Regulation 13(1)

# **FORM 5**

# **NOTICE OF OBJECTION (TO NOTICE OF NEGOTIATION)**

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| **IMPORTANT NOTICE:**   * You should lodge and serve this Notice of Objection only if you have been served with a Notice of Negotiation by a party to a contract (“**Party Seeking Relief**”) under Part 10 of the Covid-19 (Temporary Measures) Act (“**Act**”) and you object to the Notice of Negotiation. * Please use this form **only** if you are **unable** to use the electronic form in the links below:   + If you are lodging and/or serving this Notice on behalf of a business or organisation such as a company or sole proprietorship – <https://www.go.gov.sg/notice-of-objection-compensation-corppass>   + If you are lodging and/or serving this Notice for yourself – <https://www.go.gov.sg/notice-of-objection-compensation-singpass> * **Within 2 weeks after the 4-week Negotiation Period** (which is the period of 4 weeks after the date of the Notice of Negotiation), please:  1. complete this form and submit the form and supporting documents to the Registry at [COVID19-RAF-REGISTRY-NOTICES@mlaw.gov.sg](mailto:COVID19-RAF-REGISTRY-NOTICES@mlaw.gov.sg); and 2. [serve](https://www.mlaw.gov.sg/realign/other-modes-service) a copy of the completed form and supporting documents on the following person(s), where applicable: 3. the party who served the Notice of Negotiation on you; 4. any other party to the contract; 5. any person who is a guarantor or surety, or who has issued a performance bond, in relation to the obligations of the party who served the Notice of Negotiation on you under the contract; and 6. any assignee of any party to the contract.   You should submit the form to the Registry and serve the form on the above person(s) within 3 days beginning on the date of this form (at Part V below).   * Please **make and keep a copy of this Notice of Objection** before you serve on the intended recipient(s). * If you are **unable to serve this form and the supporting documents by email** on the intended recipient(s), you may serve the documents on the intended recipient(s):  1. By an **internet-based messaging system** (e.g. WhatsApp) or the **messaging system on the website, blog, or social media or networking website** owned or operated by the recipient, provided you have corresponded with the recipient via that messaging system regarding the contract; 2. Only if you are unable to serve by email or the mode in (a) above, by **both**: 3. the **mode of service specified under the contract for giving notice; and** 4. **prepaid registered post** (You should keep a copy of the registered post slip or courier slip as proof of service); or 5. Only if you are unable to serve by email or the modes in (a) and (b) above, by **prepaid registered post only** (You should keep a copy of the registered post slip or courier slip as proof of service).      * You should fill **all** the fields in this form, unless they are indicated as fields that are required to be filled only if the information is available or applicable, or they are indicated as fields that you may leave blank.\*   \* *The Registrar and/or Assessor may allow an amendment of the Notice or make directions to a party to provide any document or information, to comply with the requirements of the Regulations*. |

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| **Part I – Particulars of Party who lodges the Notice of Objection**  Please note that all correspondence, notices or documents in relation to proceedings under the Re-Align Framework, including correspondence with you or the entity (as the case may be) by the Registry (if applicable), will be served on the email address provided below. | | | | | |
|  | Name of Party**\***:  \***If you are making this Notice of Objection on behalf of an entity (such as a business, company or organisation), fill in the name of the entity.** | | *e.g. XYZ Landlord Pte Ltd* | | |
|  | Are you or are you representing a party to the contract or an assignee of the party to the contract? | |  | Party to the contract | |
|  | Assignee of a party to the contract | |
|  | Unique Entity Number (UEN) (if applicable): | | *Enter UEN if applicable* | | |
|  | Email address (if available): | | *Enter email address for service of documents and correspondence here* | | |
|  | Contact no.: | | *Enter phone number where you can be contacted. Please include the country code if it is a foreign number.* | | |
|  | Address: | |  | | |
