2,000; and

(b) by requiring the person reasonably suspected of having committed the offence to do, or to refrain from doing, such things as may be specified in an offer of composition (called conditions of composition) by the Director-General with the concurrence (general or specific) of the Public Prosecutor.

(2) On payment of the sum of money and on full compliance with the conditions of composition, no further proceedings are to be taken against that person in respect of the offence.

(3) The Minister may make regulations to prescribe the offences that may be compounded under this section.

(4) All sums collected under this section must be paid into the Consolidated Fund.

Community Order for offences under this Part

5 **13V.** Where a court convicts any person for an offence under this Part, the court has the power to make a community order under Part 17 of the Criminal Procedure Code 2010 despite any provision to the contrary in section 337(1)(h) of that Code.

Division 8 — General

Appeal to Minister

10 **13W.**—(1) A person who is aggrieved by an order issued under section 13L may, within 14 days after receiving the order, appeal in the prescribed manner to the Minister.

(2) Despite any appeal made under subsection (1), the order appealed against takes effect and must be complied with unless otherwise provided in this Act or ordered by the Minister.

(3) The Minister may, after considering the appeal —

15 (a) dismiss or allow the appeal;

(b) confirm, vary or revoke the order; or

(c) impose such conditions as the Minister thinks fit.

20 (4) The Minister may, in considering an appeal under this section, give the appellant an opportunity to make representations in writing.

(5) The Minister's decision on any appeal is final.

Preservation of secrecy

13X.—(1) An individual who is or has been —

25 (a) a public officer;

(b) an officer or employee of a statutory body;

(c) a police officer or other officer of any law enforcement agency;

(d) a community relations officer or an auxiliary community relations officer; or

- (e) a contractor engaged by the Government or an employee of that contractor,

must not disclose any information relating to the affairs of the Director-General, a Director, a Deputy Director or a Senior Assistant Director or of any other person which has been obtained by the individual in the performance of his or her duties or the exercise of his or her functions under this Act, except —

- (f) for the purposes of the performance of his or her duties or the exercise of his or her functions under this Act or other written law;
- (g) for the purpose of assisting any person (being a public officer, officer or employee of a statutory body or person exercising a public official function) who is responsible for administering or enforcing any written law, to administer or enforce that written law;
- (h) with the prior authorisation of the Minister;
- (i) where permitted or authorised under this Act; or
- (j) when lawfully required to do so by any court or where required or allowed to do so by the provisions of any written law.

(2) Any individual who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) Subject to this section, any monitoring data is to be used by the Director-General, a Director, a Deputy Director, a Senior Assistant Director, a community relations officer or an auxiliary community relations officer only for the purposes of this Part and for the purposes of a claim or an application to a tribunal or court under this Act.

(4) In this section, “monitoring data” means —

- (a) any photograph, image or audio or visual recording taken or captured by a community relations officer or

an auxiliary community relations officer pursuant to his or her powers under section 13I or 13J; or

- (b) any information and data recorded in any detection and monitoring equipment installed pursuant to section 13I or 13J.

Protection from personal liability

13Y. No liability shall lie against the Director-General, a Director, a Deputy Director, a Senior Assistant Director, a community relations officer, an auxiliary community relations officer or any other person authorised under this Act for anything which is done or intended to be done with reasonable care and in good faith in —

- (a) the exercise or purported exercise of any power under this Act; or
- (b) the performance or purported performance of any function under this Act.

Regulations

13Z.—(1) The Minister may make regulations for carrying out the purposes and provisions of this Part and for any matter which is required under this Part to be prescribed.

(2) Without limiting subsection (1), the Minister may make regulations for all or any of the following matters:

- (a) the fees to be paid in respect of any application under this Part and otherwise in connection with the administration of this Part, and the waiver, remission or refund (in whole or in part) of the fees;
- (b) the manner in which fees are to be paid;
- (c) the form, manner and procedure by which an application or a complaint relating to unreasonable interference is to be made to the Director-General, a community relations officer or an auxiliary community relations officer, and the persons who may make such applications or complaints;

(d) to provide for the manner and procedure for the retention or disposal of any instrument or object mentioned in section 13L(7) including for the manner of disposal to be determined by the Director-General;

(e) to provide for such saving, transitional and other consequential, incidental and supplemental provisions as are necessary or expedient for the purposes of this Part.

5

(3) The powers conferred by this section do not extend to any matter for which Rules of Court may be made under section 32.

10

Designation of persons to exercise Minister's duties and powers

13ZA.—(1) The Minister may designate any of the following persons to perform any of the duties or exercise any of the powers of the Minister under this Part (except for the powers under this section and section 13Z) as the Minister may specify:

15

- (a) the Second Minister (if any) for his or her Ministry;
- (b) any Minister of State, including a Senior Minister of State, for his or her Ministry;
- (c) any Parliamentary Secretary, including a Senior Parliamentary Secretary, to his or her Ministry.

20

(2) Without affecting subsection (1), the Minister may designate any public officer in his or her Ministry not subordinate to the Director-General whose decision or order is appealed against, to hear and determine (in the Minister's place) any appeal under section 13W.

25

(3) A reference to the Minister in this Part (except for this section and section 13Z) includes a reference to a person designated under subsection (1).

Exemption

30

13ZB. The Minister may, by order in the *Gazette*, exempt any person or class of persons from all or any of the provisions of

this Part, either generally or in a particular case and subject to any condition that the Minister may impose.

Service of directions, orders or notices

13ZC.—(1) A direction, order or notice issued under this Part must be served as described in this section.

(2) The direction, order or notice may be served —

- (a) by giving it to the individual personally;
- (b) by sending it by post to the address specified by the individual for the service of the direction, order or notice or, if no address is so specified, the individual's residential address or business address;
- (c) by leaving it at the individual's residential address with an adult apparently resident there, or at the individual's business address with an adult apparently employed there;
- (d) by affixing a copy of the direction, order or notice in a conspicuous place at the individual's residential address or business address; or
- (e) by sending it by email to the individual's last email address.

(3) Service of the direction, order or notice takes effect —

- (a) if the direction, order or notice is sent by email, at the time that the email becomes capable of being retrieved by the person to whom it is sent; or
- (b) if the direction, order or notice is sent by post, 2 days after the day the direction, order or notice was posted (even if it is returned undelivered).

(4) However, service of a direction, order or notice on an individual by email may be effected only with the individual's prior written consent to service in that way.

(5) This section does not apply to documents to be served in proceedings in court.

(6) In this section —

“business address” means the individual’s usual or last known place of business in Singapore;

“last email address” means the last email address given by the individual to the person serving the direction, order or notice as the email address to serve a direction, order or notice;

“residential address” means an individual’s usual or last known place of residence in Singapore.”.

