STATE LANDS PROTECTION ACT 2022

(No. 42 of 2022)

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An Act to provide for the protection of State lands generally, to repeal the State Lands Encroachments Act 1883 and to make consequential and related amendments to certain other Acts.

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

PART 1

PRELIMINARY

Short title and commencement

1. This Act is the State Lands Protection Act 2022 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

General interpretation

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

"animal" means —

(*a*) any fish, mollusc, crustacea or other form of aquatic life;

(*b*) any reptile;

(*c*) any bird;

(*d*) any livestock or domestic fowl; or

(*e*) any mammal (other than man);

"authorised officer", for any provision of this Act, means an individual who is appointed as an authorised officer under section 29 for the purposes of that provision;

"Authority" means the Singapore Land Authority established under the Singapore Land Authority Act 2001;

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

"Commissioner of Lands" means the Commissioner of Lands appointed under section 6(1) of the State Lands Act 1920;

"compliance period", for an encroachment notice —

(*a*) means the period specified in the encroachment notice within which the person given the encroachment notice must comply with it; and

(*b*) includes any extension of that period under section 33, if granted;

"corporation" means any body corporate formed or incorporated or existing in or outside Singapore and includes any foreign company within the meaning of the Companies Act 1967;

"damage" includes to contaminate;

"director" has the meaning given by section 4(1) of the Companies Act 1967;

"encroachment notice" means a notice given under section 12;

"enforcement officer" means an individual who is appointed under section 30 as an enforcement officer;

"erect", in relation to a structure, includes any work carried out in constructing, installing, creating, replacing, maintaining, renewing or restoring a structure;

"forest product" means the product of trees and other vegetation (such as timber and fruits) that are of economic value;

"goods" means movable property of any kind, and includes —

(*a*) any sand, soil, rocks, building material or building component;

(*b*) any device, equipment or machinery or any part of any device, equipment or machinery;

(*c*) any live animal or insect; and

(*d*) any packaging, freight container, pallet or like article of transport,

but does not include choses in action;

"holding yard" means a place used by or under the management or control of the Authority for the storage of removed material;

"land" includes —

(*a*) any structure or premises in, under or over the land; and

(*b*) any foreshore;

"lawful authority" means with the permission of the Authority, or as required or allowed by or under any written law;

"limited liability partnership" has the meaning given by the Limited Liability Partnerships Act 2005;

"objection" means an objection given under section 15 to an encroachment notice;

"objection period", for an encroachment notice —

(*a*) means the period specified in the encroachment notice within which the person given the encroachment notice may give an objection if the person objects to and does not wish to comply with the encroachment notice; and

(*b*) includes any extension of that period under section 33, if granted;

"offence under this Act" includes an offence under any subsidiary legislation made under this Act;

"park", in relation to a vehicle or vessel, means as follows:

(*a*) to bring the vehicle to a stationary position and cause it to wait for any purpose;

(*b*) to moor the vessel and cause it to be secured in a stationary position on the water;

"partner", in relation to a limited partnership, includes a limited partner in the limited partnership;

"public authority" means a body established by or under any public Act to perform a public function;

"removed material" means any of the following that is moved or removed by an authorised officer under section 13(2)(*a*) or (*b*):

(*a*) any vehicle or vessel or a part thereof;

(*b*) any animal (dead or alive);

(*c*) any waste, goods, structure or other thing;

"repealed Act" means the State Lands Encroachments Act 1883 repealed by this Act;

"State land" has the meaning given by section 3;

"structure" includes any of the following:

(*a*) a building, including a building constructed of short-lived materials;

(*b*) a post, pile, stake, pipe, chain, wire or any other similar thing fixed to the ground;

(*c*) a dock, wharf or jetty, or a floating structure that is or is to be permanently moored;

(*d*) a tunnel, foundation or pit, or an underpass or excavation works;

(*e*) a drain, canal, culvert or lined water channel;

(*f*) a seawall, revetment, groyne, weir or dyke;

(*g*) a billboard, signboard, hoarding, fence, partition, sun-shading device or canopy, an awning or advertising structure, or a platform, safety netting or other temporary structure;

(*h*) a roof, cladding, curtain wall, bracket, cornice or other exterior feature of a building that is installed on, forms part of or projects outwards from a building;

