

THE STATUTES OF THE REPUBLIC OF SINGAPORE

PLANNING ACT 1998

2020 REVISED EDITION

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Planning Act 1998

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An Act to provide for the planning and improvement of Singapore and for purposes connected therewith.

[Act 11 of 2021 wef 01/08/2022]

[1 April 1998]

PART 1

PRELIMINARY

Short title

1. This Act is the Planning Act 1998.

Interpretation

2. In this Act, unless the context otherwise requires —

"amendment", in relation to the Master Plan, includes any alteration or addition to or any repeal or replacement of the Master Plan in whole or in part;

"architect" means a person who is registered as an architect under the Architects Act 1991 and who has in force a practising certificate issued under that Act;

"breach of planning control" means —

(*a*) the carrying out of any development of land without the requisite planning permission;

(*b*) the carrying out of works in a conservation area without the requisite conservation permission; or

(*c*) any failure to comply with any condition imposed under section 14(4) for a written permission or any condition of an authorisation under section 21(6);

"building" includes any house, hut, shed or roofed enclosure (whether used for the purpose of human habitation or otherwise) and also any wall, fence, platform, staging, gate, post, pillar, paling, frame, hoarding, slip, dock, wharf, pier, jetty, landing-stage or bridge, or any structure or foundation connected to the foregoing;

"certificate of statutory completion" has the meaning given by the Building Control Act 1989;

"Certified Interpretation Plan" means a Certified Interpretation Plan prepared and certified by the competent authority under section 7;

"Collector" has the meaning given by the Land Revenue Collection Act 1940;

"competent authority", in relation to this Act or any Part or provision of this Act, means any competent authority appointed under section 5 to be responsible for the operation of this Act or that Part or provision, as the case may be;

"conservation" means the preservation, enhancement or restoration of the character or appearance of, and the interior and exterior of any building in, a conservation area;

"conservation area" means an area designated by the Minister in accordance with sections 8 and 9;

"conservation guidelines" means the conservation guidelines issued under section 11;

"conservation permission" means permission mentioned in section 12(2);

"developer" means the person for whom or on whose behalf development of land or works within a conservation area are carried out;

[*Deleted by Act 11 of 2021 wef 01/08/2022*]

"dormitory accommodation" includes accommodation occupied, or available for occupation, by 7 (or such other number as the Minister may, by notification in the *Gazette*,

prescribe in substitution) or more individuals, where rent or other form of consideration is paid or given for the accommodation, whether by an occupant or another person, and whether or not the relationship of landlord and tenant is thereby created, except where the occupants consist only of the following:

(*a*) an individual who is related by blood, marriage or adoption (by virtue of an order of court in Singapore or elsewhere) to all other occupants except an occupant mentioned in paragraph (*b*) or (*c*);

(*b*) a domestic worker whose work permit states the premises occupied as the domestic worker's residential address;

(*c*) an individual engaged to provide care or medical assistance to another occupant;

"enforcement notice" means a notice served under section 28;

"engineer" means a person who is registered as a professional engineer under the Professional Engineers Act 1991 and who has in force a practising certificate issued under that Act;

"functions" includes powers and duties;

"holding" means any piece or parcel of land held or possessed under an instrument of title, capable of being registered under the Registration of Deeds Act 1988 or, where applicable, under the Land Titles Act 1993, relating exclusively thereto;

"information notice" has the meaning given by section 25;

"land" includes buildings and any estate or interest in or right over land;

"land surveyor" means a person who is a registered surveyor under the Land Surveyors Act 1991 and who has in force a practising certificate issued under that Act;

[Act 25 of 2024 wef 01/10/2025]

"Master Plan" has the meaning given by section 6;

"occupier" includes any person in actual occupation of land or premises or any person having the charge, management or control of the land or premises either on the person's own account or as an agent of another person, but does not include a lodger;

"owner", in relation to land or premises, means the person for the time being receiving the rent of the land or premises whether on the person's own account or as trustee for any other person or as receiver (not being appointed by or on behalf of a mortgagee) or the person who would receive the rent if the land or premises were let to a tenant and includes —

(*a*) a mortgagee in possession; and

(*b*) the purchaser of any newly constructed premises or part thereof in respect of which a temporary occupation permit or a certificate of statutory completion has been granted;

"planning permission" means permission mentioned in section 12(1);

"prescribe" means prescribe by rules made under this Act;

"provisional permission" means provisional permission granted under section 17(1) or 17A(2);

[Act 23 of 2023 wef 18/12/2023]

"purchase notice" means a notice served under section 24;

"qualified person" means a person specified in the First Schedule;

"repealed Act" means the repealed Planning Act (Cap. 232, 1990 Revised Edition);

"street" includes any road, square, footway or passage, whether a thoroughfare or not, over which the public has a right of way, and also the way over any public bridge, and includes also any road, footway or passage, open court or open alley, used or intended to be used as a means of access to 2 or more holdings, whether the public has a right of way thereover or

not; and all channels, drains and ditches at the side of any street are deemed to be part of that street;

"subdivision permission" means permission mentioned in section 12(3);

"temporary occupation permit" has the meaning given by the Building Control Act 1989;

"use", in relation to land, does not include the use of land by the carrying out of any building or other operations on the land;

"works within a conservation area" means —

(*a*) any development of land within a conservation area; or

(*b*) any decorative, painting, renovation or other works (whether external or internal) to any building within a conservation area which may affect its character or appearance;

"written permission" means a planning permission, conservation permission or subdivision permission (as the case may be) granted by a competent authority and includes any such permission granted or issued by electronic transmission or in a medium other than paper and authenticated in such manner as the competent authority may determine;

"written statement", in relation to the Master Plan, means that part of the Master Plan which includes a summary of the main proposals of the Master Plan with such descriptive matter as the competent authority considers necessary to illustrate the proposals of the Master Plan or as the Minister may, from time to time, direct for that purpose.

[17/2001; 30/2003; 7/2017]

Meaning of "development"

3.—(1) Subject to subsections (2) and (3), in this Act, except where the context otherwise requires, "development" means the carrying out of any building, engineering, mining, earthworks or other operations in, on, over or under land, or the making of any

material change in the use of any building or land, and "develop" and "developing" are to be construed accordingly.

(2) The following operations or uses of land are not to be deemed for the purposes of this Act to involve development of land:

(*a*) the carrying out of works for the maintenance, improvement or other alteration of a building which do not materially affect the external appearance or the floor area of the building;

(*b*) the carrying out of such minor or preliminary works and such temporary use of land as the competent authority may declare for the purpose of this subsection;

(*c*) the carrying out by any statutory authority of any works on land within the boundaries of a street, being works which are necessary for the maintenance or improvement of the street;

(*d*) the carrying out by any statutory authority of any works for the purpose of laying, inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of any street or other land for that purpose;

(*e*) the carrying out of any act authorised or required by the Control of Vectors and Pesticides Act 1998;

(*f*) the use of any existing building or land within the curtilage of a dwelling house for any purpose incidental to the enjoyment of the dwelling house as such;

(*g*) the use of any land for the purposes of forestry (including afforestation) and the use for any of those purposes of any building occupied together with land so used;

(*h*) in the case of any building or land which is used for a purpose of any class specified in any rules made under section 61, the use of the building or land or any part thereof for any other purpose within the same class.

[11/2019]

(3) To avoid doubt, it is declared that for the purposes of this section —

(*a*) the use as 2 or more separate houses of any building previously used as a single house involves a material change in the use of the building and of each part thereof which is so used;

(*b*) the use as a dwelling house of any building not originally constructed for human habitation involves a material change in the use of the building;

(*c*) the use for other purposes of a building or part of a building originally constructed as a dwelling house involves a material change in the use of the building;

(*d*) the use for a purpose specified in the Fourth Schedule of a building or part of a building originally constructed as a dwelling house constitutes development, whether such use commenced before, on or after 15 May 2017;

(*e*) the demolition or reconstruction of or addition to a building constitutes development;

(*f*) the use for the display of advertisements of any external part of a building which is not normally used for that purpose involves a material change in the use of the building;

(*g*) the deposit of refuse or waste materials on land involves a material change in the use of the land even though the land is comprised in a site already used for that purpose, if —

(i) the superficial area of the deposit is extended; or

(ii) the height of the deposit is extended and exceeds the level of the land adjoining the site;

(*h*) subject to subsection (2)(*h*), the use of any building or part thereof for any purpose other than that for which the building was originally constructed involves a material change in the use of the building;

(*i*) any decorative, painting, renovation or building works, whether external or internal, to or on a monument in

respect of which there is in force a preservation order under the Preservation of Monuments Act 2009 constitutes building operations;

(*j*) the use and operation as 2 or more separate entities of any building or buildings or part of a building which is or are approved or authorised to be used and operated as one single entity for any of the uses specified in the Second Schedule involves a material change in the use of the building or buildings or part of the building; and

(*k*) where a planning permission or conservation permission is cancelled under section 15(4), a planning permission or conservation permission granted for a specified period has lapsed, or a condition of an authorisation under section 21(6) is breached, the continued use of any building or land for any purpose constitutes development from the date of the cancellation, lapsing or breach, as the case may be.

[30/2003; 16/2009; 7/2017]

Meaning of "subdivide"

4.—(1) Subject to this section, a person is, for the purposes of this Act, said to subdivide land if, by any deed or instrument, the person conveys, assigns, demises or otherwise disposes of any part of the land in such a manner that the part so disposed of becomes capable of being registered under the Registration of Deeds Act 1988 or, in the case of registered land, being included in a separate folio of the land-register under the Land Titles Act 1993, and "subdivide" and "subdivision" are to be construed accordingly.

(2) Despite subsection (1), the following leases granted on or after 1 April 1998 are not to be regarded as a disposal of the land or part thereof:

(*a*) in the case of any development described in Part 1 of the Third Schedule — the grant of any lease for any unit in the development for a term not exceeding an aggregate of 14 years;

(*b*) in the case of any development described in Part 2 of the Third Schedule — the grant of any lease for a building or any part of a building comprised in the development for a term not exceeding an aggregate of 14 years;

(*c*) in the case of any other land — the grant of any lease of the whole or part of the land for a term not exceeding an aggregate of 7 years.

[30/2003]

(3) The Minister may, at any time, by order in the *Gazette* amend, delete or add to the list of leases in subsection (2) which are not to be regarded as a disposal of land or part thereof.

[30/2003]

(4) For the purposes of this section —

(*a*) the fact that the term of a lease may be extended pursuant to an option is to be taken into consideration in determining whether the term of the lease exceeds any of the periods specified in subsection (2); and

(*b*) the fact that a lease for a specified period of time is determinable on the happening of an event within that time is not to be taken into consideration in determining the term of the lease.

[30/2003]

Competent authority

5.—(1) The Minister may appoint any person or persons as the Minister thinks fit to be the competent authority or authorities responsible for the operation of this Act, either generally or for any particular Part or provision of this Act or for any particular rules made under this Act, and may in the notification specify the extent of and manner in which that responsibility is to be exercised.

[Act 5 of 2025 wef 09/03/2025]

(1A) An appointment under subsection (1) must be published in the *Gazette*.