Replacement of section 16

15. In the CDRA, replace section 16 with —

“Application of State Courts Act 1970 and other written laws

16. Subject to this Act and except as otherwise provided in any regulations made under section 33 —

(a) the provisions of the State Courts Act 1970 apply to the Community Disputes Resolution Tribunals;

(b) unless the context otherwise requires, any reference in any written law to a District Court or a State Court includes a reference to a Community Disputes Resolution Tribunal; and

(c) unless the context otherwise requires, any reference in any written law to a District Judge or a judicial officer includes a reference to a tribunal judge.”.

Amendment of section 17

16. In the CDRA, in section 17 —

(a) replace subsection (1) with —

“(1) A tribunal has jurisdiction only —

(a) to hear and determine any action on a claim under section 4, whether the action was brought by a claimant or initiated pursuant

to the Director-General’s application under section 17A; and

(b) to exercise any function or make any order a court or a tribunal may make under this Act.”; and

(b) after subsection (3), insert —

“(3A) The period of 2 years mentioned in subsection (3)(b) is to be extended by a period equal to the period —

(a) starting on the date of service of the mediation direction issued under section 13M (or if the parties voluntarily agree to mediation, the date of filing of the request to mediate); and

(b) ending on the date that a certificate of mediation or certificate of waiver of mediation (as the case may be) is issued to the claimant.”.

New section 17A

17. In the CDRA, after section 17, insert —

“Application by Director-General for tribunal to determine possible claim or application

17A.—(1) If the Director-General is satisfied that it is necessary to do so in the interests of preserving peace in the area where the persons involved in a dispute reside, the Director-General may make an application to a tribunal in the manner provided in Rules of Court made under section 32 for the tribunal to hear and determine —

(a) a claim under section 4 in relation to unreasonable interference that occurred on or after the appointed date even though no claimant has brought an action on the claim; or

(b) an application under section 6 or 9, in relation to an alleged failure to comply with an order of court made under section 5 or a special direction made under section 6 occurring on or after the appointed date, even though the party in whose favour an order under section 5 or a special direction under section 6 has been made has not made any such application. 5

(2) The Director-General may, together with any application under subsection (1) (called in this section the Director-General's application), submit to the tribunal any information, statement, image, audio or visual recording, document or other evidence that the Director-General considers necessary or helpful to the tribunal's hearing and determination of the claim or application, as the case may be. 10

(3) When the tribunal decides to approve the Director-General's application — 15

(a) an action on the claim under section 4 relating to the dispute or an application under section 6 or 9 (as the case may be) is deemed to have been brought from the date of the tribunal's approval or any other date specified by the tribunal; 20

(b) this Act (including section 17(3), (3A), (4) and (5)) applies to the action as if a claimant had brought the action or made the application on that date; and

(c) the Registrar is to fix a time and place to hear the action on the claim under section 4 or the application under section 6 or 9 (as the case may be) and issue a notice to any person that appears to be a party or respondent to the claim or the application (as the case may be), including any person identified by the tribunal as such a party or respondent. 25 30

(4) A person issued a notice under subsection (3)(c) upon being served the notice —

(a) is deemed to be a party or respondent to the action on the claim under section 4 or the application under section 6 or 9, as the case may be; and

(b) is liable to comply with any order of the tribunal and to pay any fees or costs as if the person were the party or respondent mentioned in paragraph (a).

(5) In this section, “appointed date” means the date of commencement of section 17 of the Community Disputes Resolution (Amendment) Act 2024.”.

10 **New section 18A**

18. In the CDRA, after section 18, insert —

“Certificate of mediation or waiver of mediation

18A.—(1) An action on a claim under section 4 must not be brought in a tribunal unless the action is accompanied by a valid certificate of mediation or a valid certificate of waiver of mediation (called in this section a certificate) issued by a prescribed person (called in this section a prescribed person).

(2) A certificate —

(a) is valid for a period of 2 years after the date of issue of the certificate or such other shorter period as may be specified in the certificate;

(b) ceases to be valid when a mediation direction is subsequently issued under section 13M to the persons specified in the certificate; and

(c) can be used to commence a claim under section 4 where the claimant or claimants and the respondent or respondents are specified in the certificate as persons to whom the mediation or waiver of mediation relates.

(3) For the purposes of this section, regulations made under section 33 may —

(a) prescribe the persons (or classes of persons) who may submit a mediation request relating to a specified or intended claim under section 4 on behalf of a claimant

and the classes of claimants on whose behalf any such mediation request may be submitted;

- (b) prescribe the persons or class of persons who may issue a certificate;
- (c) provide for the circumstances in which a certificate may be issued or refused; and
- (d) provide for the review or correction of a certificate including a decision to refuse a certificate.

5

(4) To avoid doubt, the prescribed person may refuse to issue a certificate.

10

(5) The decision of the prescribed person in issuing or refusing to issue a certificate is final and is not subject to any appeal.

(6) This section applies to an application by the Director-General under section 17A as it applies to an action on a claim under section 4.”.

15

New section 20

19. In the CDRA, replace section 20 with —

“Transfer of claim, etc., from tribunal to court

20.—(1) Where any claim, counterclaim or set-off and counterclaim in proceedings before a tribunal is or includes a claim or matter not within the tribunal’s jurisdiction (called in this section the non-relevant claim), the tribunal may, on its own motion or on the application of any party in the proceedings, order that the whole proceedings, or the proceedings on the non-relevant claim, be transferred to the appropriate court.

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(2) Where an order is made under subsection (1) and the tribunal gives judgment to the claimant in proceedings related to the claim or matter in which the tribunal has jurisdiction, enforcement of the judgment is to be stayed until the proceedings transferred to the appropriate court have been concluded, unless that court at any time orders otherwise.”.

30

Amendment of section 24

20. In the CDRA, in section 24, after “or an order”, insert “, including an interim order.”.

Replacement of section 25

5 **21.** In the CDRA, replace section 25 with —

“Costs allowed

10 **25.—**(1) Costs and disbursements may be granted to or awarded against any party to any proceedings before a tribunal or the Registrar in accordance with Rules of Court made under section 32.

15 (2) Despite subsection (1), costs, other than disbursements, must not be granted to or awarded against any party to any proceedings before a tribunal or the Registrar pursuant to an action on a claim brought before the date of commencement of section 21 of the Community Disputes Resolution (Amendment) Act 2024, except as provided in any provision of the Act or Rules of Court made under section 32 as in force immediately before that date.”.

Amendment of section 26

20 **22.** In the CDRA, in section 26(1), replace paragraph (c) with —

“(c) made under section 6(2) or (3), 9(2), 11A, 12A, 31B, 31C, 31D or 31E; or”.

Amendment of section 29

23. In the CDRA, in section 29 —

25 (a) in subsection (2)(c), replace the full-stop at the end with a semi-colon;

(b) in subsection (2), after paragraph (c), insert —

30 “(d) where the party is the Director-General, a public officer or any other person who is approved by the Registrar or tribunal, as the case may be.”; and

- (c) in subsection (3), after “no party”, insert “(other than the Director-General)”.

