

Relief for contracts affected by construction delays

Delivering possession under a non-residential lease or licence

Do you qualify for relief?

- ✓ You are a landlord of a non-residential property. The lease or licence was:
 - Issued or renewed before 25 March 2020; or
 - Originally issued before 25 March 2020, and renewed automatically or in exercise of a right of renewal on or after 25 March 2020
- ✓ The lease or licence is in force at any time between 1 February 2020 and 31 March 2021
- ✓ You are unable to deliver possession or allow the use of the property to your tenant by the date stated in the lease or licence, due to a delay or breach in a construction or supply (or related) contract
- ✓ The delay or breach is materially caused by COVID-19 and occurs between 1 February 2020 and 31 March 2021
- ✓ You were unable to reasonably avoid the inability to deliver possession by the date stated in the lease or licence



Relief is not available if:

- ✗ Your inability to deliver possession is due to reasons other than a delay or breach in a construction or supply (or related) contract
- ✗ Court or arbitral proceedings on the same matter have commenced against you

What does the relief do?

If you submit an Application for relief under Part 8, an Assessor may, if it is just and equitable in the circumstances, adjust the contractual term in the lease or licence which provides for delivering possession or allowing the use of the property by a stipulated date. For example, the Assessor may defer the contractual date of possession or use.

After you have served the Application on your tenant, there will be a moratorium on the commencement of other proceedings. The tenant cannot start court or arbitral proceedings against you in relation to the subject of your Application. This moratorium will end on the earlier of the:

- Withdrawal or rejection of your Application; or
- Issuance of the Assessor's determination

How to apply for relief?

Submit an Application to the Registrar, using the form at www.go.gov.sg/part8application, by **31 May 2021**. We are unable to accept Applications submitted after that date.