[Act 5 of 2025 wef 09/03/2025]

(2) The functions conferred on the competent authority by this Act may be performed by any officer mentioned in subsection (3) who has been generally or specially authorised by name or office by the

competent authority, and subject to the competent authority's direction and control.

(3) The competent authority may authorise any of the following persons to perform all or any of the competent authority's functions conferred by this Act:

(*a*) any public officer;

(*b*) any officer in the employment of a statutory authority which has been approved by the Minister for the purpose.

(4) Without affecting subsections (2) and (3), the competent authority may, with the approval of the Minister, authorise generally or specially any person to perform any or all of the functions conferred on the competent authority by sections 27 and 31, subject to the direction and control of the competent authority.

[17/2005]

(5) Any officer or person who is authorised (whether generally or specially) under subsection (2) or (4) to perform the functions of the competent authority under this Act is deemed to be —

(*a*) a public officer for the purposes of this Act; and

(*b*) a public servant within the meaning of the Penal Code 1871.

[17/2005]

PART 2

MASTER PLAN AND CONSERVATION AREAS AND GUIDELINES

Master Plan

6. The Master Plan means the Master Plan that was originally submitted to and approved by the Governor in Council on 5 August 1958 under the provisions of Part IV of the Singapore Improvement Ordinance (Cap. 259, 1955 Revised Edition) as subsequently amended under the repealed Act or this Act, and includes the approved maps and written statement.

Certified Interpretation Plans

7.—(1) For the purpose of providing more detailed interpretation of the Master Plan, the competent authority may, from time to time, prepare and certify further maps on a scale larger than that of the maps contained in the Master Plan.

(2) Upon the certification the plan is to be known as a "Certified Interpretation Plan".

Amendments to Master Plan

8.—(1) At least once in every 5 years after 1 April 1998, the competent authority must review the Master Plan and submit to the Minister a report of the competent authority's review together with proposals for amendment to the Master Plan which the competent authority may consider expedient.

(2) Without affecting subsection (1), the competent authority may at any time also submit to the Minister proposals for amendment to the Master Plan.

(3) Proposals for amendment to the Master Plan may provide for any of the following in relation to the whole of the area which is the subject of the Master Plan or any part thereof:

(*a*) rezoning;

(*b*) change of plot ratios;

(*c*) change of the written statement in any respect;

(*d*) designation of conservation areas;

(*e*) any other purpose therein stated.

(4) A proposal for any amendment to the Master Plan may include any maps, written statements and other matter as may be prescribed and any other information that the competent authority considers necessary.

(5) A proposal for any amendment to the Master Plan must be submitted to the Minister for approval and must be accompanied by a planning report.

(6) The Minister may approve the proposal with or without modifications or reject it.

(7) When the Minister approves of a proposed amendment to the Master Plan, the Master Plan has effect as amended as from the date of the approval of the Minister.

(8) In the event of any conflict between provisions of the Master Plan, the most recently approved provision prevails.

Conservation areas

9.—(1) Where in the opinion of the Minister any area is of special architectural, historic, traditional or aesthetic interest, the Minister may approve under section 8 a proposal to amend the Master Plan to designate the area as a conservation area.

(2) A conservation area may comprise —

(*a*) an area;

(*b*) a single building; or

(*c*) a group of buildings.

Rules relating to amendments to Master Plan

10.—(1) The Minister may make rules to provide for the form, content and procedure to be followed in connection with the preparation, submission and approval of an amendment to the Master Plan.

(2) Without limiting subsection (1), the rules may, in particular, require —

(*a*) the competent authority to publish in prescribed circumstances a notice of the submission of any proposal to amend the Master Plan, and of the place or places where copies of the Master Plan and of the proposal may be inspected;

(*b*) objections and representations made in accordance with the rules to be considered, and public inquiries or other hearings in such cases as may be prescribed to be held before the Master Plan is amended by the Minister; and

(*c*) copies of the Master Plan or parts thereof to be made available for free inspection by and for sale at a reasonable cost to the public.

Conservation guidelines

11.—(1) The competent authority may issue guidelines for the conservation of buildings or land within a conservation area and for the protection of their setting.

(2) The competent authority must publish and make available copies of the guidelines for free inspection and for sale at a reasonable cost to the public.

PART 3

DEVELOPMENT AND SUBDIVISION OF LAND

Unauthorised subdivision, development and other works

12.—(1) A person must not, without planning permission, carry out or permit the carrying out of any development of any land outside a conservation area.

[7/2017]

(2) A person must not, without conservation permission, carry out or permit the carrying out of any works within a conservation area.

[7/2017]

(3) A person must not, without subdivision permission, subdivide or permit the subdivision of any land.

[7/2017]

(4) Subject to subsections (5) and (6), any person who contravenes subsection (1), (2) or (3) shall be guilty of an offence and shall be liable on conviction —

(*a*) to a fine not exceeding $200,000 and, in the case of a continuing offence, to a further fine not exceeding $10,000 for every day or part of a day during which the offence continues after conviction; or

(*b*) if the person is a repeat offender, to a fine not exceeding $200,000 or to imprisonment for a term not exceeding 12 months or to both and, in the case of a continuing

offence, to a further fine not exceeding $10,000 for every day or part of a day during which the offence continues after conviction.

[7/2017]

(5) Where a contravention of subsection (2) by a person includes the demolition of a building (or part of a building) in a conservation area, the person convicted of an offence under subsection (4) for the contravention shall, in lieu of the punishment prescribed in subsection (4), be liable —

(*a*) to a fine not exceeding $500,000 or to imprisonment for a term not exceeding 12 months or to both; and

(*b*) in the case of a continuing offence, to a further fine not exceeding $10,000 for every day or part of a day during which the offence continues after conviction.

[7/2017]

(6) Where a contravention of subsection (1) or (2) by a person involves the use of any land or building to provide dormitory accommodation, the person convicted of an offence under subsection (4) for the contravention shall, in lieu of the punishment prescribed in subsection (4), be liable —

(*a*) to a fine not exceeding $200,000 or to imprisonment for a term not exceeding 12 months or to both; and

(*b*) in the case of a continuing offence, to a further fine not exceeding $10,000 for every day or part of a day during which the offence continues after conviction.

[7/2017]

(7) In this section, a person is a repeat offender if the person who is convicted, or found guilty, of an offence (other than a continuing offence) under subsection (4) has (whether before, on or after 15 May 2017) been convicted or found guilty on at least one other earlier occasion of —

(*a*) an offence under subsection (4) for contravening subsection (1), (2) or (3); or

(*b*) an offence under subsection (4) as in force immediately before that date for contravening subsection (1), (2) or (3) as in force immediately before that same date.

[7/2017]

(8) Where a person is convicted of an offence under subsection (4) in respect of any works on or any development or subdivision of land without having been served previously with an enforcement notice in respect of the works, development or subdivision, the competent authority may serve an order on the person directing the person to remove from the land, within 14 days of the date of service of the order, all such property or materials used in connection with the offence as may be specified in the order.

Presumption of permitting unauthorised development or works

12A.—(1) If a tenant or contractor of the owner of any land —

(*a*) carries out any development of the land in contravention of section 12(1); or

(*b*) carries out any works within a conservation area on the land in contravention of section 12(2),

the owner of the land is taken to have permitted the carrying out of the development, or permitted the carrying out of those works, as the case may be, in contravention of the same provision.

[7/2017]

(2) However, it is a defence in proceedings against an owner of any land for an offence under section 12(4) for such a contravention if it is proved by the defendant, on a balance of probabilities, that the defendant —

(*a*) took all reasonable precautions to prevent the contravention by the tenant or contractor; or

(*b*) could not, by the exercise of due diligence, have prevented the contravention by the tenant or contractor.

[7/2017]

(3) Without limiting the ways in which a defendant may satisfy the requirements of subsection (2)(*b*), a defendant satisfies those requirements if it is proved, on a balance of probabilities, that the

commission of the offence occurred when the defendant was not the owner of the land in question and that the commission of the offence was due to the act or default of another person.

[7/2017]

(4) An owner of any land may be proceeded against and convicted under a provision pursuant to this section whether or not the tenant or contractor (as the case may be) of the owner has been proceeded against or been convicted under that provision.

[7/2017]

(5) In this section —

"contractor", in relation to an owner of any land, means any person whom the owner employs, engages or hires directly to carry out any type of building works on the land;

"tenancy agreement" means an agreement, whether or not in writing and whether express or implied, under which a person lets, or licences for occupation, any land or building as a residence or place of business;

"tenant", in relation to an owner of any land, means a person to whom the land is let, or licensed for occupation, by the owner of the land, under a tenancy agreement between the owner and that person.

[7/2017]

Application for preliminary advice

12B.—(1) A person intending to apply for written permission may, in such form and manner as the competent authority may require, apply to the competent authority for preliminary advice on any matter (as may be declared by the competent authority) relating to the development of land, works within a conservation area or subdivision of land, which is to be the subject of the person's application for written permission.

[7/2017]

(2) Any preliminary advice given by the competent authority under this section —

(*a*) does not constitute approval in principle for the proposed development, works or subdivision; and

(*b*) does not authorise the carrying out of the development, works or subdivision or any other development, works or subdivision.

[7/2017]

Application for permission

13.—(1) An application for planning permission, conservation permission or subdivision permission must be made to the competent authority in the prescribed form and manner.

(2) Unless otherwise prescribed, a person applying for —

(*a*) planning permission for any development of any land must, before the person makes the application, appoint an architect or engineer to carry out the duties specified in section 24A; or

(*b*) conservation permission for any works within a conservation area must, before the person makes the application, appoint an architect to carry out the duties specified in section 24A.

[7/2017]

(3) Where the qualified person appointed under subsection (2) ceases to be appointed for any reason, the developer must —

(*a*) without delay appoint another qualified person in accordance with subsection (2); and

(*b*) within 7 days after the appointment under paragraph (*a*), notify the competent authority of that appointment.

[7/2017]

(4) A developer who, without reasonable excuse, fails to comply with subsection (3)(*b*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

[7/2017]

(5) The competent authority must seek to determine such an application within 3 months of receiving it but may, where unavoidable circumstances so require, defer the competent authority's determination for such further period as the competent authority thinks fit.

Applications determined with reference to Master Plan, etc.

14.—(1) Subject to subsection (2), in determining an application for written permission, the competent authority must act in conformity with the provisions of the Master Plan and any Certified Interpretation Plan insofar as they may be relevant.

(2) Where the Minister approves, either in relation to a particular application or a class of applications (as the case may be), the competent authority need not act in accordance with subsection (1) in any of the following circumstances:

(*a*) the land to which the application relates (called in this subsection the relevant land) is or will be required for any public purpose or for the provision of any utility services or infrastructural, social or transportation facility;

(*b*) the relevant land, or its locality, is the subject of a planning, transportation, conservation or preservation study being carried out by the competent authority or any other public authority;

(*c*) the provisions of the Master Plan insofar as it relates to the relevant land, or its locality, is being reviewed by the competent authority;

(*d*) a proposal to amend the provisions of the Master Plan insofar as it relates to the relevant land, or its locality, has been submitted to the Minister for approval under section 8;

(*e*) the competent authority is of the view that the development proposed in the application is incongruent with the developments on land adjoining the relevant land or other land in the locality;

(*f*) the planning permission or conservation permission to be granted for the development proposed in the application is for a specified period not exceeding 10 years.