New section 29A

24. In the CDRA, after section 29, insert —

“Tribunal may order attendance of certain persons

5

29A.—(1) If the Registrar or a tribunal is satisfied that the attendance of an individual will assist in the resolution or disposal of any proceedings before the Registrar or tribunal even though that individual is not a party to those proceedings, the Registrar or tribunal may order the individual to attend the proceedings at a time and place specified in the order.

10

(2) The order mentioned in subsection (1) may be made in respect of any individual who is at least 18 years of age and may be made —

(a) on the request of a party to those proceedings; or

15

(b) on the Registrar’s or tribunal’s own motion.”.

Amendment of section 30

25. In the CDRA, in section 30 —

(a) in subsection (1), after “the claim”, insert “, if the Registrar or tribunal judge is satisfied that there is a reasonable prospect that the parties will be able to resolve the claim through mediation”;

20

(b) after subsection (1), insert —

“(1A) In considering whether there is a reasonable prospect that the parties will be able to resolve the claim through mediation under subsection (1), the Registrar or tribunal judge is to consider whether the parties have previously attempted to resolve the matter through mediation.”; and

25

(c) replace subsection (2) with —

30

“(2) The Registrar or tribunal judge may, in making a referral under subsection (1), order all or any of the

parties to the claim to attend (personally or by a representative permitted under section 14 of the Community Mediation Centres Act 1997 or under a prescribed written law) before a mediator of a Community Mediation Centre or any other person —

- (a) at a time and place to be specified in the Registrar’s or tribunal judge’s order; and
- (b) in a case where the mediation is to be conducted by electronic communication, video conferencing or other electronic means, at a time to be specified in the Registrar’s or tribunal judge’s order and according to the electronic means specified in that order.”.

New sections 31A to 31E

26. In the CDRA, after section 31, insert —

“Registration of settlement agreement as order of tribunal

31A.—(1) Where a settlement agreement (called in this section the agreement) has been entered into pursuant to a mediation for a dispute which may form the basis for a claim under section 4 for which no proceedings have been brought in a court (including a tribunal), any party to the agreement may, with the consent of all the other parties to the agreement, apply to a tribunal to register the agreement as an order of the tribunal made under section 5.

(2) The application must be made within —

- (a) the period prescribed by Rules of Court made under section 32 for this purpose; or
- (b) any longer period that the tribunal may allow.

(3) Subject to subsection (4), a tribunal may register an agreement as an order of the tribunal if —

- (a) the agreement is in writing and signed by or on behalf of all the parties to the agreement on or after the date

of commencement of section 26 of the Community Disputes Resolution (Amendment) Act 2024; and

- (b) the agreement complies with the requirements prescribed by Rules of Court made under section 32 including any requirement as to the form or content of the agreement. 5

(4) The tribunal may refuse to register an agreement or a particular term or terms of an agreement as an order of the tribunal if —

- (a) the agreement is void or voidable because of incapacity, fraud, misrepresentation, duress, coercion, mistake or any other ground for invalidating a contract; 10
- (b) the agreement includes subject matter that does not relate to a dispute which may form the basis for a claim under section 4; 15
- (c) any term of the agreement is not capable of enforcement as an order of a tribunal; or
- (d) the registration of the agreement is contrary to public policy. 20

(5) Where the agreement or part of the agreement is registered as an order of a tribunal —

- (a) the agreement is, for the purposes of enforcement, of the same force and effect as if the agreement were an order made by the tribunal under section 5 and made on the date of the registration; and 25
- (b) proceedings may be taken on the agreement as if the agreement were an order made by the tribunal under section 5.

(6) There is no appeal against any decision of the tribunal to register an agreement under subsection (3) or refuse to register an agreement under subsection (4). 30

Measures for dealing with unmeritorious or vexatious proceedings

31B.—(1) A tribunal may, in respect of any proceedings in the tribunal —

5 (a) make a limited civil restraint order in accordance with section 31C;

 (b) make an extended civil restraint order in accordance with section 31D; or

10 (c) make a general civil restraint order in accordance with section 31E.

 (2) A tribunal may, if satisfied that a party is conducting any proceedings in the tribunal in a vexatious manner, or if otherwise satisfied that it is in the interests of justice, order that those proceedings be stayed on such terms as the tribunal considers appropriate.

 (3) A tribunal may, if satisfied that the filing of further documents by a party in any proceedings in the tribunal would be vexatious or for an improper purpose, or if otherwise satisfied that it is in the interests of justice, order that no further documents be filed by that party in relation to those proceedings.

 (4) A tribunal may make an order mentioned in subsection (1)(a), (b) or (c), (2) or (3) against a party in the proceedings in the tribunal (party *A*) on the tribunal’s own motion or on the application of another party in those proceedings, but only after giving party *A* an opportunity to be heard.

 (5) For the purposes of this section and sections 31C, 31D and 31E —

30 “action on a claim” means an action on a claim under section 4 whether brought before, on or after the appointed date;

 “application” means any application in proceedings whether made before, on or after the appointed date;

“appointed date” means the date of commencement of section 26 of the Community Disputes Resolution (Amendment) Act 2024;

“proceedings” means —

- (a) any action on a claim; and 5
- (b) any further application that may arise out of the action on a claim, including an application for an interim order, an application for a special direction, an application for a compliance bond and an application for an exclusion order. 10

Limited civil restraint orders

31C.—(1) A tribunal may, if satisfied that a party has made 2 or more applications that are totally without merit or are an abuse of process, or if otherwise satisfied that it is in the interests of justice, make a limited civil restraint order against the party. 15

(2) Where a tribunal makes a limited civil restraint order, the party against whom the order is made —

- (a) is restrained from making any further application in the proceedings in respect of which the order is made, without the permission of a tribunal; and 20
- (b) may apply to amend, vary or discharge the order, only if the party has the permission of a tribunal to make that application.

(3) Where a party, who is subject to a limited civil restraint order, makes an application (other than for the permission of a tribunal under subsection (2)) in the proceedings in respect of which the order is made without the permission of a tribunal under subsection (2), that application is to be treated as dismissed — 25

- (a) without a tribunal having to make any further order; and 30
- (b) without the need for any other party to be heard on the merits of that application.

(4) A limited civil restraint order —

(a) is limited to the particular proceedings in respect of which the order is made; and

(b) remains in effect for the duration of the proceedings in respect of which the order is made, unless the tribunal orders otherwise.

Extended civil restraint orders

31D.—(1) Subject to subsection (2), a tribunal may make an extended civil restraint order against a party if he or she has, within a 12-month period, filed 3 or more of any of the following:

(a) an action on a claim (whether against the same or different respondents);

(b) an application to a tribunal under this Act, including an application under section 6 or 9.

(2) Before making the extended civil restraint order under subsection (1), the tribunal must be satisfied that —

(a) the claims or applications mentioned in subsection (1) are totally without merit, disclose no reasonable cause of action or are an abuse of process; or

(b) it is otherwise in the interests of justice to make the extended civil restraint order.