(*i*) a road or path;

(*j*) a flyover, overpass, viaduct or bridge, whether or not only for pedestrians or vehicles;

(*k*) any works for the reclamation of land that are or are liable to be, or would, but for the reclamation, be or be liable to be, covered wholly or partly by water;

"substance", in relation to State land, includes earth, stone, clay, gravel, sand, shell, minerals, mineral oil, natural gas and other materials found on, in or forming part of the State land;

"unincorporated association" means a society or body unincorporate which, under any written law, may sue or be

sued, or hold property, in the name of an officer of the society or body duly appointed for that purpose;

"vehicle" means any vehicle (whether mechanically propelled or otherwise) that is designed to transport goods, people or goods and people, on land;

"vessel" means a boat, launch or floating craft used in navigation by water, however propelled or moved;

"waste" means any of the following, whether or not recyclable:

(*a*) any garbage, rubbish or refuse;

(*b*) any construction debris, demolition debris or renovation debris;

(*c*) any solid or liquid waste matter (whether domestic or commercial), and includes ashes, any dead animal, landscaping material, and garden cuttings or clippings or other plant matter;

(*d*) any other material, substance or thing (whether or not of a similar kind) deposited at a place if its size, shape, nature or volume adversely affects the proper use of the place.

Meaning of "State land"

3.—(1) Subject to subsections (2), (3) and (4), in this Act, State land means land in Singapore —

(*a*) that is unalienated land;

(*b*) that vests in the Government or becomes State land because of the operation of this Act, or a declaration or other instrument under another Act, and remains unalienated land;

(*c*) that is surrendered to the Government by the owner of the land or holder of a lease for that land and remains unalienated land; or

(*d*) that is the subject of a notification in the *Gazette* made under the provisions of section 3 or 5 of the Land

Acquisition Act 1966 unless the notification is cancelled before possession of the land is taken by a Collector under that Act.

(2) Land ceases to be State land if —

(*a*) the land is sold, or lawfully contracted to be sold, and the purchase price or other consideration (if any) for the sale has been received by the Government (or a person on behalf of the Government), regardless of whether —

(i) the purchaser is recorded in the register of titles as the registered proprietor of the land or by the creation of one or more folios for that land; or

(ii) one or more folios for that land is created under the Land Titles Act 1993; or

(*b*) the land is lawfully contracted to be sold by award of tender and the deposit has been received by the Government or a person on behalf of the Government.

(3) However, land to which subsection (2)(*b*) applies becomes State land again if the purchaser fails to complete the purchase.

(4) None of the following parcels of land is treated as State land for the purposes of this Act:

(*a*) unalienated land that is set aside under the Parks and Trees Act 2005 as a national park, nature reserve or public park, or as green verges or turfed open spaces to be managed and maintained by the National Parks Board;

(*b*) unalienated land that is a drainage reserve within the meaning of the Sewerage, Drainage and Coastal Protection Act 1999;

[Act 8 of 2026 wef 29/05/2026]

(*c*) unalienated land that is within the railway area delineated in plans and maps prepared, amended or replaced under section 5(1) or (5) of the Cross-Border Railways Act 2018;

(*d*) unalienated land that is railway premises or a railway within the meaning of the Rapid Transit Systems Act 1995;

(*e*) a public street within the meaning of the Street Works Act 1995;

(*f*) a street reserve that is vested in the Government under section 14 of the Street Works Act 1995;

(*g*) a backlane (within the meaning of the Street Works Act 1995) vested in the Government.

(5) In this section, "unalienated land" means land in Singapore in respect of which no grant (whether in fee simple or in perpetuity) or lease, and no licence to occupy, is granted or issued, under any of the following:

(*a*) the Foreshores Act 1920;

(*b*) the State Lands Act 1920;

(*c*) the State Lands Ordinance 1886;

(*d*) the Crown Lands Ordinance 1886.

Purposes of Act

4. The purposes of this Act are to ensure that State land is protected from damage and improper use so as —

(*a*) to facilitate the public use and enjoyment of appropriate State land;

(*b*) to facilitate infrastructure and economic development on State land; and

(*c*) to support the management of State land in a way that both the land and its resources are sustained in perpetuity.

