

Land Acquisition (Amendment) Bill

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Bill No: 5/2007

Read the first time: 12th February 2007

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Expenditure of Public Money

Land Acquisition (Amendment) Bill

Bill No. 5/2007

Read the first time on 12th February 2007.

An Act to amend the Land Acquisition Act (Chapter 152 of the 1985 Revised Edition).

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 2007 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

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

- (a) by deleting the words “or a statutory tenant under the Control of Rent Act” in the definition of “person interested” in subsection (1);
- (b) by deleting the marginal reference “Cap. 58.” in the definition of “person interested” in subsection (1);
- (c) by inserting, at the end of subsection (2)(a), the word “and”; and
- (d) by deleting paragraph (b) of subsection (2).

Amendment of section 3

3. Section 3(1) of the principal Act is amended by deleting the words “his servants and workmen” and substituting the words “any person authorised in writing by that officer”.

Amendment of section 4

4. Section 4(1) of the principal Act is amended by inserting, immediately after the words “that section”, the words “or person authorised in writing by that officer”.

Repeal and re-enactment of section 7

5. Section 7 of the principal Act is repealed and the following section substituted therefor:

“Plan of land to be acquired

7.—(1) Where less than the whole of any land in which a person is interested is to be acquired, and there is no plan sufficient to identify the part of the land to be acquired from the records of the Registry of Deeds or the Land Titles Registry of the Singapore Land Authority, the Collector shall, so far as is practicable, prepare a plan that is sufficient to identify the part of the land to be acquired from the records of the Registry of Deeds or the Land Titles Registry, as the case may be.

(2) Subsection (1) shall not apply if the part of the land to be acquired has already been marked out under section 3.”.

Amendment of section 8

6. Section 8 of the principal Act is amended —

(a) by deleting subsection (2) and substituting the following subsection:

“(2) The Collector shall also serve notice to the same effect on —

(a) every person known or believed to be interested in the land and who —

(i) is resident within Singapore; or

(ii) is resident outside Singapore at an address that is ascertainable after reasonable inquiry; or

(b) any person known or believed to be entitled to act for a person so interested and who —

(i) resides, or is authorised to receive service on behalf of the person so interested, within Singapore; or

(ii) resides, or is authorised to receive service on behalf of the person so interested, outside Singapore at an address that is ascertainable after reasonable inquiry.”;

and

- (b) by deleting the word “made” in subsection (3)(b)(ii) and substituting the words “in any plan prepared”.

Amendment of section 10

7. Section 10(1) of the principal Act is amended by deleting the words “to the measurements made under section 7” and substituting the words “to any plan prepared under section 7 (if any)”.

Amendment of section 18

8. Section 18 of the principal Act is amended by deleting the words “section 126(2) of that Act, an instrument of acquisition in the prescribed form” in the 3rd and 4th lines of paragraph (b) and substituting the words “section 143(2) of that Act, an instrument of acquisition”.

Amendment of section 23

9. Section 23 of the principal Act is amended —

- (a) by deleting the words “in quintuplicate” in subsection (1)(a) and (c) and substituting in each case the words “in duplicate”;
- (b) by deleting the words “the deposit” in subsection (1)(b) and substituting the words “the Collector to deposit”; and
- (c) by inserting, immediately after the word “Accountant-General” in the 5th line of subsection (3), the words “, if not waived by the Collector,”.

Amendment of section 33

10. Section 33 of the principal Act is amended —

- (a) by deleting the words “, subject to subsections (2), (3) and (4),” in subsection (1);
- (b) by deleting paragraph (a) of subsection (1) and substituting the following paragraph:
 - “(a) where the date of acquisition of the land is on or after 12th February 2007, the market value of the acquired land —
 - (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 land or part thereof; or
- (ii) as at the date of the publication of the declaration made under section 5, in any other case;”;
- (c) by deleting subsections (2), (3) and (4);
- (d) by deleting paragraphs (a), (c) and (f) of subsection (5);
- (e) by deleting the words “be expected to pay for the land on the basis of its existing use or in anticipation of the continued use of the land for the purpose designated in the Development Baseline referred to in section 36 of the Planning Act 1998, whichever is the lower, after taking into account the zoning and density requirements and any other restrictions imposed under the Planning Act 1998” in the 3rd to 10th lines of subsection (5)(e) and substituting the words “be willing to pay, after taking into account the zoning and density requirements and any other restrictions imposed by or under the Planning Act (Cap. 232) as at the date of acquisition”; and
- (f) by deleting the words “more intensive use; and” in the last line of subsection (5)(e) and substituting the words “use more intensive than that permitted by or under the Planning Act as at the date of acquisition.”.

Repeal and re-enactment of sections 45 and 46

11. Sections 45 and 46 of the principal Act are repealed and the following sections substituted therefor:

“Service of documents

45.—(1) A notice or other document required or authorised by this Act to be served on any person may be served —

- (a) in the case of an individual —
 - (i) by delivering it to the individual personally;
 - (ii) by leaving it with an adult person apparently resident at, or by sending it by pre-paid registered post to, the usual or last known address of the place of residence of the individual;