(3) Where a tribunal makes an extended civil restraint order, the party against whom the order is made —

(a) is restrained from commencing any action or making any application, in any tribunal concerning any matter involving, relating to, touching upon or leading to the proceedings in respect of which the order is made, without the permission of a tribunal; and

(b) may apply to amend, vary or discharge the order, only if the party has the permission of a tribunal to make that application.

(4) Where a party, who is subject to an extended civil restraint order, commences an action or makes an application in a tribunal (other than for the permission of a tribunal under subsection (3)), concerning any matter involving, relating to, touching upon or leading to the proceedings in respect of which the order is made, without the permission of a tribunal under subsection (3), that action or application is to be treated as struck out or dismissed — 5

(a) without a tribunal having to make any further order; and

(b) without the need for any other party to be heard on the merits of that action or application. 10

(5) An extended civil restraint order remains in effect for a period (not exceeding 2 years) that is specified in the order.

(6) A tribunal —

(a) may extend the period for which an extended civil restraint order remains in effect, if the tribunal considers it appropriate to do so; but 15

(b) must not extend that period for more than 2 years on any given occasion.

General civil restraint orders 20

31E.—(1) A tribunal may, if satisfied that a party has brought actions on a claim or made applications in a tribunal where an extended civil restraint order would not be sufficient or appropriate, make a general civil restraint order against the party. 25

(2) Where a tribunal makes a general civil restraint order, the party against whom the order is made —

(a) is restrained from commencing any action or making any application, in any tribunal without the permission of a tribunal; and 30

(b) may apply to amend, vary or discharge the order, only if the party has the permission of a tribunal to make the application.

(3) Where a party, who is subject to a general civil restraint order, commences an action or makes an application in any tribunal (other than for the permission of a tribunal under subsection (2)), without the permission of a tribunal under subsection (2), that action or application is to be treated as struck out or dismissed —

(a) without a tribunal having to make any further order; and

(b) without the need for any other party to be heard on the merits of that action or application.

(4) A general civil restraint order remains in effect for a period (not exceeding 2 years) that is specified in the order.

(5) A tribunal —

(a) may extend the period for which a general civil restraint order remains in effect, if the tribunal considers it appropriate to do so; but

(b) must not extend that period for more than 2 years on any given occasion.”.

Amendment of section 32

27. In the CDRA, in section 32(2) —

(a) after paragraph (k), insert —

“(ka) the procedure and requirements for the registration of a settlement agreement as an order of a tribunal and the establishment of a register of registered settlement agreements;

(kb) the procedure and requirements for an application made under section 17A including the fees or costs to be imposed on any person mentioned in that section;”;

(b) in paragraph (n), replace the full-stop at the end with a semi-colon; and

(c) after paragraph (n), insert —

“(o) the circumstances in which costs may be awarded in any proceedings in a tribunal or before the Registrar, including but not limited to, circumstances where a party failed to make reasonable efforts towards amicable settlement of the dispute or failed without reasonable excuse to attend or participate in mediation, and for regulating any matters relating to the costs of such proceedings.”.

5

10

Amendment of section 33

28. In the CDRA, in section 33, replace subsection (2) with —

“(2) Without limiting subsection (1), the Minister may make regulations for all or any of the following matters:

15

(a) the fees to be paid in respect of any application under this Act and otherwise in connection with the administration of this Act, and the waiver, remission or refund (in whole or in part) of the fees;

(b) the manner in which fees are to be paid.

20

(3) The powers conferred by this section do not extend to any matter for which —

(a) regulations may be made under section 13Z; and

(b) Rules of Court may be made under section 32.”.

New section 34

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29. In the CDRA, after section 33, insert —

“Composition of offences

34.—(1) A person authorised by the Minister may compound any offence under this Act (except Part 2A) that is prescribed as a compoundable offence —

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(a) by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

(i) one half of the amount of the maximum fine that is prescribed for the offence;

(ii) \$2,000; and

(b) by requiring the person reasonably suspected of having committed the offence to do, or to refrain from doing, such things as may be specified in an offer of composition (called conditions of composition) by the authorised officer with the concurrence (general or specific) of the Public Prosecutor.

(2) On payment of the sum of money and on full compliance with the conditions of composition, no further proceedings are to be taken against that person in respect of the offence.

(3) The Minister may make regulations to prescribe the offences that may be compounded under this section.

(4) All sums collected under this section must be paid into the Consolidated Fund.”

Miscellaneous and consequential amendments

30. In the CDRA —

(a) in section 2, in the definition of “Community Disputes Resolution Tribunal” or “tribunal”, replace “State Court” with “District Court”;

(b) in section 14(1)(a), replace “State Courts” with “District Courts”; and

(c) in section 21, replace “section 20(2)(a) or (b)” with “section 20(1)”.

PART 2

AMENDMENT OF
COMMUNITY MEDIATION CENTRES ACT 1997**Amendment of section 9**

31. In the Community Mediation Centres Act 1997 (called in this Part the CMCA), in section 9(3), replace “and 15A” with “, 15A and 15B”. 5

Amendment of section 12

32. In the CMCA, in section 12, after subsection (2), insert —

“(2A) Subsections (1) and (2) do not apply to a mediation session that takes place because of a referral under any of the following provisions: 10

(a) section 15;

(b) section 13M or 30 of the Community Disputes Resolution Act 2015; 15

(c) section 18A of the Small Claims Tribunals Act 1984.”.

Amendment of section 14

33. In the CMCA, in section 14, after subsection (1), insert —

“(1A) Despite subsection (1), in the case of a mediation mentioned in section 12(2A), the Director must not approve the representation of a party by an agent unless — 20

(a) the party authorises the agent in writing to represent the party at the mediation session and to agree on the party’s behalf to the terms of any settlement or agreement reached at, or drawn up under, the mediation session; and 25

(b) the agent signifies in writing that he or she is willing to represent the party at the mediation session.”.

Amendment of section 15

34. In the CMCA, in section 15, replace subsection (2) with —

“(2) In making any referral under subsection (1), the Magistrate may order the complainant or the person complained against to attend (personally or by a representative permitted under section 14) before a mediator of a Community Mediation Centre —

(a) at a time and place to be specified in the Magistrate’s order; and

(b) in a case where the mediation is to be conducted by electronic communication, video conference or other electronic means, at a time to be specified in the Magistrate’s order and in accordance with the electronic means specified in the Magistrate’s order.”.

New section 15B

35. In the CMCA, after section 15A, insert —

“Referral of cases under Community Disputes Resolution Act 2015

15B.—(1) Where a complaint or dispute is referred by a specified person under section 13M of the Community Disputes Resolution Act 2015 to a mediator of a Community Mediation Centre —

(a) a party to the complaint or dispute who is required to attend the mediation under section 13M of that Act may do so personally or by a representative in accordance with that section; and

(b) the mediator must record and notify the specified person of the outcome of the mediation.