PART 2

IMPROPER USE OF STATE LAND

Unauthorised activities

5.—(1) A person commits an offence if the person, without lawful authority, intentionally does any of the following:

(*a*) occupy or live on State land;

(*b*) erect a structure on, under or over State land;

(*c*) clear, dig up or cultivate State land;

(*d*) interfere with any substance on, in or forming part of State land;

(*e*) deposit or leave on State land any waste, goods or any other thing (whether or not of a similar kind);

(*f*) park or leave any vehicle or vessel, or part of a vehicle or vessel, on State land;

(*g*) damage or enclose State land;

(*h*) cut, strip, obtain, remove, destroy or damage any vegetation on State land;

(*i*) dig for, extract, obtain, remove, destroy or damage any forest product from State land;

(*j*) abandon or release any animal (for which the person is responsible) onto State land;

(*k*) cause or allow any activity mentioned in paragraph (*a*), (*b*), (*c*), (*d*), (*e*), (*f*), (*g*), (*h*), (*i*) or (*j*) to be carried out.

(2) An offence under this section is an arrestable offence.

(3) In proceedings against an accused for an offence under this section, it is not necessary for the prosecution to prove that the accused knew or had reason to believe that the land where the offence was committed is State land.

(4) For the purposes of subsection (1)(*d*), "interfere", in relation to a substance on, in or forming part of State land, includes remove, cut,

dig up, quarry, extract, disturb, displace, or stack and heap, the substance.

Penalty for section 5 offence

6.—(1) Subject to subsection (2), a person who is guilty of an offence under section 5(1) shall be liable on conviction to a fine not exceeding $50,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding $500 for every day or part of a day during which the offence continues after conviction.

(2) Where a person commits an offence under section 5(1)(*e*) —

(*a*) by depositing or leaving, involving the use of a motor vehicle or vessel, any waste, goods or any other thing (whether or not of a similar kind) on State land without lawful authority; or

(*b*) by causing or allowing an activity mentioned in paragraph (*a*) without lawful authority,

and the person is a repeat offender, the person shall be liable on conviction to a fine not exceeding $100,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) In this section —

"motor vehicle" means a vehicle that —

(*a*) is propelled wholly or partly by a motor, or by any means other than human or animal power;

(*b*) has 4 or more wheels; and

(*c*) is used or intended to be used on any road,

and includes such a motor vehicle that is constructed to drive itself;

"repeat offender", in relation to any offence under section 5(1)(*e*), means a person —

(*a*) who is convicted, or found guilty, of such an offence committed involving the use of a motor vehicle or vessel (called the current offence); and

(*b*) who has, within the period of 5 years immediately before the date on which the person is convicted or found guilty of the current offence, been —

(i) convicted or found guilty of the same offence committed involving the use of a motor vehicle or vessel (whether or not a continuing offence) on at least one other earlier occasion; or

(ii) convicted or found guilty (whether before, on or after the date of commencement of this section) on at least one other earlier occasion of an offence under section 7(1)(*b*) of the repealed Act committed involving the use of a motor vehicle or vessel.

Defences

7.—(1) In proceedings against an accused for an offence under section 5, it is a defence to the charge for the accused to prove, on a balance of probabilities, that the accused did not know, and could not reasonably have been expected to know, that the land concerned was State land.

(2) In addition, in proceedings against an accused for an offence under section 5 for erecting any structure in any subterranean space that is State land, it is a defence for the person charged to prove, on a balance of probabilities, that —

(*a*) the person, or the company or association or body of persons of which the person is a director, manager, partner, secretary or other officer, is entitled to exercise rights under the easement of support implied under section 10 of the State Lands Act 1920;

(*b*) the erecting of the structure is in accordance with section 10 of the State Lands Act 1920; and

(*c*) the person, or the company or association or body of persons of which the person is a director, manager, partner, secretary or other officer, is authorised by or under the

written law for the time being in force relating to planning and use of land to erect the structure.