[30/2003]

(3) Where subsection (2) applies, the competent authority may determine the application in the manner as the Minister may approve.

(4) Subject to any rules, the competent authority may —

(*a*) grant written permission, either unconditionally or subject to any conditions the competent authority considers fit, including those mentioned in section 15; or

(*b*) refuse written permission.

(5) Where written permission is granted subject to conditions or is refused, the competent authority must provide reasons in writing for imposing the conditions or refusing the application, as the case may be.

(6) When an application for planning permission or conservation permission is made to the competent authority in relation to any land, the application supersedes any previous application for planning permission or conservation permission relating to the same land which remains undetermined.

(7) Unless otherwise approved by the Minister in writing, the planning permission or conservation permission of the competent authority is a condition precedent to the consideration by a licensing authority of any application for the issue of a licence for any purpose involving the development of land.

Applications determined in reliance of declaration of qualified person

14A.—(1) Where an application for written permission is required under this Act to be accompanied by any declaration by an appropriate qualified person that to the best of his or her knowledge and belief —

(*a*) the information contained in any specified document, form and plan submitted for the application is true and correct in all material particulars; and

(*b*) every such document, form and plan submitted for the application has been completed or prepared in accordance with the provisions of this Act and all requirements that the competent authority may specify in respect of the application,

the competent authority may, without checking the information, documents, forms or plans, determine the application on the basis of the declaration of the qualified person.

[30/2003; 7/2017]

(2) Despite subsection (1), the competent authority may, in the competent authority's discretion, carry out random checks on any information, document, form or plan relating to any application for written permission before or after determining the application.

[30/2003]

(3) The competent authority may at any time revoke any written permission granted under subsection (1) if the competent authority is satisfied that —

(*a*) any information contained in any document, form or plan submitted for the application is false or misleading in any material particular; or

(*b*) any document, form or plan submitted for the application is not in compliance in any material particular with the provisions of this Act and the requirements that the competent authority may specify in respect of the application.

[30/2003]

(4) Where the competent authority revokes a written permission under subsection (3), any development of land, works within a conservation area or subdivision of land (as the case may be) carried out pursuant to that written permission is or are deemed to have been carried out without the requisite written permission.

[30/2003]

Conditions for planning permission or conservation permission

15.—(1) All or any of the following conditions may be imposed on the grant under section 14(4) of any planning permission or conservation permission in respect of any land:

(*a*) that the permission is granted for a specified period;

(*b*) that where the permission is granted for a specified period, any building or works authorised by the permission must

be removed, or the use of the land so authorised must be discontinued, at the end of the specified period, and that any works for the reinstatement of the land at the end of that period must be carried out;

(*c*) that any work must be commenced by a specified time;

(*d*) restrictions or requirements specified by the competent authority as to the height, design, appearance and siting of any building, including the use of lighting in the design and appearance of the building;

(*e*) that subdivision of the land is prohibited;

(*f*) that a banker's guarantee must be issued to, or deposits must be placed with, the competent authority or such statutory authority as the competent authority may specify to secure compliance with the requirements of the competent authority or that statutory authority;

(*g*) that the title of any part of the land must be transferred free from encumbrances to the State or any public authority;

(*h*) that such areas within the land as the competent authority considers necessary are to be provided, maintained and kept open and accessible for use by the public as paths or open spaces, without any compensation;

(*i*) that such connecting structures (whether or not within the land) as the competent authority considers necessary are to be provided, maintained and kept open and accessible for use by the public or any occupier or other user of the land and any other land adjoining or in the locality, without any compensation;

(*j*) that a knock-out panel must be provided at any part of the land, and must be removed when the competent authority requires the owner or occupier of the land to do so, so as to allow the land to be connected to any adjoining land or building;

(*k*) that the permission supersedes any previous permission given by the competent authority to the applicant despite anything in section 20.

[30/2003; 7/2017]

(2) To avoid doubt, the common law on dedication of land does not apply in relation to any area or connecting structure mentioned in subsection (1)(*h*) or (*i*) to create any interest in land.

[7/2017]

(3) The following conditions may also be imposed on the grant of any conservation permission under section 14(4):

(*a*) requirements for compliance with any conservation guidelines or any other requirements relating to conservation;

(*b*) requirements for making good any damage caused to the building by any works after the works are completed;

(*c*) where the approval of the Commissioner of Building Control under the Building Control Act 1989 is required to be obtained for the plans of the building works with regard to any works within a conservation area, requirements for the submission to the competent authority, within 7 days of the application for approval made to the Commissioner of Building Control, of a declaration by the qualified person who submitted the plans of the building works for the application to the Commissioner of Building Control that those plans are in accordance with the plans approved by the competent authority in the grant of the conservation permission.

[30/2003; 7/2017]

(4) Where a condition is imposed under section 14(4) on the grant of planning permission or conservation permission in respect of any land —

(*a*) every person carrying out any development of the land;

(*b*) every person carrying out any works within a conservation area on the land; and

(*c*) every owner or occupier of the land,

must each comply with the condition, whether or not the person, owner or occupier applied for the permission or owned or occupied the land at the time the permission was granted.

[7/2017]

(5) A person shall be guilty of an offence if the person —

(*a*) is required by subsection (4) to comply with a condition imposed on a planning permission or conservation permission;

(*b*) carries out or permits the carrying out of any development of land, any works within a conservation area or any other activity in contravention of that condition; and

(*c*) knew or ought reasonably to have known, when carrying out, or permitting the carrying out, of the development, works or activity, that the development, works or activity is in contravention of the condition.

[7/2017]

(6) Subject to subsections (7) and (8), any person found guilty of an offence under subsection (5) shall be liable on conviction —

(*a*) to a fine not exceeding $200,000 and, in the case of a continuing offence, to a further fine not exceeding $10,000 for every day or part of a day during which the offence continues after conviction; or

(*b*) if the person is a repeat offender, to a fine not exceeding $200,000 or to imprisonment for a term not exceeding 12 months or to both and, in the case of a continuing offence, to a further fine not exceeding $10,000 for every day or part of a day during which the offence continues after conviction.

[7/2017]

(7) Where a contravention of subsection (4) by a person includes the demolition of a building (or part of a building) in a conservation area, the person convicted of an offence under subsection (5) for the contravention shall, in lieu of the punishment prescribed in subsection (6), be liable —

(*a*) to a fine not exceeding $500,000 or to imprisonment for a term not exceeding 12 months or to both; and

(*b*) in the case of a continuing offence, to a further fine not exceeding $10,000 for every day or part of a day during which the offence continues after conviction.

[7/2017]

(8) Where a contravention of subsection (4) by a person involves the use of any land or building to provide dormitory accommodation, the person convicted of an offence under subsection (5) for the contravention shall, in lieu of the punishment prescribed in subsection (6), be liable —

(*a*) to a fine not exceeding $200,000 or to imprisonment for a term not exceeding 12 months or to both; and

(*b*) in the case of a continuing offence, to a further fine not exceeding $10,000 for every day or part of a day during which the offence continues after conviction.

[7/2017]

(9) Where any person fails to comply with any condition imposed on any planning permission or conservation permission, the competent authority may cancel the relevant permission.

(10) In this section —

"connecting structure" means any underpass, subway, bridge or other structure, whether under or above ground or at grade and whether for pedestrians or vehicles, linking or connecting —

(*a*) a building with another building;

(*b*) a building with any public facility, space or street; or

(*c*) a public facility, space or street with another public facility, space or street,

and includes escalators, travellators and other facilities but does not include a railway tunnel or any part of it;

"repeat offender" means a person who is convicted, or found guilty, of an offence (other than a continuing offence) under subsection (5) and has (whether before, on or after 15 May

2017) been convicted or found guilty on at least one other earlier occasion of —

(*a*) an offence under subsection (5); or

(*b*) an offence under section 15(3) of this Act as in force immediately before that date.

[7/2017]

Subdivision permission: supplementary provisions

16.—(1) A planning permission or conservation permission may also, where it expressly so provides, contain subdivision permission.

(2) A copy of every document containing subdivision permission must be forwarded by the competent authority to the Collector together with a plan of the subdivision so authorised on which the dimensions of all lots, widths of streets and backlanes and such other particulars as the competent authority may consider necessary are shown.

Provisional permission

17.—(1) Where the competent authority so determines, the competent authority may grant any written permission as a provisional permission in the first instance.

(2) The competent authority may authorise (generally or specially) the carrying out of specified preliminary works following the grant of provisional permission.

(3) Any grant of provisional permission lapses 6 months following the date of its granting unless a longer period is specified in the provisional permission or the competent authority otherwise directs in writing.

(4) Where the competent authority is satisfied that all the conditions contained in a provisional permission have been complied with during the validity period of the provisional permission, the competent authority must grant a written permission subject to such further conditions as the competent authority thinks fit.

[Act 23 of 2023 wef 18/12/2023]

(5) A written permission granted under subsection (4) is deemed to be a written permission granted under section 14.

[Act 23 of 2023 wef 18/12/2023]

Application for provisional permission

17A.—(1) An applicant for planning permission or conservation permission who desires to commence preliminary works before the grant of the permission, may apply in the first instance for that permission as a provisional permission.

(2) Subject to any rules, the competent authority may —

(*a*) grant the provisional permission, either unconditionally or subject to any conditions the competent authority considers fit; or

(*b*) refuse to grant the provisional permission.

(3) Where, subsequent to the grant of provisional permission, an application for planning permission or conservation permission is made during the validity period of the provisional permission, the application is to be determined on the basis of the further details supplied on that subsequent application.

(4) For the purposes of this section —

(*a*) section 13 applies with the necessary modifications to an application for provisional permission as it applies to an application for written permission, except that a different form and manner may be prescribed for the making of an application for provisional permission;

(*b*) sections 14, 14A, 21 and 22 apply with the necessary modifications to an application for provisional permission as they apply to an application for written permission;

(*c*) sections 14(5), 14A, 19, 21 and 22 apply with the necessary modifications to a grant of provisional permission under this section, as they apply to a grant of written permission;

(*d*) section 17(2) and (3) applies to a grant of provisional permission under this section as it applies to a grant of provisional permission under section 17(1); and

(*e*) to avoid doubt, section 17(4) does not apply to a grant of provisional permission under this section.

[Act 23 of 2023 wef 18/12/2023]

Outline permission

18.—(1) An applicant for planning permission or conservation permission may if the applicant so desires apply in the first instance for outline permission in the manner prescribed.

(2) An application for outline permission must be determined on the same basis as an application for planning permission or conservation permission except that the competent authority is to have regard only to matters relating to land use, intensity, type, form and height of the proposed development or works.

(3) Outline permission constitutes approval in principle for the proposed development or works, but does not authorise the carrying out of that development or works or any other development or works.

(4) Any grant of outline permission lapses 6 months following the date of its granting unless a longer period is specified in the outline permission or the competent authority otherwise directs in writing.

(5) Where subsequent to the grant of outline permission an application for planning permission or conservation permission is made during the validity period of the outline permission, the application is to be determined on the basis of the further details supplied on that subsequent application.