(2) Where a claim is referred by the Registrar or a tribunal judge under section 30 of the Community Disputes Resolution Act 2015 to a mediator of a Community Mediation Centre —

(a) a party to the complaint or dispute who is required to attend the mediation under section 30 of that Act may

do so personally or by a representative in accordance with that section; and

- (b) the mediator must record and notify the Registrar or tribunal judge (as the case may be) of the outcome of the mediation.

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(3) In this section —

“Registrar” has the meaning given by section 2 of the Community Disputes Resolution Act 2015;

“specified person” means a person mentioned in section 13M(2) of the Community Disputes Resolution Act 2015;

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“tribunal judge” means a District Judge designated as a tribunal judge for the Community Disputes Resolution Tribunals under section 14(1)(b) of the Community Disputes Resolution Act 2015.”.

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PART 3

AMENDMENT OF HOUSING AND DEVELOPMENT ACT 1959

Amendment of section 63

36. In the Housing and Development Act 1959, in section 63 —

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- (a) in subsection (1)(m), delete “or” at the end;
- (b) in subsection (1)(n), replace the full-stop at the end with “; or”;
- (c) in subsection (1), after paragraph (n), insert —

“(o) if the owner or an authorised occupier who is a related person of or above the age of 18 years (as the case may be) has on or after the appointed date been convicted of an abatement offence or an exclusion offence and —

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(i) had been convicted of at least one other abatement offence or exclusion offence;

(ii) had at least one other abatement offence or exclusion offence taken into consideration by a court for the purposes of sentencing; or

(iii) had at least one other abatement offence or exclusion offence compounded under section 13U or 34 of the Community Disputes Resolution Act 2015, as the case may be.”;

(d) in subsection (11), after “subsection (1)(ga)”, insert “and (o)”; and

(e) after subsection (11), insert —

“(12) In this section —

“abatement offence” means an offence under section 13L(5) of the Community Disputes Resolution Act 2015 for contravening an abatement order issued under section 13L(1) of that Act in connection with unreasonable interference which originated from the owner’s flat, house or other living accommodation;

“appointed date” means the date of commencement of section 36 of the Community Disputes Resolution (Amendment) Act 2024;

“exclusion offence” means an offence under section 10(1) of the Community Disputes Resolution Act 2015 for contravening an exclusion order made under section 9(2) of that Act in connection with unreasonable interference which originated from the

owner’s flat, house or other living accommodation;

“unreasonable interference” has the meaning given by section 2(1) of the Community Disputes Resolution Act 2015.”.

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PART 4

AMENDMENT OF POLICE FORCE ACT 2004 AND CONSEQUENTIAL AMENDMENTS TO OTHER ACTS

Amendment of Police Force Act 2004

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37. In the Police Force Act 2004 —

(a) in section 2(1), delete the definition of “civilian police assistant”;

(b) in Part 7, in the Part heading, replace “, FORENSIC SPECIALISTS AND CIVILIAN POLICE ASSISTANTS” with “AND FORENSIC SPECIALISTS”;

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(c) delete sections 65C and 65D; and

(d) in section 117(2)(h) and (i), delete “and civilian police assistants” wherever it appears.

Amendment of Miscellaneous Offences (Public Order and Nuisance) Act 1906

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38. In the Miscellaneous Offences (Public Order and Nuisance) Act 1906, in section 22A(3), replace “, a forensic specialist or civilian police assistant” with “or a forensic specialist”.

Amendment of Penal Code 1871

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39. In the Penal Code 1871, in section 453(3)(b), delete “, civilian police assistant”.

PART 5

SAVING AND TRANSITIONAL PROVISIONS

Saving and transitional provisions

5 **40.**—(1) The period of 2 years mentioned in section 17(3)(b) of the Community Disputes Resolution Act 2015 in respect of a cause of action that has accrued before the date of commencement of section 16(b) of this Act is to be extended by 6 months from the date of commencement of that provision.

10 (2) Despite section 37(c), section 65D(6) of the Police Force Act 2004 as in force immediately before the date of commencement of section 37(c) of this Act continues to apply to or in relation to any act or omission by a civilian police assistant before that date.

15 (3) For a period of 2 years after the date of commencement of any provision of this Act, the Minister charged with the responsibility for that provision may, by regulations, prescribe such additional provisions of a saving or transitional nature consequent on the enactment of that provision as the Minister may consider necessary or expedient.

 EXPLANATORY STATEMENT

This Bill seeks to amend the Community Disputes Resolution Act 2015 (CDRA) and to make related and consequential amendments to the Community Mediation Centres Act 1997 (CMCA), the Housing and Development Act 1959, the Police Force Act 2004 and certain other Acts to provide for an enhanced community disputes management framework amongst neighbours. The framework includes the appointment and powers of officers managing community relations and the enhancement of the powers and processes of Community Disputes Resolution Tribunals (CDRT).

Clause 1 relates to the short title and commencement.

The rest of the Bill is divided into 5 Parts. Part 1 consists of amendments to the CDRA for the following main purposes:

- (a) to introduce measures that encourage the amicable resolution of community disputes through mediation;

- (b) to provide for community relations officers and other dedicated personnel, who will have powers to intervene in certain community disputes and guide cases to a resolution;
- (c) to enhance the CDRT's powers so that cases which are brought before it can be resolved more effectively.

Part 2 consists of amendments to the CMCA to improve the provision of mediation services for community disputes.

Part 3 consists of amendments to the Housing and Development Act 1959 to enable the Housing and Development Board (HDB) to compulsorily acquire any HDB dwelling if the owner or a specified authorised occupier has, amongst other requirements, been convicted of an abatement offence or exclusion offence under the CDRA.

Part 4 consists of amendments to the Police Force Act 2004 to remove provisions related to civilian police assistants, as their role will be taken over by community relations officers, etc., under the CDRA and consequential amendments to various Acts.

Part 5 provides for saving and transitional provisions.

PART 1

AMENDMENT OF COMMUNITY DISPUTES RESOLUTION ACT 2015

Clauses 2 to 30 amend the CDRA.

Clause 2 amends the CDRA's long title to broaden the ambit of the CDRA to include a community disputes management framework.

Clause 3 amends section 2 to insert new definitions that apply to the CDRA generally.

Clause 4 amends section 3 to insert new definitions that apply to Part 2 of the CDRA which relates to the tort of unreasonable interference with the enjoyment or use of a place of residence ("unreasonable interference").

Clause 5 amends section 4 to make clear that individuals who occupy different sub-divided units within the same place of residence are occupying the same place of residence (even if the sub-divided units have separate entrances). They are therefore not considered as "neighbours" who may make claims in court against each other for unreasonable interference under section 4. This illustration will also apply to provisions in the new Part 2A that contain cross-references to section 4.