Additional orders upon conviction

8.—(1) Without limiting section 359 of the Criminal Procedure Code 2010, the court before which any person is convicted or found guilty of an offence under section 5 in relation to any State land may order that person to pay, in addition to any fine imposed for the offence, to the Authority as agent of the Government —

(*a*) the value of any substance removed from the State land;

(*b*) the value of any forest products taken from the State land or damaged or destroyed;

(*c*) the costs and expenses incurred by the Authority or an authorised officer in connection with —

(i) prevention, control, abatement or mitigation of any damage to the State land caused by the commission of the offence; or

(ii) making good any resulting damage to the State land;

(*d*) compensation for any loss or damage suffered by the Government by reason of the commission of the offence; or

(*e*) the costs and expenses incurred by an electricity licensee, a gas licensee or the Public Utilities Board in complying with an order of court under subsection (4)(*a*), (*b*) or (*c*), as applicable.

(2) Any sum ordered to be paid under subsection (1) may be recovered in the manner provided for the recovery of fines by the Criminal Procedure Code 2010.

(3) In addition to subsection (1), the court before which any person is convicted or found guilty of an offence under section 5 in relation to any State land may order that person to take such steps, and within such time, as is so specified in order —

(*a*) to prevent, control, abate or mitigate any damage to the State land caused by the commission of the offence;

(*b*) to make good any resulting damage to the State land;

(*c*) to prevent the continuance or recurrence of the offence, such as —

(i) to leave the State land which is the subject of the offence;

(ii) to demolish or remove any structure erected on, under or over the State land, and to dispose of the structure and any resulting debris from the demolition; or

(iii) to remove from the State land any vehicle or vessel (or part thereof), animal (dead or alive), waste, goods or other thing (whether or not of a similar kind); or

(*d*) to do a combination of anything in paragraphs (*a*), (*b*) and (*c*).

(4) In addition to subsections (1) and (3), the court before which any person is convicted or found guilty of an offence under section 5 with respect to any State land may order all or any as follows despite any agreement made for the supply of electricity, gas or water:

(*a*) order an electricity licensee to discontinue the supply of electricity to that person with respect to the State land;

(*b*) order a gas licensee to disconnect or divert the supply of gas to that person with respect to the State land;

(*c*) order the Public Utilities Board to stop, divert or turn off the supply of water by severing or disconnecting any pipe or other work through which water is supplied to that person with respect to the State land.

(5) No criminal or civil liability shall be incurred by —

(*a*) an electricity licensee, a gas licensee or the Public Utilities Board; or

(*b*) any person acting on behalf of the electricity licensee, gas licensee or Public Utilities Board,

in respect of anything done or omitted to be done with reasonable care and in good faith in the discharge or purported discharge of the

obligations of the electricity licensee, gas licensee or Public Utilities Board (as the case may be) under an order of the court mentioned in subsection (4)(*a*), (*b*) or (*c*).

(6) In this section —

"electricity licensee" has the meaning given by the Electricity Act 2001;

"gas licensee" has the meaning given by the Gas Act 2001.

Interim injunction before conviction

9.—(1) Where the Commissioner of Lands has reasonable cause to believe —

(*a*) that a person is committing an offence under section 5 on any State land; and

(*b*) that it is necessary or expedient for an interim injunction under this section to be made,

the Commissioner of Lands may apply to a court for an interim injunction, whether or not the Commissioner of Lands has exercised any of his or her other powers under Part 3.

(2) On an application under subsection (1), the court may make an interim injunction against a person who is alleged to be committing or have committed an offence under section 5 on any State land, if the court is satisfied, on a balance of probabilities —

(*a*) that the person is committing or has committed an offence under section 5 on the State land;

(*b*) that due to the commission of that offence —

(i) irreparable damage or harm is or is being, or is likely to be, caused to the State land, or other land adjacent to that State land;

(ii) the State land is in such a condition as to collapse or partially collapse, or to cause a collapse or partial collapse of other land adjacent to that State land; or

(iii) the State land is otherwise dangerous or likely to be otherwise dangerous in any other way to persons on or near the State land;

(*c*) that it is impracticable in the circumstances of the particular case for proceedings under Part 3 to effectively prevent, alleviate or minimise the damage, collapse or danger mentioned in paragraph (*b*); and

(*d*) that it is necessary or expedient for an interim injunction under this section to be made to prevent, alleviate or minimise the damage, collapse or danger mentioned in paragraph (*b*), before criminal proceedings against the person conclude.

(3) An interim injunction under this section may be made whether or not it appears to the court that the person intends to continue to commit the offence under section 5.

