

## Relief for contracts affected by construction delays

# Rent-free period for non-residential leases or licences

## Do you qualify for relief?

- ✓ You are a tenant of a non-residential property. Your lease or licence was:
  - Entered into or renewed before 25 March 2020; or
  - Originally entered into 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
- ✓ The lease or licence provides for a rent-free period for renovation or fitting out works
- ✓ The renovation or fitting out works could not be carried out during the rent-free period due to a delay or breach in a separate 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 carry out the renovation or fitting out works

Relief is not available if

- ✗ Your inability to carry out the renovation or fitting out works 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 adjust the contractual term in the lease or licence which provides for the rent-free period, if it is just and equitable in the circumstances. For example, the Assessor may extend the rent-free period.

After you have served the Application on your landlord, there will be a moratorium on the commencement of other proceedings. The landlord 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

### Take note

- If you are eligible for rental relief, the Assessor may consider any overlap between the original rent-free period and the period covered by the rental relief framework. They may adjust the rent-free period accordingly, e.g. by shifting the commencement date of the rent-free period to after the rental relief period.

## How to apply for relief?

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