Clause 6 amends section 5 to expand the types of orders that a court may make under section 5(1). A new subsection (1A) is inserted to empower the court to make orders under section 5(1) against a respondent who fails to comply with an

interim order made under section 5A and continues to cause unreasonable interference to his or her neighbour. Before making an order under section 5(1), the court must be satisfied that it is just and equitable to do so. A new subsection (3) provides for the avoidance of doubt that a consent order or default order made under section 5 has the same force and effect as if the order were made by the court under section 5 after a hearing. This will remove any doubt that failure to comply with a consent order or default order is capable of forming the basis for the court to make a subsequent special direction or exclusion order under sections 6 and 9, respectively.

Clause 7 inserts new sections 5A and 5B to provide the court (which is defined in section 3 to include a CDRT) with more powers.

The new section 5A empowers a court to make interim orders (such as an interim order granting an injunction or an interim order for specific performance) where an action on a claim of unreasonable interference under section 4 of the CDRA has been brought but before an order under section 5 for the claim has been made. This will enable claimants to obtain (temporary) relief as long as they are able to adduce evidence that appears to support their claim. An application for an interim order may be made by an application without notice. Before an interim order is made, the court must be satisfied that it is just and equitable to do so. The court's decision on the application for an interim order is final and not subject to appeal.

The new section 5B empowers the court to vary orders made under section 5 or 10A on the application of a party to the original order (called the applicant). This allows the court to vary an original order where there is a change in personal circumstances of the applicant after the original order is made such that the terms of the original order are no longer workable, or will cause undue difficulty, for the applicant. The court may also vary an original order to address further instances of unreasonable interference caused by the respondent of the original order after that order is made. Before varying an order, the court must be satisfied that it is just and equitable to do so.

Clause 8 amends section 9 to allow exclusion orders to be made when a contravening party fails to comply with either a special direction under section 6, or both an interim order of court under section 5A and an order of court under section 5 which were both made in substantially similar terms on the basis of substantially similar factual matrices. This maintains the "two strike" approach: A respondent who fails to comply with an interim order of court under section 5A and an order of court under section 5 would have failed to comply with a court order twice. Such a respondent can be subject to an exclusion order, even though a special direction under section 6 has not been made against that respondent.

Clause 9 inserts a new section 10A which relates to an order for compliance against a landlord. Currently, where a court makes a special direction under section 6 against a respondent (who is a tenant), the court may order the

respondent's landlord to ensure that the respondent complies with the special direction. New section 10A will empower the court to make a compliance order against a respondent's landlord at the earlier stage where the court makes an order against the respondent under section 5. The compliance order can require the respondent's landlord to ensure that the respondent complies with the order under section 5. Before making a compliance order against the respondent's landlord, the court must be satisfied that the claimant gave the requisite notice to the respondent's landlord, and that it is just and equitable to make the compliance order. If the respondent fails to comply with the order under section 5, the court may make a further compliance order against the respondent's landlord together with a special direction under section 6 against the respondent. The landlord against whom a compliance order or further compliance order has been made may terminate the tenancy of the respondent without liability in accordance with section 11.

Under section 10A(2) and (4), a compliance order and further compliance order, respectively, may require that a landlord enter into a bond or comply with any other condition or direction to ensure that the respondent complies with the order made under section 5 or 6. A landlord who fails to comply with an order to enter into a bond for a compliance order or further compliance order may be punished either under section 10A(7) or for contempt of court under the Administration of Justice (Protection) Act 2016, but not both. This is similar to what is provided in section 6. The court may, in accordance with the new section 10A(8), forfeit the whole or any part of the amount of the bond entered into by a landlord, under section 10A(2)(a) or (4)(a) (as the case may be), if the landlord fails to comply with a compliance order or further compliance order (even though the landlord may have terminated the tenancy when the respondent failed to comply with the court's orders), and it is just and equitable for the whole or any part of the amount of the bond to be forfeited.

Clause 10 makes a consequential amendment to section 11 relating to the termination of tenancy by a landlord as a result of the insertion of the new section 10A.

Clause 11 inserts a new section 11A which relates to an order by the CDRT to address hoarding. Such an order must be applied for by the Director-General of Community Relations (Director-General) appointed under section 13B of the CDRA (to be introduced in this Bill). Further, the CDRT may only make this order if amongst other things, the individual residing in the place of residence of concern has refused to comply with a notice or advisory given by a community relations officer, a public officer, an officer or employee of a statutory body or a person exercising a public official function to remove or dispose of the hoarded things or material, and a prior order under section 5(1)(c) of the CDRA to do so.

An order under this section may authorise a community relations officer or any other person specified in the order to enter a place of residence at a reasonable time

of the day to remove and dispose of things or material being hoarded, with or without the consent of the owner or occupier of the place of residence.

Clause 12 amends section 12 to include the new offence under section 10A as an offence for which a court may make a community order under Part 17 of the Criminal Procedure Code 2010 (CPC).

Clause 13 inserts a new section 12A which relates to mandatory treatment orders. This allows a court to order a person found to have caused unreasonable interference to undergo psychiatric treatment for a specified period where the person is suffering from a psychiatric condition that is a contributing factor for the unreasonable interference. A mandatory treatment order may be made on the initiative of the court, on an application by the claimant, or on an application by the Director-General.

Clause 14 inserts a new Part 2A in relation to officers involved in community relations under the community dispute management framework. Part 2A comprises 8 Divisions.

Division 1 provides for the interpretation of terms used in Part 2A.

Division 2 provides for the appointment of the Director-General who is responsible for the administration of Part 2A and to perform various functions mentioned in new section 13B(1), as well as different ranks of directors of community relations subordinate to the Director-General.

Division 2 also provides for the appointment of community relations officers and auxiliary community relations officers (under new sections 13C and 13D). The former may only be appointed from among police officers, public officers and officers or employees of a statutory body. The latter may be appointed from among auxiliary police officers and individuals who are given suitable training.

The new section 13E requires community relations officers and auxiliary community relations officers to be issued with identification cards and equipment required for their work.

The new section 13F provides that community relations officers and auxiliary community relations officers are considered public servants for the purposes of the Penal Code 1871 while exercising powers under Part 2A in accordance with the Director-General's written authorisation.

Division 3 provides for the powers and duties of the Director-General, community relations officers and auxiliary community relations officers.

The new section 13G provides that the powers and duties of the Director-General, the different ranks of directors of community relations subordinate to the Director-General, community relations officers and auxiliary community relations officers are subject to limitations that the Minister may prescribe by regulations made under new section 13Z. New section 13G(1) also provides for the types of limitations that the Minister may prescribe. The limitations may for example allow for implementation through pilot projects confined to certain towns before expanding to other towns or for implementation in phases according to the type of unreasonable interference e.g. excessive noise.

The new section 13H requires the Director-General to authorise each community relations officer and auxiliary community relations officer specifically as to the powers under Part 2A that they may exercise, subject to any limitations prescribed by the Minister under section 13G. The Director-General may calibrate the powers based on parameters like the type of power the officers may exercise, the time when the officers may exercise the power and the area in which they may exercise the power. For example, a group of officers may be authorised to operate only in a specific town whereas other groups of officers may be authorised to operate in another town.