(4) An interim injunction may order the person concerned to do, within the time specified in the injunction, all or any of the following as is specified in that injunction, pending criminal proceedings:

(*a*) to leave the State land;

(*b*) to demolish or remove any structure erected on, under or over the State land, and to dispose of the structure and any resulting debris from the demolition;

(*c*) to remove from the State land any vehicle or vessel (or part thereof), animal (dead or alive), waste or goods or any other thing, whether or not of a similar kind;

(*d*) to stop removing or to not remove from the State land, any goods, substances or forest products or any other thing, whether or not of a similar kind.

(5) Where the Commissioner of Lands makes an application to a court for the grant of an interim injunction under this section, the court may not require the Authority, as a condition of granting the interim injunction, to give any undertaking as to damages.

Information about unlawful depositing, etc., using vehicle

10.—(1) Where the driver or a passenger of a motor vehicle is alleged or suspected to be guilty of an offence under section 5(1)(*e*) —

(*a*) the owner of the motor vehicle must give any information that the owner may be required to give by an authorised officer or enforcement officer as to the identity and address of the person who, at or about the time of the alleged offence, was the driver or a passenger of the motor vehicle; and

(*b*) any other person who was or should have been in charge or in control of the motor vehicle at or about the time of the alleged offence must, if so required by an authorised officer or enforcement officer, give any information which it is in that other person's power to give and which may lead to the identification of the driver or passengers of the motor vehicle at or about that time.

(2) A person who, without reasonable excuse, fails to comply with subsection (1) within 14 days after the date on which the information was required from the person, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

(3) A person is not excused from giving any information required of the person under subsection (1) on the ground that the disclosure of the information might tend to incriminate the person.

(4) In subsection (1) —

(*a*) a reference to a motor vehicle includes a reference to a vessel; and

(*b*) a reference to a driver of a motor vehicle includes a reference to a pilot of a vessel.

Prosecution does not affect and unaffected by other actions

11. The prosecution of a person for an offence under section 5 does not affect, and is unaffected by, any other proceeding or action taken under any other Part of this Act in relation to the conduct giving rise to the offence.

PART 3

PROCEEDINGS TO STOP ENCROACHMENT

Encroachment notice

12.—(1) If an authorised officer has reasonable cause to believe that a person is committing an offence under section 5 on any State land, the authorised officer may give the person an encroachment notice relating to the State land.

(2) An encroachment notice relating to any State land may direct the person to whom it is given, to do all or any of the following as is specified in the notice:

(*a*) to leave the State land;

(*b*) to demolish or remove any structure erected on, under or over the State land, and to dispose of the structure and any resulting debris from the demolition;

(*c*) to remove from the State land, any vehicle or vessel (or part thereof), any animal (dead or alive), waste or goods, or any other thing, whether or not of a similar kind;

(*d*) to stop removing or to not remove from the State land, any goods, substances or forest products or any other thing, whether or not of a similar kind;

(*e*) to do, or to refrain from doing, any works that are specified in the encroachment notice in order —

(i) to rectify any damage to the State land as a result of; or

(ii) to restore the State land to its state before,

any unlawful activity mentioned in section 5 done by the person, or caused or allowed by the person.

(3) An encroachment notice relating to any State land must state —

(*a*) the period —

(i) within which the person must comply with the encroachment notice (called in this Act the compliance period); and

(ii) within which the person may give an objection if the person objects to and does not wish to comply with the encroachment notice (called in this Act the objection period);

(*b*) that any thing or works required to be done must be carried out with due diligence to the satisfaction of the Commissioner of Lands; and

(*c*) that failure to comply with the encroachment notice is an offence and may result in proceedings under this Act being taken against the person unless an objection is given in accordance with this Act.

(4) The objection period for an encroachment notice must not be longer than the compliance period for that encroachment notice.

(5) A person who —

(*a*) is given an encroachment notice; and

(*b*) does not give an objection within the objection period for the encroachment notice,

must take, so far as is reasonably practicable and at the person's cost, such steps as are necessary to comply with the encroachment notice within the compliance period for that notice.