(6) Section 22 applies, with the necessary modifications, to applications made under this section as it applies to applications made under section 13.

Rectification of errors and omissions

19.—(1) The validity of any written permission granted under this Part is not affected by any error in or omission of any particulars relating to the description of any land or boundary if the location and identity of the land are not in question.

(2) The competent authority may at any time rectify any such error or omission by —

(*a*) notification in the *Gazette*; or

(*b*) amending or adding to the written permission to correct any matter erroneously entered or omitted.

Developer must appoint qualified person to supervise development or works

19A.—(1) Unless otherwise prescribed, a developer carrying out —

(*a*) any development of any land must, before the development starts, appoint an architect or engineer to carry out the duties under section 24B; or

(*b*) any works within a conservation area must, before the works start, appoint an architect to carry out the duties under section 24B.

[7/2017]

(2) Where any qualified person appointed under subsection (1) becomes unwilling to act or unable, whether by reason of the termination of the qualified person's appointment or for any other reason, to carry out the qualified person's duties under this Act, the developer must —

(*a*) without delay appoint another qualified person in accordance with subsection (1); and

(*b*) within 7 days after the appointment under paragraph (*a*), notify the competent authority of that appointment.

[7/2017]

(3) Any developer who, without reasonable excuse, fails to comply with any requirement in subsection (1)(*a*) or (*b*) or (2) shall be guilty of an offence and shall be liable on conviction —

(*a*) to a fine not exceeding $20,000 or to imprisonment for a term not exceeding 12 months or to both; and

(*b*) in respect of a continuing contravention, to an additional fine not exceeding $1,000 for each day or part of a day the developer fails to comply with the requirement,

and if the failure continues after the conviction, the developer shall be guilty of a further offence and shall be liable on conviction of this further offence to a further fine not exceeding $2,000 for every day or part of a day during which the failure to comply continues after conviction.

[7/2017]

Expiry of permissions

20.—(1) Except where the competent authority imposes a condition to the contrary, every planning permission and every conservation permission lapses if the development or works authorised by it are not completed or effected within 2 years of —

(*a*) the date of the grant of the planning permission or conservation permission, as the case may be; or

[Act 23 of 2023 wef 18/12/2023]

(*b*) [*Deleted by Act 23 of 2023 wef 18/12/2023*]

(*c*) if an appeal is made under section 22, the date the appeal is determined or withdrawn.

(2) The competent authority may, in the competent authority's discretion, extend any planning permission or conservation permission on such terms and for such further period as the competent authority thinks fit.

Power to require as-built plans

20A.—(1) Subject to subsection (2), the competent authority may, in respect of any development of any land or any works within a conservation area authorised in a planning permission or conservation permission, require a developer to submit, in such form as the competent authority may require —

(*a*) as-built plans of the development or works prepared by a land surveyor in accordance with the requirements specified by the competent authority;

(*b*) a declaration by the land surveyor who prepared the as-built plans that the as-built plans have been prepared by the land surveyor in accordance with the requirements mentioned in paragraph (*a*); and

(*c*) such other documents as the Minister may prescribe.

[7/2017]

(2) Subsection (1) applies at any time after the commencement of the development or works but before —

(*a*) the Commissioner of Building Control grants a temporary occupation permit or a certificate of statutory completion under the Building Control Act 1989, whichever is earlier, for every building authorised in the relevant permission; or

(*b*) where a temporary occupation permit or a certificate of statutory completion is not required under the Building Control Act 1989, the development or works is complete.

[7/2017]

Applications referred to Minister

21.—(1) The Minister may give directions to the competent authority requiring that all or any applications under section 13 or any class of applications specified in the direction must be referred to the Minister for determination instead of the competent authority, and every such application must then be so referred to the Minister.

(2) The decision of the Minister on such an application must be communicated to the competent authority, who must grant or refuse written permission in accordance with the decision, and, if written permission is granted, impose such conditions as the Minister may direct and such other conditions as the competent authority thinks fit.

(3) The Minister, in determining any such application, has all the functions of the competent authority under this Act, and references to the competent authority are to be accordingly construed as references to the Minister.

(4) Any decision by the Minister under this section is final, and is not subject to appeal under section 22 or to be challenged or questioned in any court; but any decision by the competent authority to impose conditions other than as directed by the Minister is subject to appeal under section 22 as if the conditions had been imposed by the competent authority under section 14(4).

(5) Where the competent authority intends to develop or to carry out works within a conservation area on any land belonging to the

competent authority, the competent authority may be directed by the Minister to provide to the Minister particulars relating to the development or works and the Minister may give such further directions as the Minister considers fit in relation thereto.

(6) Despite section 12, the Minister may authorise, by notification in the *Gazette*, either generally or in relation to any specified area —

(*a*) any development of land;

(*b*) any works within a conservation area; or

(*c*) any subdivision of land,

subject to such conditions as may be specified in the notification.

[30/2003; 7/2017]

Full payment of land betterment charge may be condition precedent to written permission, etc.

21A. Despite any other provision in this Act, it is lawful for —

(*a*) the competent authority or Minister to refuse to grant written permission under section 14 for a development or subdivision of any land; or

(*b*) the competent authority to refuse to accept a lodgment of any plans for a development or subdivision of any land authorised by notification in the *Gazette* made under section 21(6),

if any land betterment charge that is payable under the Land Betterment Charge Act 2021 with respect to the development or subdivision is not paid in full and where no deferment determination relating to the land betterment charge is in force.

[Act 11 of 2021 wef 01/08/2022]

Appeals to Minister

22.—(1) Where an application for written permission under section 13 is —

(*a*) refused by the competent authority;

(*b*) granted by the competent authority subject to conditions; or

(*c*) granted provisional permission under section 17 by the competent authority subject to conditions,

the applicant who is aggrieved by that decision may appeal to the Minister against that decision.

(2) Where the competent authority cancels a planning permission or conservation permission under section 15(9), any person aggrieved by that decision may appeal to the Minister against that decision.

[7/2017]

(3) An appeal must be made in the form and manner prescribed and within 60 days of the date of the notification of the decision.

(4) An appeal does not affect the enforceability of any condition imposed or prevent the taking of any action in respect of any unauthorised development of any land or any unauthorised works within a conservation area unless otherwise directed by the Minister in any particular case.

[7/2017]

(5) Where an appeal is brought under this section against a decision of the competent authority, the Minister may dismiss or allow the appeal unconditionally or subject to such conditions as the Minister considers fit.

(6) The decision of the Minister on an appeal must be communicated to the competent authority and the applicant.

(7) Where the competent authority grants written permission in accordance with the decision of the Minister on appeal, the competent authority may, whether the Minister dismisses or allows the appeal unconditionally or subject to conditions, impose such additional conditions as the competent authority thinks fit which must not be inconsistent with the decision of the Minister on appeal.

[7/2017]

(8) Any decision by the competent authority to impose additional conditions under subsection (7) may be appealed against under subsection (1) as if the conditions were imposed under section 14(4).

(9) The decision of the Minister is final and is not to be challenged or questioned in any court.

Designation of persons to hear appeals

22A. The Minister may designate to hear and determine, in the Minister's place, any appeals or a specific appeal under section 22 or 29 —

(*a*) any Minister of State or Senior Minister of State, or Parliamentary Secretary or Senior Parliamentary Secretary, for his or her Ministry; or

(*b*) any public officer in his or her Ministry not subordinate to the competent authority whose decision is appealed against,

and any reference in that section to the Minister includes a reference to the Minister of State or Senior Minister of State, Parliamentary Secretary or Senior Parliamentary Secretary or public officer so designated for that appeal.

[7/2017]

[Act 11 of 2021 wef 01/08/2022]

Registers and records

23.—(1) The competent authority must keep a record of —

(*a*) all written permissions granted or refused by the competent authority and by the Minister under this Part; and

(*b*) all decisions made by the Minister on appeal under section 22.

(2) The record must include all relevant plans.

(3) The record must be made available for inspection to any member of the public on payment of such fees as may be prescribed.

(4) The record may be kept in electronic form.

Obligation to purchase land in certain cases

24.—(1) Without prejudice to the operation of any other written law relating to the acquisition of land for a public purpose, any owner of land which is allocated in the Master Plan for development for a public purpose may serve on the competent authority a purchase notice requiring the owner's interest in the land so required for that

public purpose to be purchased in accordance with this section, if the owner —

(*a*) is refused permission under section 14 to develop that land; or

(*b*) has completed the development of any contiguous land belonging to the owner in accordance with any permission granted by the competent authority under section 14.

(2) The person serving the notice must certify that the person has the consent of every person known to the person to have an interest in the land.

(3) The competent authority must investigate every purchase notice so served and, when the competent authority is satisfied with the correctness thereof, the competent authority must transmit the purchase notice to the Minister together with the following information:

(*a*) the specific public purpose for which the land is allocated;

(*b*) any written permission granted to the owner of the land to develop it despite the allocation of the land for a public purpose.

(4) The Minister may reject a purchase notice in whole or in part where, in his or her opinion, the land or part thereof —

(*a*) is capable of reasonably beneficial use in its existing state; or

(*b*) will not be required for development for a public purpose within 5 years from the date of service of the purchase notice.

(5) Where, and to the extent that, he or she does not reject a purchase notice, the Minister must declare that the land referred to in the purchase notice or any part thereof is needed for a public purpose and may order proceedings to be taken for —

(*a*) obtaining possession of the land or part thereof for the State, the competent authority or any public authority; and

(*b*) determining compensation to be paid to any person or persons interested therein.

(6) Such compensation is to be assessed in the manner and according to the principles laid down in any written law for the time being in force relating to the acquisition of land for a public purpose, but account must be taken of any such written permission for development granted as mentioned in subsection (3)(*b*).

(7) For the purposes of this section, the allocation of land in the Master Plan as being within —

(*a*) a green belt; or

(*b*) a conservation area,

does not constitute an allocation for development for a public purpose.

PART 3A

QUALIFIED PERSONS

Duties of qualified person appointed under section 13

24A.—(1) Every qualified person who is appointed under section 13 in respect of an application for planning permission or conservation permission must —

(*a*) prepare the plans of the development or works within a conservation area required, by rules made under section 61, to be submitted with the application for planning permission or conservation permission and take all reasonable steps and exercise due diligence to ensure that the plans are prepared in accordance with —

(i) the provisions of this Act;

(ii) where applicable, any conditions and requirements imposed by the competent authority in any outline permission or provisional permission for the development or works, or existing written permission, granted in respect of the land; and

(iii) all relevant guidelines of the competent authority;

(*b*) notify the competent authority of any contravention of this Act or non-compliance with any condition or requirement mentioned in paragraph (*a*)(ii) or (iii) that the qualified person knows or ought reasonably to know about;

(*c*) submit to the competent authority a declaration that the qualified person has prepared the plans and that the plans are prepared in accordance with paragraph (*a*); and

(*d*) supply a copy of every plan of the development or works approved by the competent authority to the qualified person appointed under section 19A to supervise the development or works.

[7/2017]

(2) If any qualified person who is appointed under section 13 becomes unwilling or unable, whether by reason of the termination of the qualified person's appointment or for any other reason, to carry out the qualified person's duties under this Act, the qualified person must, within 14 days after ceasing to carry out his or her duties, notify the competent authority of that fact.

