

**Acts**

Nos. 11 of 1982,  
16 of 1984.

Short title.

Continuation  
in force of  
Chapter 598.

[# 2, 16 of  
1984.1

Amendment of  
section 3 of  
Chapter 598.

[02,11 of  
1982.1

Insertion of  
new section 7A  
in the principal  
enactment.

[# 3.11 of  
1982.1

**CHAPTER 598**

**PROTECTION OF TENANTS (SPECIAL PROVISIONS)  
(AMENDMENT)**

AN ACT TO AMEND THE PROTECTION OF TENANTS (SPECIAL PROVISIONS) ACT

[Act No. 11 of 1982 - Commencement and Operation - 25th March, 1982.1

[Act No. 16 of 1984 - Commencement and Operation - 26th April, 1984.1

1. This Act may be cited as the Protection  
of Tenants (Special Provisions) (Amendment)

Act.

2. The Protection of Tenants (Special  
Provisions) Act shall be deemed for all  
purposes to have been and to be in operation  
from and after November 18, 1983, until the  
26th day of April, 1984.

3. Section 3 of the Protection of Tenants  
(Special Provisions) Act (hereinafter referred  
to as the “principal enactment”) is hereby  
amended by the repeal of subsection (2) of that  
section.

4. The following new section is hereby  
inserted immediately after section 7, and shall  
have effect as section ~~7A~~, of the principal  
enactment :-“

**Restoration 7A.** (1) Where the of amenities  
withheld and Commissioner or any public  
repair of officer authorized by him to  
damage caused hold an inquiry under section 7 to any  
premises, &c., is satisfied, upon an inquiry  
by a landlord. held under that section, that the  
landlord of any premises or any  
other person has-(  
a) damaged, removed or  
tampered with any part  
of such premises ;  
(b) discontinued or withheld  
any amenity or facility,  
previously provided  
for the tenant or the  
person in occupation

of such premises ;

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deprived, withheld or

failed to maintain in

proper condition, any

essential supply or

service provided for

the tenant or the person

in occupation of such

premises ;

prevented access to such

premises by the tenant

or person in

occupation thereof,

he may, by notice in writing,

require the landlord of such

premises-(

i) to repair such damage ;

or

(ii) to restore or to repair

such facility or

amenity ; or

(iii) to restore, repair or

maintain in proper

condition, such

essential supply or

service ; or

(iv) to allow access to such

premises by such

tenant or person in

occupation,

before such date as may be

specified in such notice or

within such extended period

as may be allowed by the

Commissioner on an application

(S) I 1390.***PROTECTION OF TENANTS (SPECIAL PROVISIONS)***

**(AMENDMENT) [Cap. 598**

in that behalf made by the

landlord.

(2) Where the landlord of

any premises fails to comply

with any requirement imposed

on him by a notice given under

subsection (1) within the period

specified in such notice or

within such extended period as

may have been allowed to him

under that section, the

Commissioner or the officer

authorized by him may-(

u) direct the tenant of such

premises to repair the

damage referred to in such notice or to restore, repair or maintain in proper condition, the facility, amenity or essential supply or service referred to in such notice ;

(b) in any case where the tenant is unable to effect such repair or to restore, repair or maintain in proper condition, such facility, amenity, essential supply or service, direct the Common Amenities Board to repair such damage or to restore, repair or maintain in proper condition, such facility, amenity or essential supply or service.

(3) Where a tenant or the person in occupation of a premises is directed to carry out any repairs or restoration to such premises by an order made by the Commissioner under paragraph (a) of subsection (2), then, any person or body of persons whose consent is required for the purpose of carrying out such repair or restoration, shall (S) I / 391

notwithstanding the provisions of any other written law, grant permission or issue a licence, as the case may be, to such tenant to carry out such repair or restoration as if such tenant were the landlord of such premises.

(4) Where the Commissioner directs, under subsection (2). the tenant of any premises or the Common Amenities Board, to repair any damage to any premises or to restore, repair or maintain in proper condition, any facility, amenity or essential supply or

service previously provided for the tenant or the person in occupation of such premises, such tenant or such Board may effect such repair or restore, repair or maintain in proper condition, such facility, amenity or essential supply or service, notwithstanding anything in any law or contract or the fact that the landlord of such premises does not consent to the effecting of such repair or the restoration or repair, of such facility, amenity or essential supply or service. The Commissioner or the officer authorized by him may require the police to give such assistance to such tenant as may be necessary to enable him to effect such repair or to restore, repair or maintain in proper condition, such amenity, facility or essential supply or service, and it shall be the duty of the police to comply with any such requirement.

(5) Where the tenant of any premises effects any repair to any premises or restores, repairs or maintains in proper condition, any amenity, facility or essential supply or service previously provided for him or the person in occupation of such premises, in compliance with an

order made under subsection. **Cap. 598] PROTECTION OF TENANTS (SPECIAL PROVISIONS) (AMENDMENT)**

(2), the Commissioner or the officer authorized by him shall, after hearing such tenant and the landlord of such premises, determine, by a certificate given under his hand, the amount reasonably incurred by the tenant in effecting such repair or in restoring, repairing or maintaining in proper condition, such amenity, facility or essential supply or service. The amount so certified may, notwithstanding anything to the contrary in any law, be deducted by the tenant from the monthly

rent payable by him for such premises in such number of instalments as may be decided by the Commissioner or the officer authorized by him, having regard to the amount involved.

(6) Where the Common Amenities Board effects any repair to any premises or restores, repairs or maintains in proper condition, any facility, amenity, or essential supply or service previously provided for the tenant or person in occupation of any premises, in compliance with an order made under subsection (2), the Board may, notwithstanding anything in any law, recover the costs incurred in effecting such repair or in restoring, repairing or maintaining in proper condition, such facility, amenity or essential supply or service from the landlord of such premises.“.

**Amendment of 5.**

**section 12 of**

Section 12 of the principal enactment is the principal hereby amended by the substitution, for the enactment. words “ thirteen years “, of the words “ eighteen years “. [13, 16 of 1984.1

6. Section 14 of the principal enactment is hereby amended as follows :- section 14 of the principal enactment.

(a) by the insertion, immediately after the 1s 4.11 of definition of “ Commissioner “, of the 1g82\*1 following new definition :-

“ Common Amenities Board \*” means the Common Amenities

Board established by the [tip. 607.1 Common Amenities Board Law; and

(b) by the insertion immediately after the definition of “ eject “, of the following new definition :-“

“essential supply or service ” includes supply of water, electricity and lights including lights in passages and on staircases, lifts and conservancy or sanitary service ; \*

7. Where during the period commencing vtit~uon.

on the 18th day of November, 1983, and \,.;Or  
ending on the 26th day of April, 1984, the \*  
Commissioner, on being notified under  
paragraph (a) of subsection (2) of section 5 of  
the principal enactment that the tenant or any  
person in occupation of any premises has been  
ejected therefrom, has made an order refusing  
to inquire into the alleged ejectment on the  
ground that the principal enactment was not in  
force on the date of notification or the date on  
which ejectment was alleged to have taken  
place, the following provisions shall apply :-(  
u) such order shall be deemed to have  
been and to be null and void ; and  
(b) the Commissioner is hereby author&d,  
empowered and required and shall  
have jurisdiction to entertain, hear and  
determine such matter *de nova*  
In this section, "Commissioner" has the  
same meaning as in the principal enactment.  
(S) I I392