(6) A person who, without reasonable excuse, fails to comply with subsection (5) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

Authority may carry out encroachment notice

13.—(1) Subject to section 15, where a person who is required by section 12(5) to comply with an encroachment notice relating to any State land, fails to do so within the compliance period and does not give the Authority an objection to that encroachment notice within the objection period, the Authority may do all or any of the following:

(*a*) carry out, or cause to be carried out, all or any thing or work specified in the encroachment notice;

(*b*) direct the person to deposit (within a period that the Authority may specify, being at least 7 days after the

direction is given) an amount with the Authority that the Authority considers necessary for the purpose of paragraph (*a*).

(2) Without limiting subsection (1), an authorised officer may, with any assistance that the officer considers necessary for the purpose of exercising a power under subsection (1)(*a*) —

(*a*) demolish or remove any structure erected on, under or over the State land, and then move or remove from the State land the structure to store at a holding yard and dispose of the resulting debris from the demolition;

(*b*) move or remove from the State land any vehicle or vessel (or part thereof), any animal (dead or alive), waste or goods or any other thing (whether or not of a similar kind) by any reasonable means to store at a holding yard, including by towing the vehicle, vessel, goods or thing to a holding yard;

(*c*) use reasonable force, including cutting or breaking open any lock, seal, fastener or other device on or connected to any vehicle or vessel (or part thereof), any animal (dead or alive), waste, goods, structure or other thing (whether or not of a similar kind) mentioned in paragraph (*a*) or (*b*); or

(*d*) carry out any works specified in the notice in order to rectify any damage to or to otherwise restore the State land concerned.

(3) The power conferred on an authorised officer under subsection (2)(*b*) may be exercised whether or not the owner, driver, rider or person in charge of the removed material is present at the time of its removal.

(4) When any removed material is moved or removed by an authorised officer under subsection (2)(*a*) or (*b*), the officer concerned must as soon as practicable give notice of the moving or removal and the grounds of doing so to the owner of that removed material, if known, except that the notice is not required to be given where the moving or removal is made in the presence of the owner or the owner's agent.

(5) Where it appears to the Commissioner of Lands that any removed material —

(*a*) is perishable;

(*b*) may rapidly depreciate in value; or

(*c*) is of such a nature or in such condition that it would be dangerous, not reasonably practicable or unduly costly for the Authority to retain custody of the removed material,

the Commissioner of Lands may, instead of storing the removed material at a holding yard, cause it —

(*d*) to be sold (by public auction or otherwise) at once and the proceeds of sale to be paid into the Consolidated Fund; or

(*e*) to be destroyed or otherwise disposed of at such time and in such manner as the Commissioner of Lands thinks fit.

(6) If a person who appears, to the satisfaction of the Commissioner of Lands, to be the owner of any removed material moved or removed under subsection (1) and not to be a person in default with complying with the encroachment notice concerned, claims —

(*a*) after that removed material has been sold, destroyed or disposed of under subsection (5); but

(*b*) before the end of one year starting the date the removed material was moved or removed under subsection (1),

the Authority may compensate, out of the funds of the Authority, the person for the loss of the removed material, less reasonable costs and expenses incurred by the Authority in storing and selling, destroying or disposing of the removed material.

Recovery of expenses for executing encroachment notice

14.—(1) All expenses reasonably incurred by the Authority in relation to the execution of any thing or work under section 13(1) in respect of State land and section 13(2) (including storing of any removed material) are recoverable from the person in default starting the date on which the thing or work is completed.

(2) The Commissioner of Lands —

(*a*) may certify the expenses due under this section and the names of the persons liable for the expenses; and

(*b*) may apportion the expenses among the persons named in the certificate.

(3) A copy of the certificate mentioned in subsection (2) must be given to every person named in the certificate.

(4) If any sum or any part of the sum due to the Authority under this section remains unpaid at the end of one month starting the date the certificate under subsection (3) is given, or any further period that the Authority may allow, the sum or part is deemed to be arrears.

(5) A certificate purporting to be made under subsection (2) by the Commissioner of Lands is prima facie evidence of the facts certified in the certificate and that the Commissioner of Lands had made the certificate.

(6) The Authority must refund the deposit or any part of the deposit, after deducting any costs and expenses reasonably incurred by the Authority, if the thing or work required to be executed by the encroachment notice has been executed to the satisfaction of the Commissioner of Lands.