[7/2017]

(3) A qualified person —

(*a*) who fails to comply with the requirement mentioned in subsection (1)(*a*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $200,000 or to imprisonment for a term not exceeding 2 years or to both; and

(*b*) who fails to comply with the requirement mentioned in subsection (1)(*b*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $20,000 or to imprisonment for a term not exceeding 12 months or to both,

and to an additional fine not exceeding $1,000 for each day or part of a day the qualified person fails to comply with the requirement and, if the failure to comply continues after conviction, the qualified person shall be guilty of a further offence and shall be liable on conviction of this further offence to a further fine not exceeding $2,000 for every

day or part of a day during which the failure to comply continues after conviction.

[7/2017]

(4) In any prosecution for an offence under subsection (3) for failing to comply with the requirement to notify a contravention or non-compliance mentioned in subsection (1)(*b*), it is a defence for the qualified person charged to prove to the satisfaction of the court that the qualified person did not know and could not reasonably have discovered the contravention or non-compliance.

[7/2017]

(5) A qualified person who fails to comply with subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

[7/2017]

Duties of qualified persons appointed to supervise development or works

24B.—(1) Every qualified person who is appointed under section 19A to supervise the carrying out of any development or works must —

(*a*) take all reasonable steps and exercise due diligence in supervising and inspecting the development or works (as the case may be) to ensure that the development or works are carried out in accordance with —

(i) the provisions of this Act;

(ii) the conditions and requirements imposed by the competent authority in the planning permission or conservation permission, as the case may be; and

(iii) the relevant plans approved by the competent authority in the grant of planning permission for the development or conservation permission for the works, as the case may be;

(*b*) notify the competent authority of any contravention of or non-compliance with any provision, condition, requirement or plans mentioned in paragraph (*a*)(i), (ii) or (iii);

(*c*) take all reasonable steps to immediately stop or cease the contravention or non-compliance mentioned in paragraph (*b*); and

(*d*) submit to the competent authority such reports and declarations as the competent authority may require (other than a declaration required under this section).

[7/2017]

(2) A qualified person —

(*a*) who fails to comply with the requirement mentioned in subsection (1)(*a*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $100,000 or to imprisonment for a term not exceeding 2 years or to both; or

(*b*) who fails to comply with the requirement mentioned in subsection (1)(*b*), (*c*) or (*d*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $20,000 or to imprisonment for a term not exceeding 12 months or to both.

[7/2017]

(3) In any prosecution for an offence under subsection (2)(*b*) for failing to notify or stop the contravention or non-compliance mentioned in subsection (1)(*b*) or (*c*), it is a defence for the qualified person charged to prove to the satisfaction of the court that the qualified person did not know and could not reasonably have discovered the contravention or non-compliance.

[7/2017]

(4) A qualified person appointed under section 19A must, within such period as the competent authority may specify in the planning permission or conservation permission or within such extended time as the competent authority may give in writing, submit the qualified person's declaration to the competent authority that, to the best of the qualified person's knowledge and belief, the development or works are carried out in accordance with —

(*a*) the provisions of this Act;

(*b*) the conditions and requirements imposed by the competent authority in the planning permission or conservation permission, as the case may be; and

(*c*) the relevant plans approved by the competent authority in the grant of planning permission for the development or conservation permission for the works, as the case may be.

[7/2017]

(5) Where any qualified person appointed under section 19A becomes unwilling to act or unable, whether by reason of the termination of the qualified person's appointment or for any other reason, to carry out the qualified person's duties under this Act, the qualified person must, within 14 days after ceasing to carry out the qualified person's duties —

(*a*) notify the competent authority of that fact; and

(*b*) submit the qualified person's declaration to the competent authority that, to the best of the qualified person's knowledge and belief, the development or works carried out during the period of the qualified person's appointment are in accordance with —

(i) the provisions of this Act;

(ii) the conditions and requirements imposed by the competent authority in the planning permission or conservation permission, as the case may be; and

(iii) the relevant plans approved by the competent authority in the grant of planning permission for the development or conservation permission for the works, as the case may be.

[7/2017]

(6) A qualified person —

(*a*) who fails to comply with the requirement mentioned in subsection (4) or (5)(*b*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $20,000 or to imprisonment for a term not exceeding 12 months or to both; or

(*b*) who fails to comply with the requirement mentioned in subsection (5)(*a*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000 or to imprisonment for a term not exceeding 6 months or to both.

[7/2017]

(7) In relation to a continuing failure to comply with the requirement mentioned in subsection (1), (4) or (5) —

(*a*) the qualified person convicted of an offence under subsection (2) or (6) (as the case may be) for that failure shall be liable to an additional fine not exceeding $1,000 for each day or part of a day the qualified person fails to comply with the requirement mentioned in subsection (1), (4) or (5), as the case may be; and

(*b*) if the failure to comply continues after the conviction, the qualified person shall be guilty of a further offence and shall be liable on conviction of this further offence to a further fine not exceeding $2,000 for every day or part of a day during which the failure to comply continues after conviction.

[7/2017]

False declarations

24C.—(1) A qualified person who makes any declaration required under this Act that is false or misleading in any material particular knowing that, or with reckless disregard as to whether, the declaration is false or misleading in any material particular shall be guilty of an offence and shall be liable on conviction —

(*a*) to a fine not exceeding $30,000 or to imprisonment for a term not exceeding 6 months or to both; or

(*b*) if the qualified person is a repeat offender, to a fine not exceeding $60,000 or to imprisonment for a term not exceeding 12 months or to both.

[7/2017]

(2) A qualified person who negligently makes any declaration required under this Act that is false or misleading in any material

particular shall be guilty of an offence and shall be liable on conviction —

(*a*) to a fine not exceeding $15,000 or to imprisonment for a term not exceeding 3 months or to both; or

(*b*) if the qualified person is a repeat offender, to a fine not exceeding $30,000 or to imprisonment for a term not exceeding 6 months or to both.

[7/2017]

(3) In this section, a qualified person is a repeat offender if the qualified person who is convicted, or found guilty, of an offence under subsection (1) or (2) has (whether before, on or after 15 May 2017) been convicted or found guilty on at least one other earlier occasion of —

(*a*) an offence under subsection (1) or (2);

(*b*) an offence under section 14A(5) as in force immediately before 15 May 2017; or

(*c*) an offence under section 15(3A) as in force immediately before 15 May 2017.

[7/2017]

PART 4

ENFORCEMENT

Power to require information about activities on land

25.—(1) Where it appears to the competent authority that there may have been a breach of planning control in respect of any land, the competent authority may serve an information notice on any person who —

(*a*) is an owner or occupier of the land or has any other interest in the land; or

(*b*) is carrying out operations on the land or is using the land for any purpose.

(2) An information notice may require the person on whom it is served to give such information as may be specified in the notice relating to —

(*a*) any operations being carried out on the land, any use of the land and any other activities being carried out on the land; and

(*b*) any matter relating to the conditions subject to which any planning permission or conservation permission in respect of the land has been granted.

(3) In particular, an information notice may require the person on whom it is served —

(*a*) to state whether or not the land is being used for any purpose specified in the notice or any operations or activities specified in the notice are being or have been carried out on the land;

(*b*) to state when any use, operations or activities began;

(*c*) to give the name and address of any person known to the person to use or have used the land for any purpose, or to be carrying out or have carried out any operations or activities on the land;

(*d*) to give any information the person holds as to any planning permission or conservation permission for any use or operations or any reason for planning permission or conservation permission not being required for any use or operations;

(*e*) to state the nature of the person's interest (if any) in the land and the name and address of any other person known to the person to have an interest in the land.

(4) An information notice must be complied with by giving the required information in writing to the competent authority.

(5) The service of an information notice does not affect any other power exercisable in respect of any breach of planning control.

(6) In this section, any reference to operations or activities on land includes a reference to operations or activities in, under or over the land, and includes works in a conservation area.

Penalties for non-compliance with information notice

26.—(1) If the person on whom an information notice is served does not comply with the notice at the end of 21 days from the day the notice was served on the person, the person shall be guilty of an offence.

(2) It is a defence for a person charged with an offence under subsection (1) to prove that the person did not know, and could not with reasonable diligence have ascertained, the information required in the information notice.

(3) If any person —

(*a*) makes any statement purporting to comply with a requirement of an information notice which the person knows to be false or misleading in a material particular; or

(*b*) recklessly makes such a statement which is false or misleading in a material particular,

the person shall be guilty of an offence.

(4) Any person who is guilty of an offence under this section shall be liable on conviction to a fine not exceeding $5,000 or to imprisonment for a term not exceeding 6 months or to both.

Power to examine and secure attendance, etc.

26A.—(1) Where it appears to the competent authority that there may have been a breach of planning control in respect of any land, the competent authority may do all or any of the following:

(*a*) examine orally any person who appears to be acquainted with matters related to the offence;

(*b*) require by notice in writing the attendance before the competent authority of any person within Singapore who, from information given or otherwise, appears to be acquainted with matters related to the offence;

(*c*) require any person to provide any information or produce any book or document, or any copy thereof, in the possession of that person and, without payment, inspect, keep, copy or take extracts from that book, document or copy.

[7/2017]

(2) A person is not excused from making an oral statement under subsection (1)(*a*) on the ground that the statement might tend to incriminate the person but, where the person claims before making the statement that the statement might tend to incriminate the person, that statement is not admissible in evidence against that person in criminal proceedings other than proceedings for an offence under subsection (4)(*c*) or (*d*).

[7/2017]

(3) A statement made by any person examined under this section must —

(*a*) be in writing;

(*b*) be read over to the person;

(*c*) if the person does not understand English, be interpreted in a language that the person understands; and

(*d*) after correction (if necessary) be signed by the person.

[7/2017]

(4) Any person who —

(*a*) neglects or refuses to provide any information or produce any book or document, or any copy thereof, required under this section;

(*b*) neglects or refuses to attend before the competent authority as required under this section;

(*c*) provides any information or produces any book or document, or any copy thereof, required under this section that is false in a material particular and that the person knows to be false or does not believe to be true; or

(*d*) by the intentional suppression of any material fact, provides information required under this section that is misleading,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $5,000 or to imprisonment for a term not exceeding 6 months or to both.

[7/2017]

Authority to enter upon land

27.—(1) The competent authority may, with such assistants and workmen as are necessary, at any reasonable time, enter any land for the purpose of —

(*a*) ascertaining whether there is, or has been, a contravention of this Act;

(*b*) ascertaining whether any of the functions conferred by this Act on the competent authority or the Minister should or may be exercised; or

(*c*) taking any action or carrying out any work authorised or required by or under this Act.

[17/2005]

(2) If entry to any land for the purposes of subsection (1)(*a*) cannot be obtained, the competent authority may —

(*a*) where the competent authority has reasonable cause to believe that evidence of a contravention of this Act can be found on the land;

(*b*) after declaring his or her office and producing his or her identification card where a demand is made for him or her to do so;

(*c*) with such force as is necessary to obtain entry; and

(*d*) with such assistants and workmen as are necessary,

break open any outer or inner door or window on the land, forcibly enter the land and every part of the land, or remove by force any obstruction to such entry.