|  | Name of authorised representative (where applicable): | | *If you are authorised to lodge the Notice of Objection on behalf of your company, business or organisation, enter your name here* | | |
| **Part II – Particulars of**   1. **The party who served the Notice of Negotiation;** 2. **Any other party to the contract;** 3. **Any person who is a guarantor or surety, or who has issued a performance bond, in relation to the obligations of the party who served the Notice of Negotiation on you under the contract; and** 4. **The assignee of any party to the contract.**   If any of the above parties is an entity (such as a business, company or organisation), you must identify the entity correctly. You should insert the entity’s name and registered address and, **where available**, the telephone number, email address, and Unique Entity Number of the entity. For the party who served the Notice of Negotiation on you, please insert the particulars stated in the Notice of Negotiation,  Please repeat Part II if there is more than one person. | | | | | |
|  | Name: | | *e.g ABC Tenant Pte Ltd* | | |
|  | Identity of the party: | |  | Party who served the Notice of Negotiation on you | |
|  | Any other party to the contract | |
|  | Guarantor or surety or issuer of a performance bond | |
|  | Assignee of a party to the contract | |
|  | Unique Entity Number (UEN) (if available): | | *Enter UEN if available* | | |
|  | Address (if available): | | *If the other party is an entity, please provide the entity’s registered address (see* [*www.uen.gov.sg*](http://www.uen.gov.sg) *).* | | |
|  | Email address (if available): | |  | | |
|  | Contact no.: | |  | | |
|  | Representative’s name (if applicable): | | *If the other party is an entity or business, please enter the name of its representative.* | | |
| **Part III – Particulars of Notice of Objection** | | | | | |
|  | What was the date the Notice of Negotiation\* was served on you?  **\*A copy of the Notice of Negotiation and all supporting documents which were enclosed to the Notice should be attached to this Notice of Objection.** | | Click or tap to enter a date. | | |
|  | What is the reason(s) for your objection to the Notice of Negotiation?  (You may select more than 1 option where applicable) | |  | The contract is not a [specified contract](http://www.go.gov.sg/re-align-contracts) | |
|  | The contract is a [Contract of National Interest](http://www.go.gov.sg/re-align-contract-of-national-interest) | |
|  | The annual revenue of the party who served the Notice of Negotiation (“Party Seeking Relief”) exceeds S$30 million, or if Party Seeking Relief is part of a group of companies, the annual revenue of the group exceeds S$30 million. (Please refer to [here](http://www.go.gov.sg/re-align-annualrevenue) for information on the relevant period for which annual revenue should be computed.) | |
|  | Party Seeking Relief has not suffered from a fall in monthly average gross income of at least 70% from 1 July 2020 to 31 December 2020, as compared to 1 July 2019 to 31 December 2019 (If Party Seeking Relief had not commenced business in the period 1 July 2019 to 31 December 2019, please refer to [here](http://www.go.gov.sg/re-align-incomefall-comparisonperiods) for information on the relevant periods for which the fall in income will be assessed.) | |
|  | The Notice of Negotiation was not served in accordance with the Act (e.g. The Notice was not served between 15 January 2021 and 26 February 2021) | |
|  | Others (e.g. The party who served the Notice of Negotiation is not a specified NPO.) | |
|  | Please elaborate on your reason(s) for making the Notice of Objection | | *E.g. The contract is a consumer contract, which is excluded from the coverage of the Act.*  *.* | | |
|  | You should submit all relevant supporting documents to support your reasons. Do you have supporting documents? | |  | Yes | |
|  | No | |
|  | If the answer to Q4 is yes, please:   * 1. describe briefly what these supporting documents are; and   2. attach these supporting documents. | | *E.g. Copy of email from the Party Seeking Relief showing that Notice of Negotiation was served after 26 February 2021* | | |
|  | Have you tried to reach a mutually acceptable solution with the party who served the Notice of Negotiation on you? | |  | Yes | |
|  | No | |
|  | If the answer to Q6 is yes, what was the outcome of that discussion? | | *e.g. The tenant had proposed a 30% reduction in rent, but we are only agreeable to a 10% reduction.* | | |