The new sections 13I and 13J set out the powers that community relations officers and auxiliary community relations officers, respectively, may be conferred. Broadly, the powers allow community relations officers and auxiliary community relations officers to investigate claims of unreasonable interference (such as gathering evidence by taking statements or installing detection and monitoring equipment with consent from the relevant persons) and to assist in enforcement and administrative matters (such as by serving or delivering notices issued by the Director-General or the CDRT under the CDRA). The powers are categorised as those that community relations officers and auxiliary community relations officers may exercise directly and those that they may exercise only with the Director-General's prior written approval.

The new section 13K provides that the Director-General or a community relations officer may dismiss complaints that are trivial, frivolous or vexatious or not made in good faith. The Director-General may also direct that any person who has persisted in making such complaints without any reasonable ground is prohibited from making any further complaint (under section 13K(2)). A breach of such a direction is punishable as a criminal offence under section 13K(4). To avoid doubt, under section 13K(5), the Director-General or a community relations officer is not bound to dismiss any particular complaint and may still proceed to take action on any complaint.

Division 4 provides for abatement orders.

Abatement orders are issued to require an individual to take measures to stop causing unreasonable interference. The Director-General is responsible for issuing abatement orders and he or she may do so only if the requirements in the new section 13L(1) are met. Section 13L(2) empowers the Director-General to issue an abatement order without complying with all the requirements in section 13L(1) where there is a serious and imminent threat or risk to the mental or physical health or welfare of other persons in the vicinity and it is impracticable in the circumstances to comply with those requirements. This is subject to there being a reasonable opportunity for the individual to make representations to the Director-General after the abatement order has been issued.

The failure to comply with an abatement order is punishable as a criminal offence under section 13L(5). Additionally, if an individual fails to comply with an abatement order, a community relations officer may enter a place of residence at any reasonable time of the day to take reasonable steps to abate or investigate the act or omission causing unreasonable interference (under section 13L(7)). The officer may also require the production and surrender of any instrument or object suspected to have been used to cause the unreasonable interference and to remove, retain and dispose of it. While doing so, the community relations officer may also be accompanied and assisted by an auxiliary community relations officer (under section 13L(9)). However, the community relations officer may only exercise these powers if authorised in writing to do so by the Director-General (under section 13L(6)). The Director-General must be satisfied with certain requirements before he or she can issue this written authorisation.

Division 5 provides for directions to refer complaints and disputes to mediation.

The new section 13M provides that individuals involved in a complaint or dispute involving alleged unreasonable interference or a landlord of such an individual may be directed to participate in mediation of the complaint or dispute. The direction may be issued by a community relations officer so authorised and other persons specified in section 13M(2). The direction is final and therefore not subject to appeal (under section 13M(4)). A mediation direction cannot be made in respect of a dispute that is the subject of an existing CDRT claim (under section 13M(5)). The CDRT has existing powers to refer such a claim to mediation under section 30 of the CDRA.

While section 13M specifically contemplates directed mediation taking place in a Community Mediation Centre established under section 3 of the CMCA, it also provides for the possibility of mediation by other prescribed entities.

Division 6 provides for offences to give effect to Part 2A, namely offences against obstructing a community relations officer or auxiliary community relations officer (new section 13N), damaging or altering detection and monitoring equipment (new section 13O), providing false information (new section 13P), impersonating community relations officers or auxiliary community relations officers (new section 13Q) and failing to comply with a mediation direction under section 13M (new section 13R).

Division 7 provides for enforcement powers to give effect to Part 2A.

The new section 13S provides a power to record statements of an individual for the purpose of investigating an offence, including the power to require the attendance before the Director-General or a community relations officer to record those statements.

The new section 13T allows the Director-General or a community relations officer to serve a notice to require a person that is believed to have committed an offence under Part 2A to attend court. The court is to then take cognizance of the offence alleged and proceed as though the accused were produced before it under section 153 of the CPC.

The new section 13U provides for the composition of offences under Part 2A only. An offence which is prescribed by regulations under section 13Z as a compoundable offence may be compounded by collecting from a person reasonably suspected of having committed the offence a sum not exceeding one half of the amount of the maximum fine that is prescribed for the offence or \$2,000, whichever is lower.

While the new sections 13S to 13U specify it is the Director-General that may exercise the various enforcement powers under those sections without mentioning other directors of community relations, this must be read with section 13B(4), which provides that the powers and duties of the Director-General may (subject to his or her directions) be exercised by such other directors.

The new section 13V empowers the court upon a conviction for an offence under Part 2A to make a community order under Part 17 of the CPC.

Division 8 provides for other matters related to giving effect to Part 2A. Division 8 includes provisions for a person aggrieved by an abatement order issued under the new section 13L to appeal to the Minister (new section 13W), the preservation of secrecy (new section 13X), and protection from personal liability (new section 13Y). The Minister may make regulations for matters under Part 2A (new section 13Z), designate his or her duties and powers to other political office holders (new section 13ZA), and exempt any person or class of persons from the provisions of Part 2A (new section 13ZB). The new section 13ZC provides for how directions, orders and notices issued under Part 2A may be served.

Clause 15 replaces section 16. New section 16 clarifies the application of other written laws to the CDRT. In general, the State Courts Act 1970 and other written laws apply to the CDRT in the same manner as to a District Court or a State Court, and references to a District Judge or a judicial officer include references to a CDRT judge. For example, the CDRT may exercise the powers of summary dismissal that the District Court may exercise under section 49B of the State Courts Act 1970.

Clause 16 amends section 17 to introduce consequential amendments in light of the Director-General's power under new section 17A to apply to the CDRT to hear and determine certain matters, the new powers conferred on the CDRT, and to clarify the effect of a mediation direction under section 13M on the limitation period of 2 years under section 17(3)(b).

Clause 17 inserts a new section 17A. This allows the Director-General to make an application to the CDRT to hear and determine claims and applications that are ordinarily made by the individuals who are suffering unreasonable interference. The Director-General may only make an application under section 17A if he or she is satisfied it is necessary to do so in the interests of preserving peace in the area where disputing persons reside.

If the CDRT allows the Director-General's application, the claim or application (as the case may be) is deemed to have been brought in accordance with section 17A(3) and (4). A person that appears to be a party or respondent to the claim or the application (as the case may be) may be issued a notice for the hearing of the claim or application. Such a person is deemed to be a party or respondent to the claim or application and is liable to comply with any order of the CDRT or to pay any fees or costs as if the person were a party or respondent.

Clause 18 inserts a new section 18A to require a person who intends to commence a claim of unreasonable interference under section 4 to obtain and submit a valid certificate of mediation or a certificate of waiver of mediation, failing which he or she cannot commence the claim. The certificate of mediation shows that the person has attempted mediation, and maintains the CDRT's role as an avenue of last resort. A certificate of waiver of mediation may be issued in cases where mediation is not suitable. New section 18A applies to an application under section 17A as it applies to an action on a claim under section 4.