[7/2017]

(3) The competent authority may take photographs, or audio or video recordings of the land and any property or material found thereon and such other steps as the competent authority may consider

necessary without involving any search or seizure of any premises, thing or person.

[7/2017]

(4) The occupier of any premises must, if required by the competent authority —

(*a*) give his or her name and address;

(*b*) provide proof of his or her identity; and

(*c*) give the name and address of the owner of the premises, if known.

(5) Any person who wilfully obstructs the competent authority in the performance of any matter or thing which the competent authority is authorised to do by this section or fails to comply with the requirement under subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $5,000 or to imprisonment for a term not exceeding 6 months or to both.

(6) A police officer may arrest without warrant any person who has committed or whom the police officer reasonably suspects to have committed an offence under subsection (5) if —

(*a*) the person declines to give his or her name and address; or

(*b*) there is reason to doubt the accuracy of the name and address, if given.

(7) A person arrested under this section may be detained until his or her name and address are correctly ascertained except that no person so arrested may be detained longer than is permitted by written law and is necessary for bringing the person before a court unless the order of a court for the person's detention is obtained.

Enforcement notices

28.—(1) The competent authority may issue an enforcement notice where it appears to the competent authority that there has been a breach of planning control.

(2) An enforcement notice must specify the steps the competent authority requires to be taken, or the activities on or the use of the land the competent authority requires to cease, in order to remedy (wholly

or partly) the breach of planning control or to remedy any injury to any amenities caused by the breach.

(3) An enforcement notice may, in particular, require —

(*a*) the alteration, demolition or removal of any building or works;

(*b*) the carrying out of any building or other operations;

(*c*) the cessation, either wholly or to the extent specified in the notice, of any activity on or use of the land; or

(*d*) the removal from the land of all property and materials used in connection with the breach of planning control.

(4) Where the enforcement notice relates to unauthorised works in a conservation area, the notice may also include —

(*a*) a requirement to restore any building on the land to its former state;

(*b*) if the competent authority considers that such restoration is not reasonably practicable or undesirable, a requirement to execute such works as the competent authority may specify in the notice to alleviate the effect of the unauthorised works; or

(*c*) a requirement to bring any building to the state in which it would have been if the terms and conditions of any conservation permission granted in respect of the building had been complied with.

(5) An enforcement notice must specify —

(*a*) the date on which it is to take effect, which must not be less than 14 days from the date of service of the notice; and

(*b*) the period (which runs from the date the enforcement notice takes effect) within which any step required by the notice must be taken or any activity on or the use of the land required by the notice to cease must cease.

(6) A copy of an enforcement notice may be served on any one or more of the following:

(*a*) any owner of the land to which it relates;

(*b*) any occupier of that land;

(*c*) any other person who appears to the competent authority to have been responsible for or participated in the breach of planning control.

(7) An enforcement notice continues to have effect until and to the extent that the notice is —

(*a*) superseded by a grant of planning permission or conservation permission under section 14;

(*b*) superseded by a notification under section 21(6); or

(*c*) withdrawn by the competent authority.

(8) Compliance with the requirements of an enforcement notice, whether in respect of —

(*a*) the completion, demolition, removal or alteration of any building or works; or

(*b*) the discontinuance of any activity on or use of the land,

or in any other manner, does not discharge the notice.

(9) Except by way of an appeal to the Minister under section 29, the validity of an enforcement notice is not to be questioned in any court or proceedings whatsoever.

Appeal to Minister against enforcement notice

29.—(1) Any person aggrieved by any requirement of an enforcement notice may, at any time before the notice takes effect, appeal to the Minister in the form and manner prescribed.

(2) Where an appeal is made under this section, the Minister may —

(*a*) correct any defect, error or misdescription in the enforcement notice or vary its requirements;

(*b*) extend, subject to such conditions as the Minister considers fit, the period specified in the enforcement notice within which any requirement therein is to be complied;

(*c*) dismiss the appeal;

(*d*) allow the appeal unconditionally; or

(*e*) allow the appeal in whole or in part, and subject to such conditions as the Minister considers fit,

and the Minister may give such directions as the Minister thinks necessary to give effect to his or her decision on the appeal.

(3) Without prejudice to the general power of the Minister to impose conditions or give directions under subsection (2), the Minister may require that such security as he or she may think necessary be provided to the competent authority and specify the circumstances in which the security may be forfeited by the competent authority.

(4) The decision of the Minister under subsections (2) and (3) is final.

(5) When an appeal is made to the Minister under this section, the enforcement notice is, unless the Minister at any time otherwise directs, of no effect pending the determination or withdrawal of the appeal.

(6) Except where the Minister decides to allow an appeal unconditionally, the enforcement notice takes effect from the date the appellant is given notice of the decision of the Minister.

(7) Any forfeiture by the competent authority of any security provided under this section does not prejudice the institution of proceedings against any person for any offence under this Act.

Offences of non-compliance with enforcement notice

30.—(1) Where there has been a failure to comply with any requirement of an enforcement notice in relation to any land, the person who is served with the enforcement notice shall be guilty of an offence.

(2) Any person who —

(*a*) uses land in contravention of the enforcement notice after the requirements in the notice have been complied with; or

(*b*) carries out any works by way of reinstating or restoring buildings or works which have been demolished or altered

in compliance with the requirements in an enforcement notice,

shall, despite the earlier compliance with the notice, be guilty of an offence.

(3) A person guilty of an offence under this section shall be liable on conviction —

(*a*) to a fine not exceeding $200,000 or to imprisonment for a term not exceeding 12 months or to both; and

(*b*) in the case of a continuing offence, to a further fine not exceeding $10,000 for every day or part of a day during which the offence continues after conviction.

Execution and costs of works required by enforcement notice, etc.

31.—(1) Where —

(*a*) any requirement of an enforcement notice or an order under section 12(8) is not complied with within the period allowed by the notice or order, as the case may be;

(*b*) any land is used in contravention of an enforcement notice after the requirements in the notice have been complied with; or

(*c*) any works have been carried out by way of reinstating or restoring buildings or works which have been demolished or altered in compliance with the requirements of an enforcement notice,

the competent authority may, with such assistants and workmen as are necessary, at any time enter the land and take any steps which are in the competent authority's opinion necessary to secure compliance with the notice or order (as the case may be), including removing, detaining and disposing of any property or materials on the land.

[17/2005]

(2) The costs or expenses incurred, directly or indirectly, by the competent authority in exercise of the powers conferred by subsection (1) are recoverable as a civil debt from any person served with the enforcement notice or order under section 12(8) (as

the case may be) less such sums which are recoverable under section 32.

(3) The certificate of the competent authority stating the amounts of costs and expenses recoverable under subsection (2) is conclusive evidence of such amounts.

(4) The sums stated in the certificate of the competent authority under subsection (3) are to be secured as a first charge against the land and, subject and without prejudice to any other rights of the Government, prevail over all other estates and interests whenever created despite the provisions of any other written law relating to the registration of any interest or encumbrance over land.

Removal and sale of property and materials

32.—(1) Any property or materials removed and detained by the competent authority in the exercise of the competent authority's powers under section 31 may be sold or otherwise disposed of unless a claim is made by the person to whom the property or materials belong within 2 weeks of the removal, in which case the property or materials may, subject to subsection (2), be returned to the person to whom they belong on such terms and conditions as the competent authority may impose.

(2) Any property or materials which have been removed and detained by the competent authority under section 31 must not be returned to the person to whom they belong except upon the person having paid all the expenses incurred, directly or indirectly, by the competent authority in removing and detaining the property or materials or such part of those expenses as the competent authority determines.

(3) Where the competent authority sells any property or materials under subsection (1), the competent authority is entitled to deduct from the proceeds of the sale all or any of the costs and expenses incurred, directly or indirectly, by the competent authority in respect of the removal, detention and sale of the property or materials and the balance (if any) must be paid on demand to the person to whom the property or materials belong.

(4) Any proceeds of sale of property or materials under this section not claimed within 2 years of the sale must be paid into the Consolidated Fund.

Injunctions

33.—(1) Where the competent authority considers it necessary or expedient for any actual or apprehended breach of this Act to be restrained by injunction, the competent authority may apply to the General Division of the High Court for an injunction, whether or not the competent authority has exercised or is proposing to exercise any of the competent authority's other powers under this Part.

[40/2019]

(2) On an application under subsection (1), the General Division of the High Court need not require from the competent authority any undertaking in damages.

[40/2019]

(3) On an application under subsection (1), the General Division of the High Court may grant such an injunction as the General Division of the High Court thinks appropriate for the purpose of restraining the breach.

[40/2019]

Civil penalties

34.—(1) The competent authority may require a person to pay a penalty for the grant of any written permission for —

(*a*) any development of land;

(*b*) any works within a conservation area; or

(*c*) any subdivision of land,

in respect of which there appears to the competent authority that an offence has been committed, whether or not proceedings have been instituted against any person for an offence under section 12.

(2) Such a penalty must not exceed the lower of the following:

(*a*) 50 times the fee prescribed for an application for planning permission, conservation permission or subdivision permission, as the case may be;

(*b*) $150,000.

(3) The certificate of the competent authority as to the penalty to be imposed under this section is conclusive of the amount.

(4) No further proceedings are to be instituted or taken against any person for an offence under section 12 once the penalty has been paid.

PART 5

[*Repealed by Act 11 of 2021 wef 01/08/2022*]

PART 5A

[*Repealed by Act 11 of 2021 wef 01/08/2022*]

PART 6

RECOVERY OF MONEYS

Recovery of money

41.—(1) Any sum payable to the competent authority under this Act may be recoverable by the competent authority by action as a civil debt.

(2) No proceedings for the recovery of any money payable under this Act are to be quashed or set aside in any court for want of form or procedure.

Proceedings for recovery of money due

42.—(1) Unless otherwise expressly provided in this Act, the competent authority has and may exercise the following additional powers for the purpose of recovering any money due under this Act:

(*a*) the competent authority may issue a warrant of attachment and may seize by virtue thereof any movable property and crops of any person liable to pay any sum due, and may, after service of the prescribed notice, sell the same by public auction or in such manner as may be prescribed;

(*b*) the competent authority may, by notice of sale to be served or published in the prescribed manner, declare the competent authority's intention of selling, at the expiry of 3 months from the date of the notice of sale, any land belonging to the person from whom any sum is due and, if at the expiry of that period, that sum has not been paid or satisfied, the competent authority may sell, by public auction or otherwise, the whole of that land or such portion thereof or such interest therein as the competent authority considers sufficient for the recovery of that sum and costs.

(2) Despite subsection (1), the competent authority must not proceed under subsection (1)(*b*) and sell the land of any person from whom any sum is due, or any portion thereof or interest therein, where there is upon the land and liable to be seized and sold under subsection (1)(*a*) movable property or crops belonging to that person of a value estimated by the competent authority to be sufficient to realise the sum required to satisfy the money due and costs.

(3) Any tenant, subtenant or occupier (called in this subsection the relevant person) who, in order to avoid the seizure or sale of the land for non-payment of any sum due from the owner of the land, pays that sum and costs may thereafter, in the absence of any written agreement to the contrary, deduct the amount so paid by the relevant person from the rent due or to become due by the relevant person to the relevant person's immediate landlord on account of the land or such part thereof as is held or occupied by the relevant person, and may retain possession thereof until that amount has been fully reimbursed to the relevant person whether by deduction from the rent or otherwise.

