



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

Published by Authority

NO. 11]

FRIDAY, MAY 8

[2015

First published in the *Government Gazette*, Electronic Edition, on 8th May 2015 at 5:00 pm.

The following Act was passed by Parliament on 13th March 2015 and assented to by the President on 21st April 2015:—

REPUBLIC OF SINGAPORE

No. 12 of 2015.

I assent.

TONY TAN KENG YAM,
President.
21st April 2015.

(LS)

An Act to amend the Land Acquisition Act (Chapter 152 of the 1985 Revised Edition) to facilitate compulsory acquisition of stratum of airspace above or subterranean space below the surface of land, and to make related amendments to certain other written laws for that purpose.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Land Acquisition (Amendment) Act 2015 and comes into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2(1) of the Land Acquisition Act (referred to in this Act as the principal Act) is amended —

(a) by inserting, immediately after the words “includes any” in the definition of “land”, the words “airspace, subterranean space,”;

(b) by inserting, immediately after the definition of “person interested”, the following definitions:

““remaining surface land” means any land (and airspace) above which only the airspace, or any land (and subsoil) below which only the subterranean space, is or has been acquired under this Act;

“severed land”, for an owner of land, means any land remaining after any other part of the owner’s land is severed because of an acquisition under this Act;

“State title” means any grant, any grant in fee simple or estate in perpetuity, or any State lease (of whatever tenure) whenever issued or granted by or on behalf of the Crown, the State or the East India Company;”; and

(c) by deleting the full-stop at the end of the definitions of “strata title plan” and “subsidiary proprietor” and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

““subterranean space” means the subsoil below the surface of the earth;

“temporarily occupied land” means any land temporary possession of which is or has been taken in accordance with a direction under section 42.”.

Amendment of section 5

3. Section 5 of the principal Act is amended by inserting, immediately after subsection (1), the following subsection:

“(1A) Without prejudice to the generality of subsection (1), the President may under that subsection declare that only so much of airspace above the surface of any land, or only so much of subterranean space below the surface of any land, is needed for any purpose specified in that subsection, instead of the whole of the land.”.

Amendment of section 33

4. Section 33 of the principal Act is amended —

(a) by inserting, immediately after subsection (1), the following subsection:

“(1A) However, where only airspace above the surface of any land, or only subterranean space below the surface of any land, is acquired, then despite subsection (1), the Board must take into consideration the following matters, and no others, in determining the compensation to be awarded for the airspace or subterranean space acquired:

(a) the market value of the airspace or subterranean space acquired —

(i) as at the date of the publication of the notification under section 3(1) if the notification is, within 6 months from the date of its publication, followed by a declaration made under section 5 in respect of the same airspace or subterranean space (as the case may be) or part thereof; or

- (ii) as at the date of the publication of the declaration made under section 5, in any other case;
 - (b) any increase in the value of any other land (such as contiguous, adjacent or surface land, as the case may be) of the person interested likely to accrue from the use to which the airspace or subterranean space acquired will be put;
 - (c) the damage, if any, sustained by the person interested at the time of the Collector's taking of possession of the land by reason of severing that airspace or subterranean space from his other land (such as contiguous, adjacent or surface land, as the case may be);
 - (d) the damage, if any, sustained by the person interested at the time of the Collector's taking of possession of the airspace or subterranean space (as the case may be) by reason of the acquisition injuriously affecting his other property, whether movable or immovable, in any other manner;
 - (e) if, in consequence of the acquisition, the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to that change;
 - (f) if, in consequence of the acquisition, any reissue of title is necessary, the fees or costs relating to survey, issue and registration of title, stamp duty and such other costs or fees which may reasonably be incurred.”;
- (b) by inserting, immediately after the words “subsection (1)(c) or (d) or both,” in subsection (2), the words “or subsection (1A)(c) or (d) or both,”; and
- (c) by inserting, immediately after the words “subsection (1)(a)” in subsection (5), the words “or (1A)(a)”.

Repeal and re-enactment of Part VI

5. Part VI of the principal Act is repealed and the following Part substituted therefor:

“PART VI

TEMPORARY OCCUPATION AND USE OF LAND

Temporary occupation of land for public purpose

42.—(1) Where it appears to the President that any land that is not State land is required for temporary occupation and use for a public purpose, the President may direct the Collector to procure the temporary occupation and use of that land, for such term or terms as may be determined, ordinarily not exceeding a total of 3 continuous years from the start of the occupation.

(2) Upon the direction of the President under subsection (1) to procure the temporary occupation and use of any land that is not State land, the Collector or any person authorised by the Collector shall have the right to enter upon and take temporary possession of that land in accordance with the terms of that direction.

(3) However, the Collector or a person authorised by the Collector is not to exercise any right conferred by subsection (2) in respect of any land unless the Collector has given at least one month’s notice of the Collector’s intention to exercise that right to the persons interested in the land, and to every occupier of that land.

(4) A notice referred to in subsection (3) must —

- (a) state the estimated period, if any, during which the Collector intends to temporarily occupy or take possession of the land;
- (b) give a brief description of the works, if any, which are to be carried out in or on that land;
- (c) describe the area or extent of the land needed for the carrying out of the works referred to in paragraph (b); and