

Land Titles (Strata) (Amendment) Bill

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Bill No: 28/1998

Read the first time: 29th June 1998

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Land Titles (Strata) (Amendment) Bill

Bill No. 28/1998

Read the first time on 29th June 1998.

An Act to amend the Land Titles (Strata) Act (Chapter 158 of the 1988 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 Titles (Strata) (Amendment) Act 1998 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 3

2. Section 3 of the Land Titles (Strata) Act (referred to in this Act as the principal Act) is amended —

- (a) by inserting, immediately after the definition of “assurance”, the following definition:

“ “Board” means a Strata Titles Board constituted under section 86;” and

- (b) by inserting, immediately after the definition of “planning permission”, the following definition:

“ “President” means the President or a Deputy President of the Boards and includes an acting President;”.

Amendment of section 7

3. Section 7 of the principal Act is amended —

- (a) by deleting the words “or (8)” in subsection (11) and substituting the words “, (8) or (15)”; and

- (b) by inserting, immediately after subsection (13), the following subsections:

“(14) Subsection (1) shall not apply where a purchaser under section 84A, 84D, 84E or 84F has entered into a contract to dispose of a new flat in his proposed development project to a subsidiary proprietor of a lot in the strata title plan under section 84A or a registered proprietor of a flat in the development under section 84D, 84E or 84F before the legal completion of the transfer for the lot or flat.

(15) Where a purchaser referred to in subsection (14) has been registered as the proprietor of the lots and common property in a strata title plan referred to in section 84A or the flats and land referred to in section 84D, 84E or 84F, and has obtained planning permission from the competent authority in respect of any proposed development of the land intended for strata subdivision after the completion of any building thereon, he shall, within 6 months of obtaining the planning permission, file the schedule of strata units with the Commissioner in accordance with subsection (1) for acceptance by the Commissioner before selling any other flat in the development.

(16) Subsections (2) to (10) and (13) shall apply, with the necessary modifications, to any development referred to in subsection (14), including the modification that subsection (6) shall

apply to such a development after the Commissioner has accepted the schedule of strata units filed under subsection (15).”.

Amendment of section 45

4. Section 45 of the principal Act is amended —

(a) by inserting, immediately after subsection (3), the following subsection:

“(3A) Where an order made under Part VI has not been complied with, the management corporation may carry out any work specified in the order and recover from the person against whom the order was made the cost of so doing as a debt in a court of competent jurisdiction.”; and

(b) by inserting, immediately before the word “the” in the tenth line of subsection (4), the words “and the defect is not due to any breach of the duty imposed on any person by section 57(a),”.

Amendment of section 49

5. Section 49(1) of the principal Act is amended —

(a) by deleting the word “or” at the end of paragraph (c);

(b) by deleting the comma at the end of paragraph (d) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(e) any investigation or work required to be carried out by a management corporation under any order made by a Board under section 103,”; and

(c) by inserting, immediately after the words “purpose of” in the fifteenth line, the words “investigating or”.

Amendment of section 54

6. Section 54(1) of the principal Act is amended —

(a) by deleting the word “and” at the end of paragraph (c)(iv); and

(b) by deleting the full-stop at the end of sub-paragraph (v) of paragraph (c) and substituting the word “; and”, and by inserting immediately thereafter the following sub-paragraph:

- “(vi) whether the management corporation has received a copy of any application made under section 84A.”.

Amendment of section 78

7. Section 78 of the principal Act is amended by inserting, immediately after subsection (10), the following subsection:

“(11) No application shall be made under this section where the subsidiary proprietors intend to effect a sale of all the lots and common property in a strata title plan and there is no reason for applying to the court under this section other than that the subsidiary proprietors —

- (a) have not been able to satisfy the requirement under section 84A(1);
- (b) have been able to satisfy the requirement under section 84A(1) but have not made an application to a Board under section 84A(1); or
- (c) have been able to satisfy the requirement under section 84A(1) but their application for an order under section 84A has been refused by a Board.”.

New Part VA

8. The principal Act is amended by inserting, immediately after section 84, the following Part:

“PART VA

COLLECTIVE SALE OF PROPERTY

Application for collective sale of parcel by majority of subsidiary proprietors who have made conditional sale and purchase agreement

84A.—(1) An application to a Board for an order for the sale of all the lots and common property in a strata title plan with more than 10 lots may be made by —

- (a) the subsidiary proprietors of the lots with not less than 90% of the share values where less than 10 years have passed since the date of the issue of the latest Temporary Occupation Permit on completion of the development or, if no Temporary Occupation Permit was issued, the date of the issue of the latest Certificate of Statutory Completion for any building comprised in the strata title plan, whichever is the