(4) Any tenant or subtenant (*A*) who has reimbursed, whether by allowing a deduction from the rent or otherwise, any subtenant or occupier (*B*) holding or occupying under *A* the amount so paid by *B* has a similar right to retain possession until similarly reimbursed.

(5) The receipt of the competent authority or of any duly authorised officer for any amount so paid by any such tenant, subtenant or occupier is deemed to be an acquittance in full for the like amount of the rent.

(6) If any land belonging to a person from whom any sum is due, or any movable property or crops that are mentioned in subsection (1)(*a*) or the proceeds of sale of that movable property or crops, is or are already in the custody of the law under any enforcement order whereby the competent authority is unable to exercise the powers vested in the competent authority by this section, the competent authority may notify the sheriff or the bailiff of the court concerned of the amount due, and the competent authority is entitled, without obtaining judgment, to be paid that amount out of the proceeds of sale of the land, movable property or crops in priority to the judgment debtor and to the judgment creditor and to any other creditor, except the Government.

[Act 25 of 2021 wef 01/04/2022]

(7) A certificate from the competent authority is conclusive evidence of the amount of any sum that may be due.

Attachment

43.—(1) The attachment mentioned in section 42(1)(*a*) may be made by a person appointed for the purpose by the competent authority and that person must publicly notify the attachment in the prescribed manner and must take an inventory of the property attached.

(2) For the purpose of effecting the attachment, the person appointed under subsection (1) may break into any house or building in the day time.

(3) The person appointed under subsection (1) is deemed to be a public servant within the meaning of the Penal Code 1871.

Application of proceeds

44.—(1) The proceeds of a sale under section 42(1) must be applied first in satisfaction of the sum due together with interest thereon at the rate of 9% per annum and costs.

(2) In the event of there being any surplus remaining, the competent authority must —

(*a*) if satisfied as to the right of any person claiming the surplus, pay the surplus to that person; or

(*b*) if not so satisfied, hold the surplus in trust for the person who ultimately succeeds in due course of law in establishing the person's title thereto.

(3) If no title is established to that surplus at the end of 5 years after the date of the sale under section 42(1), the surplus must be paid into the Consolidated Fund.

Title conferred upon purchaser at a sale under section 42

45.—(1) The purchaser at a sale under section 42(1)(*b*) is deemed to have acquired the right or property offered for sale free from all encumbrances created over it and from all subordinate interests derived from it, except such as are expressly reserved by the competent authority at the time of the sale.

(2) The competent authority must, by notification in the *Gazette*, notify the result of the sale and the conveyance or transfer to the purchaser of the right or property offered for sale.

Costs of proceedings for recovery of sum due

46. All costs and expenses incurred in the recovery of any sum due under this Act may be recovered as if they formed part of the sum due.

Power to stop sale

47. If any person, having any interest in any land liable to be sold at any time before the sale, tenders to the competent authority the sum due with interest and costs, the competent authority must then desist from all further proceedings in respect thereof.

Application to court

48.—(1) If any person whose movable property, crops or land has been attached or offered for sale under section 42 or 43 disputes the attachment or sale, the person may apply to the General Division of the High Court or, when the sum due does not exceed $1,000, to a District Court for an order to stay the proceedings.

[40/2019]

(2) After hearing the competent authority and after making such further inquiry as is necessary, the court is to make such order as it thinks fit.

Security to be given

49. No application is to be entertained by the court under section 48 unless the applicant has deposited in court the amount of the sum due and costs or has given security for that sum to the satisfaction of the court.

PART 7

MISCELLANEOUS

50. [*Repealed by Act 11 of 2021 wef 01/08/2022*]

Authentication of documents

51.—(1) Any document which —

(*a*) purports to bear the signature or facsimile signature of the competent authority or any officer or person authorised under section 5(2) or (4); or

(*b*) is or purports to be authenticated in such other manner as may be prescribed,

is deemed, until the contrary is proved, to have been duly prepared, issued or served by the competent authority.

[17/2005]

(2) In any proceedings under this Act, the contents of any such document are presumed to be correct until the contrary is proved.

Service of documents

52.—(1) Without affecting subsection (2), any notice or other document required or authorised to be served or given under this Act, and every summons issued by a court in connection with any offence under this Act, may be served or given —

(*a*) by delivering it to the person on whom it is to be served or to whom it is to be given;

(*b*) by leaving it at the usual or last known place of residence of that person or, in a case where an address for service has been given by that person, at that address;

(*c*) by sending it by registered post addressed to that person at that person's usual or last known place of residence or, in the case where an address for service has been given by that person, at that address;

(*d*) in the case of an incorporated company or body, by delivering it to the registered or principal office of the company or body, or by sending it by registered post addressed to the company or body at that office; or

(*e*) in the case of an unincorporated body, by delivering it to the registered address of the unincorporated body or by sending it by registered post to the unincorporated body at that address.

(2) Where the notice or document is required to be served on or given to a person who is the occupier of any premises comprised in any land, the notice or document is taken to be duly served on that person if it is addressed to that person and is affixed conspicuously to some object on the land.

(3) Any notice, document or summons sent by registered post to a person, company or body in accordance with subsection (1) is deemed to be duly served on or given to that person, company or body at the time when it would, in the ordinary course of post, be delivered and in proving service of the same it is sufficient to prove that the envelope containing the notice, document or summons was properly addressed to that person, company or body, stamped and posted by registered post.

Use of electronic service for making applications, etc.

52A.—(1) The competent authority may permit an application, lodgment or submission to or with the competent authority under this Act to be made through the electronic service described in section 42AA of the Building Control Act 1989.

(2) Where a person uses the electronic service mentioned in subsection (1) to make an application, lodgment or submission to or with the competent authority, the competent authority may serve on the person any acknowledgment, approval, certificate, direction, notice, permit or other document in connection with the application, lodgment or submission, by sending it to the person's account with the electronic service.

(3) Service of a document on a person under subsection (2) takes effect at the time when an electronic record of the document reaches the person's account with the electronic service.

(4) This section applies despite anything to the contrary in this Act.

(5) In this section, "electronic record" has the meaning given by section 2(1) of the Electronic Transactions Act 2010.

[Act 23 of 2023 wef 18/12/2023]

Exemption

53. The Minister may, from time to time, by notification in the *Gazette*, exempt any land or lands either generally or for a specified period from the operation of all or any of the provisions of this Act.

Exclusion of liability

54. Where the competent authority provides information of any provision or content of the Master Plan or any entry in the records kept by the competent authority under section 23 to any person in any manner or form whatsoever, the competent authority and any officer authorised under section 5(2) shall not be liable for any loss or damage suffered by that person or any other person by reasons of errors or omissions of whatever nature or however caused if such information was provided in good faith and in the ordinary course of the discharge of the duties of the competent authority or the officer concerned as a delegate of the competent authority.

Protection from liability

55. No matter or thing done or omitted to be done by the competent authority or by any officer or person authorised under section 5(2) or (4) subjects the competent authority or the officer or person personally to any action, liability, claim or demand whatsoever if it

were done or omitted to be done bona fide for the purpose of carrying out the provisions of this Act.

[17/2005]

Power of Magistrate's Court and District Court

56. Despite the provisions of the Criminal Procedure Code 2010, a Magistrate's Court or a District Court has powers to impose the maximum penalties provided for an offence under this Act.

Composition of offences

57.—(1) The competent authority may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

(*a*) one half of the amount of the maximum fine that is prescribed for the offence;

(*b*) $5,000.

[7/2017]

(2) On payment of the sum of money, no further proceedings are to be taken against that person in respect of the offence.

[7/2017]

(3) All sums collected under this section are to be paid into the Consolidated Fund.

[7/2017]

Offences by officers, etc., of bodies corporate

58. Where an offence under this Act has been committed by a body corporate, a partnership or unincorporated association of persons, any person who, at the time of the commission of the offence, was a director, manager, partner, secretary or other similar officer thereof, or was purporting to act in any such capacity, shall also be guilty of that offence unless the person proves that —

(*a*) the offence was committed without the person's consent or connivance; and

(*b*) the person exercised all such diligence to prevent the commission of the offence as the person ought to have

exercised having regard to the nature of the person's functions in that capacity and to all the circumstances.

Correction of errors in register

59.—(1) The competent authority may at any time —

(*a*) correct any erroneous entry in any record, register, plan or document required to be kept or maintained under this Act; or

(*b*) add to the record, register, plan or document any matter which has been erroneously omitted.

(2) Any correction must be made in such manner as to leave the erroneous matter cancelled and the correct entry clearly legible.

(3) The competent authority must indicate the date on which any correction or addition is made to the record, register, plan or document.

Charges, fees and penalties to be paid into Consolidated Fund

60.—(1) There must be paid into the Consolidated Fund —

(*a*) [*Deleted by Act 11 of 2021 wef 01/08/2022*]

(*b*) subject to any agreement made between the Minister and any statutory authority mentioned in section 5(3) and to any direction of the Minister, all fines, fees, charges and other moneys collected under this Act.

(2) No agreement or direction under subsection (1) applies to any fees, charges or other moneys which are expressly required by any provision of this Act to be paid into the Consolidated Fund.

Amendment of Schedules

60A.—(1) The Minister may at any time, by order in the *Gazette*, amend the Schedules.

[30/2003]

(2) The Minister may, in any order made under subsection (1), make such incidental, consequential or supplementary provisions as may be necessary or expedient.

[30/2003]

(3) Any order made under subsection (1) must be presented to Parliament as soon as possible after publication in the *Gazette*.

[30/2003]

Rules

61.—(1) The Minister may make rules generally to give effect to the provisions of this Act and for prescribing anything that is to be prescribed.

(2) Without limiting subsection (1), the Minister may by such rules provide for —

(*a*) the development of land;

(*b*) the control of density of buildings on land;

(*c*) the regulation of the height, design, appearance and siting of buildings;

(*d*) the control of means of access to land or buildings;

(*e*) the protection of ancient monuments and land and buildings of historic or architectural interest;

(*f*) the conservation of buildings, premises or land;

(*g*) the form and manner in which applications for planning permission, conservation permission or subdivision permission must be made;

(*h*) the manner in which the competent authority must deal with applications for planning permission, conservation permission and subdivision permission;

(*i*) the types of applications for planning permission or conservation permission that are not subject to the requirement under section 13(2) to appoint a qualified person or for which a different type of qualified person may be appointed;

(*j*) the types of development or works within a conservation area that are not subject to the requirement under section 19A(1) to appoint a qualified person or for which a different type of qualified person may be appointed;

(*k*) the fees or charges to be paid for any matter or thing done by the competent authority or the Minister under this Act;

(*l*) the payment of a deposit by any person applying for planning permission, conservation permission or subdivision permission and the circumstances under which such deposit may be forfeited by the competent authority;

(*m*) the manner in which appeals may be made and determined under this Act and the information to be supplied by the competent authority in connection therewith;

(*n*) the requirements to be complied with for an application for planning permission, conservation permission or subdivision permission;

(*o*) the types of applications for planning permission, conservation permission or subdivision permission which must be accompanied by such declarations of an appropriate qualified person on such matters as the competent authority may specify in relation to the application;

(*p*) the circumstances under which the competent authority may not accept a qualified person's declaration required under this Act;

(*q*) the circumstances under which an individual is deemed not to be a qualified person for the purposes of section 13 or 19A;

(*r*) the duties, responsibilities and liabilities of a qualified person in relation to the declaration mentioned in paragraph (*o*);

(*s*) the circumstances under which a qualified person's declaration may not be lodged with or submitted to the competent authority as being in satisfaction of any requirement or condition specified in any notification made under section 21(6); and

(*t*) the duties, responsibilities and liabilities of a qualified person in relation to the declaration made by the qualified person and lodged with or submitted to the competent authority in satisfaction of any requirement or condition specified in any notification made under section 21(6).

