



THE STATUTES OF THE REPUBLIC OF SINGAPORE

SALE OF COMMERCIAL PROPERTIES ACT 1979

2020 REVISED EDITION

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Sale of Commercial Properties Act 1979

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Prohibition on sale of any commercial property without building approval
4. Option to purchase
5. Terms and conditions in agreement for sale and purchase
6. Penalty
7. Power to give directions
8. Controller may issue directions when developer has not sought direction of Registrar under section 16 of Land Titles Act, etc.
9. Offences committed by body corporate
10. Rules
11. Exemptions
12. Jurisdiction of District and Magistrate's Courts to try offence

An Act to regulate the sales of separate units of commercial properties in a commercial complex and for purposes connected therewith.

[20 July 1979]

Short title

1. This Act is the Sale of Commercial Properties Act 1979.

Interpretation

2. In this Act, unless the context otherwise requires —
“building” includes any completed building, or any building partially completed or to be erected, and intended for any strata subdivision as shown in a development plan approved by the relevant competent authority under the Planning

Act 1998 or is comprised in one or more lots as shown in a strata title plan lodged with the Registrar of Titles;

“Building Authority” has the meaning given by the Building Control Act 1989;

“commercial property” means a horizontal stratum of any building or part thereof, whether the stratum is on one or more levels or is partially or wholly below the surface of the ground, and is intended for use in accordance with the provisions of any written law as a complete and separate unit for any purpose other than a residential purpose;

“Controller” means the Controller of Housing appointed under section 3 of the Housing Developers (Control and Licensing) Act 1965;

“land” includes land of any tenure, any building or part thereof, so much of the airspace above the surface as may be reasonably used or enjoyed by any proprietor, and so much of the subterranean space below the surface as is reasonably necessary for the use and enjoyment of the land, whether or not held apart from the surface, and any estate or interest therein;

“lot” means a stratum which is shown as a lot on a strata title plan;

“Registrar of Titles” means the Registrar of Titles appointed under the Land Titles Act 1993;

“registered land” has the meaning given by the Land Titles (Strata) Act 1967;

“strata subdivision” has the meaning given by the Land Titles (Strata) Act 1967;

“strata title plan” means a plan of registered land showing strata subdivision of any building into 2 or more lots and contains the particulars prescribed by section 10 of the Land Titles (Strata) Act 1967;

“stratum” means any part of land consisting of a space of any shape below, on or above the surface of the land, or partly

below and partly above the surface of the land, the dimensions of which are delineated.

[3/98; 11/2015]

Prohibition on sale of any commercial property without building approval

3.—(1) A person must not sell any commercial property unless the plans for the construction or erection of the commercial property have been approved by the Building Authority.

(2) For the purposes of this section, a person is said to sell a commercial property if —

- (a) by an agreement in writing, the person agrees to divest the person's estate or interest in the commercial property to another person for valuable consideration; or
- (b) by any deed or instrument, the person conveys, assigns, demises or otherwise disposes of the commercial property in such a manner so that it becomes capable of being registered under the Registration of Deeds Act 1988, the Land Titles Act 1993 or the Land Titles (Strata) Act 1967.

(3) A lease or an agreement for a lease for a term of years not exceeding 7 years without the option of renewal or purchase is not to be deemed a sale for the purposes of this section.

Option to purchase

4. An option to purchase any commercial property given by a vendor to a purchaser must be in such form as may be prescribed, except that any additional term or condition which in substance does not affect the prescribed form may be included in the form.

Terms and conditions in agreement for sale and purchase

5.—(1) Every agreement for the sale and purchase of a commercial property must contain such terms and conditions of sale as may be prescribed by rules made under this Act.

(2) Any term or condition of sale in an agreement of sale and purchase mentioned in subsection (1) which is inconsistent with the