Details such as who may issue the certificates and the circumstances in which a certificate may be issued or denied are specified in regulations made under section 33 read with section 18A.

Clause 19 replaces section 20 to allow the CDRT to transfer the whole or any part of proceedings before it to an appropriate court on its own motion, if those proceedings involve a claim or matter not within the CDRT's jurisdiction. Currently, the CDRT may only transfer such proceedings on the application of a party to the appropriate court.

Clause 20 amends section 24 to insert a reference to an interim order. This is a consequential amendment to the new powers of the CDRT to make interim orders under the new section 5A to be inserted by clause 7.

Clause 21 replaces section 25 (currently a general prohibition against costs being granted to or awarded against any party to any proceedings before the CDRT or Registrar) to allow costs and disbursements to be granted to or awarded against any party to any of those proceedings in accordance with Rules of Court.

Clause 22 amends section 26(1) on appeals from the CDRT in light of the new and expanded powers of the CDRT under Parts 2 and 3.

Clause 23 amends section 29 to allow the Director-General to have the right of audience before the CDRT and to be represented by a public officer or any other person who is approved by the Registrar or CDRT. The Director-General may be represented by an advocate and solicitor.

Clause 24 inserts a new section 29A to empower the Registrar or CDRT to order the attendance of an individual (aged 18 or older) who may assist in the resolution or disposal of any proceedings before the Registrar or CDRT even though he or she is not a party to those proceedings. This recognises that community disputes are sometimes not just a matter between the claimant and respondent, and can benefit from the involvement of third parties who are related to or familiar with the claimant or respondent. This would allow, for example, the Registrar or CDRT to have the perspective of a relative or friend of the claimant or respondent who is able to assist in the resolution or disposal of the proceedings.

Clause 25 amends section 30 to refine the circumstances in which the Registrar or CDRT judge may refer a claim to mediation. The Registrar or CDRT judge must be satisfied that there is a reasonable prospect that the parties will be able to resolve the claim through mediation. One consideration is whether the parties have previously attempted to resolve the matter through mediation.

Clause 26 inserts new sections 31A to 31E.

The new section 31A provides for the registration of a mediated settlement agreement to a claim for unreasonable interference as an order of the CDRT. The effect of registering a settlement agreement is that it is enforceable as if it were an order made by the CDRT. Proceedings may then be taken on the settlement agreement as though it were an order made by the CDRT. This includes an application for a special direction under section 6, and an application for an exclusion order under section 9. The CDRT's decision on whether to register a settlement agreement as a CDRT order is final and therefore not subject to appeal.

The new sections 31B to 31E confer powers on the CDRT to deal with unmeritorious or vexatious proceedings and vexatious litigants, specifically, to allow the CDRT to make a limited civil restraint order (new section 31C),

extended civil restraint order (new section 31D) and general civil restraint order (new section 31E).

Clause 27 amends section 32 to expand the areas upon which Rules of Court may be made.

Clause 28 amends section 33 to delineate the regulation-making power under new section 13Z and section 33 and the powers to make Rules of Court under section 32. The regulation-making powers under new section 13Z are confined to matters under Part 2A.

Clause 29 inserts a new section 34 for the composition of offences under the CDRA (except Part 2A). Part 2A is excluded because similar provisions are made in new section 13U. An offence which is prescribed by regulations under section 33 as a compoundable offence may be compounded by collecting from a person reasonably suspected of having committed the offence a sum not exceeding one half of the amount of the maximum fine that is prescribed for the offence or \$2,000, whichever is lower.

Clause 30 replaces the term “State Court” with the term “District Court” in sections 2 and 14(1) and makes a consequential amendment to the cross-reference in section 21.

PART 2 AMENDMENT OF COMMUNITY MEDIATION CENTRES ACT 1997

Clauses 31 to 35 amend the CMCA.

Clause 31 is a consequential amendment to section 9 as a result of the insertion of the new section 15B.

Clause 32 inserts a new subsection (2A) to section 12 to expressly state exceptions to the principle of voluntary mediation, including those under the new section 13M and section 30 of the CDRA.

Clause 33 amends section 14 to introduce additional requirements before the Director of the Community Mediation Centre can approve the representation by an agent of a party to the mediation mentioned in section 12(2A).

Clause 34 amends section 15 to clarify that a complainant or a person complained against may be ordered by a Magistrate to attend a mediation personally or by an agent, and that the mediation may be conducted by electronic communication, video conference or other electronic means.

Clause 35 inserts a new section 15B to provide that where a complaint or dispute is referred for mediation by a specified person under new section 13M of the CDRA or the Registrar or a CDRT judge under section 30 of the CDRA, a

party to that complaint or dispute may attend personally or by a representative, in accordance with new section 13M or section 30 of the CDRA (as the case may be). The mediator must record and notify the specified person or the Registrar or CDRT judge (as the case may be) of the outcome.

PART 3

AMENDMENT OF HOUSING AND DEVELOPMENT ACT 1959

Clause 36 amends section 63(1) of the Housing and Development Act 1959 to insert a new paragraph (*o*), to enable the HDB to compulsorily acquire any HDB dwelling where the owner or an authorised occupier who is a related person of or above the age of 18 years has been convicted of an abatement offence or exclusion offence. In addition, the owner or occupier must have either been convicted of at least one other abatement offence or exclusion offence, or had at least one other abatement offence or exclusion offence which was either taken into consideration by a court for the purposes of sentencing, or compounded under section 13U or 34 of the CDRA, as the case may be. Section 63 is also amended to insert certain new definitions relevant to the new paragraph.

PART 4

AMENDMENT OF POLICE FORCE ACT 2004 AND CONSEQUENTIAL AMENDMENTS TO OTHER ACTS

Clause 37 amends the Police Force Act 2004 to remove provisions related to civilian police assistants, as their role will be partially replaced by community relations officers, etc., under the CDRA.

Clauses 38 and 39 make amendments to various Acts consequential to the removal by clause 37 of the provisions on civilian police assistants.

PART 5

SAVING AND TRANSITIONAL PROVISIONS

Clause 40(1) is a transitional provision to extend the 2-year period mentioned in section 17(3)(*b*) of the CDRA by 6 months from the date of commencement of clause 16 of this Bill.

Clause 40(2) is a saving provision to ensure that protection from liability under section 65D(6) of the Police Force Act 2004 continues to apply to or in relation to any act or omission by a civilian police assistant before that section is repealed.

Clause 40(3) empowers the appropriate Minister to make regulations to prescribe provisions of a saving or transitional nature consequent on the enactment

of any provision of the Bill as that Minister may consider necessary or expedient. The appropriate Minister has power to do so only within 2 years after the date of commencement of the provision.

EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.