[30/2003; 7/2017]

(3) Rules relating to the making of applications and appeals, to the notification of decisions thereon and to the granting of written permissions may allow or require the application, appeal, notification or other information to be made and transmitted by such electronic means and in such manner as may be prescribed, and may provide for the manner in which they are to be authenticated or certified.

(4) The Minister may, in making any rules under this Act, provide that any contravention of any rule shall be an offence and may prescribe punishment by a fine not exceeding $20,000 or imprisonment for a term not exceeding 6 months or both.

[30/2003]

(5) All rules made under this Act must be presented to Parliament as soon as possible after publication in the *Gazette*.

[30/2003]

PART 8

TRANSITIONAL AND SAVING PROVISIONS

Transitional and saving provisions

62.—(1) Any permission, approval, decision, notice, warrant, order or other document prepared, made, granted, issued, and any act or thing done or given, under or pursuant to the repealed Act and valid immediately prior to 1 April 1998 is deemed to have been prepared, made, granted, issued, done or given under or pursuant to the corresponding provision of this Act and continues to have effect accordingly.

(2) Any map, plan, record or register prepared, made or kept under or pursuant to the repealed Act is deemed to have been prepared, made or kept under or pursuant to the corresponding provision of this Act and continues to have effect accordingly.

(3) All conservation guidelines made or deemed to have been made by the conservation authority under the repealed Act are deemed to have been made by the competent authority under section 11.

(4) [*Deleted by Act 11 of 2021 wef 01/08/2022*]

(5) Subject to the Constitution, any breach, contravention or non-compliance of the repealed Act is deemed to be a breach, contravention or non-compliance of the corresponding provision of this Act and the powers conferred on the competent authority by this Act may be exercised in respect of such breach, contravention or non-compliance.

(6) Any enforcement process or proceedings commenced or pending immediately prior to 1 April 1998 in connection with any breach, contravention or non-compliance of or under the repealed Act may be continued and disposed of under the repealed Act as if this Act has not been passed.

(7) Any application for permission made to the competent authority under section 10 or 13 of the repealed Act and any appeal made to the Minister under section 16 or 17 of the repealed Act which is pending immediately before 1 April 1998 is deemed to have been made and must be dealt with under the corresponding provisions of this Act.

(8) Any reference in any written law to the repealed Act or any provision thereof is, as from 1 April 1998, a reference to this Act or the corresponding provision of this Act.

(9) Any reference in any written law or document to the planning functions of the Singapore Improvement Trust is to be construed as a reference to the planning functions of the competent authority.

FIRST SCHEDULE

Section 2

QUALIFIED PERSONS

1. An architect
2. An engineer
3. A land surveyor

[30/2003; 7/2017]

SECOND SCHEDULE

Section 3(3)(*j*)

USES

Section 3(3)(*j*) applies to any building or buildings or part of a building which is or are approved or authorised to be used for any of the following uses:

(*a*) boarding house;

(*b*) hotel;

(*c*) serviced apartments;

(*d*) student hostel;

(*e*) place of worship;

(*f*) workers' dormitory;

(*g*) industrial retail building;

(*h*) warehouse retail building.

[30/2003; S 657/2004]

THIRD SCHEDULE

Section 4

PART 1

Section 4(2)(*a*) applies to any development which is or is to be lawfully used for any of the following uses:

(*a*) condominium;

(*b*) townhouse;

(*c*) cluster housing;

(*d*) strata bungalow;

(*e*) residential flat.

PART 2

Section 4(2)(*b*) applies to any development which is or is to be lawfully used for any of the following uses:

(*a*) flatted factories;

(*b*) flatted warehouse;

(*c*) office;

(*d*) shopping;

THIRD SCHEDULE — *continued*

(*e*) any combination of office, shopping and residential flat uses.

[30/2003]

FOURTH SCHEDULE

Section 3(3)(*d*)

USE OF DWELLING HOUSE CONSTITUTING DEVELOPMENT

1. Use of a dwelling house to provide dormitory accommodation.

2. Use of a dwelling house to provide short-term accommodation, where the dwelling house or any part of it is occupied by the same person for a period of less than 3 consecutive months and the short-term accommodation is provided (with or without other services) in return for the payment of rent or other form of consideration, whether or not the relationship of landlord and tenant is thereby created.

[7/2017; S 339/2017]

LEGISLATIVE HISTORY

PLANNING ACT 1998

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

1. Act 3 of 1998 — Planning Act 1998

Bill	:	18/1997
First Reading	:	19 November 1997
Second Reading	:	14 January 1998
Notice of Amendments	:	14 January 1998
Third Reading	:	14 January 1998
Commencement	:	1 April 1998

2. 1998 Revised Edition — Planning Act (Chapter 232)

Operation	:	15 December 1998

3. Act 30 of 2003 — Planning (Amendment) Act 2003

Bill	:	27/2003
First Reading	:	16 October 2003
Second and Third Readings	:	11 November 2003
Commencement	:	24 December 1998 (section 6) 10 December 2003 (except sections 6 and 12) 1 January 2008 (section 12)

4. Act 17 of 2001 — Singapore Land Authority Act 2001
(Amendments made by section 38(1) read with item (12) of the Fourth Schedule to the above Act)

Bill	:	17/2001
First Reading	:	5 March 2001
Second and Third Readings	:	19 April 2001
Commencement	:	1 June 2001 (section 38(1) read with item (12) of the Fourth Schedule)

5. G.N. No. S 657/2004 — Planning Act (Amendment of Second Schedule) Order 2004

Commencement	:	28 October 2004

6. Act 17 of 2005 — Statutes (Miscellaneous Amendments and Repeal) Act 2005

(Amendments made by section 8 of the above Act)

Bill	:	7/2005
First Reading	:	18 April 2005
Second and Third Readings	:	16 May 2005
Commencement	:	15 July 2005 (section 8)

7. Act 16 of 2009 — Preservation of Monuments Act 2009

(Amendments made by section 36(2) read with item (3) of the Schedule to the above Act)

Bill	:	9/2009
First Reading	:	23 March 2009
Second and Third Readings	:	13 April 2009
Commencement	:	1 July 2009 (section 36(2) read with item (3) of the Schedule)

8. Act 7 of 2017 — Planning (Amendment) Act 2017

Bill	:	3/2017
First Reading	:	9 January 2017
Second and Third Readings	:	6 February 2017
Commencement	:	15 May 2017

9. G.N. No. S 339/2017 — Planning Act (Amendment of Fourth Schedule) Order 2017

Commencement	:	30 June 2017

10. Act 11 of 2019 — Singapore Food Agency Act 2019

(Amendments made by section 63 of the above Act)

Bill	:	5/2019
First Reading	:	15 January 2019
Second and Third Readings	:	12 February 2019
Commencement	:	1 September 2019 (section 63)

11. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019

(Amendments made by section 28(1) read with item 117 of the Schedule to the above Act)

Bill	:	32/2019

First Reading	:	7 October 2019
Second Reading	:	5 November 2019
Notice of Amendments	:	5 November 2019
Third Reading	:	5 November 2019
Commencement	:	2 January 2021 (section 28(1) read with item 117 of the Schedule)

12. 2020 Revised Edition — Planning Act 1998

Operation	:	31 December 2021

13. Act 25 of 2021 — Courts (Civil and Criminal Justice) Reform Act 2021
(Amendments made by section 178 of the above Act)

Bill	:	18/2021
First Reading	:	26 July 2021
Second and Third Readings	:	14 September 2021
Commencement	:	1 April 2022

14. Act 11 of 2021 — Land Betterment Charge Act 2021
(Amendments made by the above Act)

Date of First Reading	:	5 April 2021 (Bill No. 7/2021 published on 5 April 2021)
Second and Third Readings	:	10 May 2021
Date of Commencement	:	1 August 2022

15. Act 23 of 2023 — Building and Related Works (Miscellaneous Amendments) Act 2023
(Amendments made by the above Act)

Bill	:	19/2023
First Reading	:	9 May 2023
Second and Third Readings	:	4 July 2023
Commencement	:	18 December 2023

16. Act 5 of 2025 — Electronic Gazette and Legislation Act 2025

Bill	:	47/2024
First Reading	:	11 November 2024
Second and Third Readings	:	7 January 2025
Commencement	:	9 March 2025

17. Act 25 of 2024 — Land Surveyors (Amendment) Act 2024

Bill	:	21/2024
First Reading	:	2 July 2024
Second and Third Readings	:	6 August 2024
Commencement	:	1 October 2025

Abbreviations

(updated on 29 August 2022)

G.N.	Gazette Notification
G.N. Sp.	Gazette Notification (Special Supplement)
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian)
M.	Malaya/Malaysia (including Federated Malay States, Malayan Union, Federation of Malaya and Federation of Malaysia)
Parl.	Parliament
S	Subsidiary Legislation
S.I.	Statutory Instrument (United Kingdom)
S (N.S.)	Subsidiary Legislation (New Series)
S.S.G.G.	Straits Settlements Government Gazette
S.S.G.G. (E)	Straits Settlements Government Gazette (Extraordinary)

COMPARATIVE TABLE

PLANNING ACT 1998

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	1998 Ed.
5—(4)	**5**—(3A)
(5)	(4)
—	**10**—(3) [*Deleted by Act 30 of 2003*]
12—(5)	**12**—(4A)
(6)	(4B)
(7)	(4C)
(8)	(5)
13—(2)	**13**—(1A)
(3)	(1B)
(4)	(1C)
(5)	(2)
—	**14A**—(5) [*Deleted by Act 7 of 2017*]
15—(2)	**15**—(1A)
(3)	(2)
(4)	(3)
(5)	(3A)
(6)	(3B)
(7)	(3C)
(8)	(3D)
(9)	(4)
(10)	(5)
22—(2)	**22**—(1A)
(3)	(2)
(4)	(2A)

2020 Ed.	1998 Ed.
(5)	(3)
(6)	(4)
(7)	(5)
(8)	(6)
(9)	(7)
27—(2)	**27**—(1A)
(3)	(2)
(4)	(3)
(5)	(4)
(6)	(5)
(7)	(6)
37—(3)	**37**—(2A)
(4)	(3)
(5)	(4)
40	**40**—(1)
—	(2) [*Deleted by Act 30 of 2003*]
61—(4)	**61**—(3A)
(5)	(4)