|  | If the contract is not yet terminated and there is no valid ground of objection, the Assessor will determine the date of termination of the contract. Please state your proposal on the date of termination of the contract should there be no valid ground of objection and the reasons why. | | *e.g. 1 week from the date of the Assessor’s determination so that sufficient notice may be given to upstream suppliers to stop the supply of goods for the purpose of this contract.* | | |
| **Part IV – Proposal on adjustment of rights and obligations under the contract**  If the Assessor finds that there is no valid ground of objection, the Assessor will determine a date of termination of the contract and the default consequences of termination in [Part 4 of the Second Schedule](https://www.mlaw.gov.sg/files/ReAlign/2020-COVID-INFO3.jpg) of the Act apply. If the parties do not agree with the default consequences of termination, where it is just and fair to do so, the Assessor may determine an adjustment of rights and obligations in a manner different from that set out in Part 4 of the Second Schedule.  You may set out in this Part your position on the adjustment of the rights and obligations under the contract, should the Assessor find that there is no valid ground of objection. | | | | | |
|  | Please specify what your proposal is. | | *[You may leave this section blank, if you have no adjustments to propose, or agree to follow what is provided in* [*Part 4 of the Second Schedule*](https://www.mlaw.gov.sg/files/ReAlign/2020-COVID-INFO3.jpg) *of the Act.]*  *e.g. The tenant has not paid for rent since October 2020 and should pay for rent until 15 January 2021. The obligation to pay rent may cease from 16 January 2021 onwards.*  *e.g. The tenant should reinstate the property to its original condition in two weeks from the time of the Assessor’s determination and pay for the rent during the reinstatement.*  *e.g. We have already incurred expenses for the goods which the buyer has ordered but have not been delivered. The buyer should pay for these expenses.* | | |
|  | You should submit all relevant supporting documents to support your proposal. Do you have any other supporting documents? | |  | Yes | |
|  | No | |
|  | If the answer to Q2 is yes, please:   1. describe briefly what these supporting documents are; and 2. attach these supporting documents. | | *e.g. Documents showing expenses which are incurred prior to termination to perform services or provide goods under the contract.* | | |
| **Part V – Confirmation of contents** | | | | | |
|  | I declare that the information I have provided in this Notice of Objection is true and accurate, to the best of my knowledge and belief. | | | | |
|  | I understand under section 76 of the Act, if any declaration or statement, or any information or document provided, in this form is false or misleading in a material particular, and I know or ought reasonably to know that, or is reckless as to whether, the declaration, statement, information or document is false or misleading in a material particular, I will be guilty of an **offence**. | | | | |
|  | I understand that I cannot amend this Notice of Objection after I have lodged and served the form, and I may have to [withdraw the form using the Notice of Withdrawal](https://go.gov.sg/re-align-physicalform3) and lodge and serve a new form on the required person(s) **within the 2 weeks** **after the 4-week Negotiation Period** if I subsequently wish to make any changes to the contents of this form. | | | | |
|  | (For a person serving this Notice of Objection on behalf of another individual)  In submitting this Notice of Objection, I confirm that I am **authorised to act on behalf of the individual named in Part I** in filling in, serving and lodging this Notice of Objection and to **represent the said individual** in matters relating to this Notice of Objection including in the proceedings under Part 10 of the Act. | | | | |
|  | (For a person lodging this Notice of Objection for a company or business or organisation)  In submitting this Notice of Objection, I confirm that I am **authorised to act on behalf of the entity** **or organisation** in filling in, serving and lodging this Notice of Objection and to **represent the entity or organisation** in matters relating to this Notice of Objection including in the proceedings under Part 10 of the Act. | | | | |
| Name: | |  | | |
| Signature: | |  | | |
| Date of Notice of Objection: | | Click or tap to enter a date. | | |