Objection procedure

15.—(1) A person to whom an encroachment notice is given in respect of any State land may, within the objection period for the encroachment notice, give the Authority an objection in writing (called in this Act an objection) objecting to the encroachment notice.

(2) An objection must —

(*a*) be signed by the person who makes it; and

(*b*) state the basis for the person's authority to do the following, whichever is applicable:

(i) to occupy or live on the State land in question;

(ii) to erect any structure on, under or over the State land;

(iii) to carry on, or cause or allow, any activity mentioned in section 5(1)(*c*), (*d*), (*e*), (*f*), (*g*), (*h*), (*i*) or (*j*);

(iv) to claim an interest in any structure on, under or over the State land.

Proceedings upon objection

16.—(1) On receiving an objection to an encroachment notice relating to State land, an authorised officer may make a complaint to a Magistrate under section 151 of the Criminal Procedure Code 2010.

(2) Sections 153, 154 and 156 of the Criminal Procedure Code 2010 apply to proceedings regarding a complaint mentioned in subsection (1) subject to this Act.

(3) Where any proceedings regarding a complaint mentioned in subsection (1) have started and any party to the proceedings claims that that party has title to the State land in question, that party may, at any time in those proceedings, apply to the Magistrate to stay the proceedings on the ground that the party intends to commence proceedings in the General Division of the High Court for a determination of that party's claim.

(4) Upon an application under subsection (3), the Magistrate must, if he or she is satisfied that the claim is genuine, make an order, upon any terms that he or she thinks fit, staying the proceedings regarding a complaint mentioned in subsection (1), pending the determination of the claim by the General Division of the High Court.

PART 4

RESUMPTION OF LAND

Forfeiture of abandoned land

17. Subject to section 18, any land that has been abandoned for 3 years or more by —

(*a*) the person to whom the land was alienated or demised by or on behalf of the State; or

(*b*) any person claiming title through a person in paragraph (*a*),

shall be forfeited to the State even though some person may be found in occupation of the land or of any part of that land.

Resumption procedure

18.—(1) A Collector may, with the approval of the Minister, declare in writing that any land that has been abandoned for 3 years or more by —

(*a*) the person to whom the land was alienated or demised by or on behalf of the State; or

(*b*) any person claiming title through a person in paragraph (*a*),

is liable to forfeiture to the State.

(2) Once a declaration is made under subsection (1) with respect to any land, the Collector must cause to be published a notice of the making of the declaration (called in this section a resumption notice) without delay in the *Gazette*.

(3) Failure to publish a resumption notice in respect of any declaration under subsection (1) does not invalidate the declaration.

(4) If, at the end of 3 months after the day on which a resumption notice is published in accordance with subsection (2) with respect to any land —

(*a*) there is no person who appears, to the satisfaction of the Collector, to have a claim to the land or to any interest in the land; or

(*b*) there is such a person but that person has not exercised the person's right to recover possession of that land by a claim,

that land is deemed forfeited to the State immediately after the end of that period of 3 months; and any grant or lease affecting, and any deed purporting to deal with, the land or any part of the land that is forfeited to the State under this section is void insofar as it relates to that land or part thereof.

(5) The Collector must cause to be published a notice that the land is forfeited to the State under subsection (4) —

(*a*) in the *Gazette*; and

(*b*) in any other manner that will secure adequate publicity for the fact of forfeiture of that land.

Limitation of claim for compensation

19. If, within a period of 6 years after the date of forfeiture of any land under section 18, any person establishes a claim to the land or to any interest in the land to the satisfaction of the Authority, that person is entitled to receive out of the Consolidated Fund any sum that the Minister may direct, which sum cannot exceed the appraised value of that land as at the date the notice mentioned in section 18(5)(*a*) concerning the land was published.

No adverse possession of State land

20. No State land shall be acquired by possession or unlawful occupation, and the provisions of the Limitation Act 1959 shall not apply to any action brought by the Government for the recovery of State land.

PART 5

ENFORCEMENT

Division 1 — Powers

Purpose for which enforcement powers are exercisable

21.—(1) Subject to Part 6, an authorised officer and an enforcement officer may exercise the powers set out in this Part for any of the following purposes:

(*a*) to determine compliance with this Act, including ascertaining whether an offence under this Act has been committed, is being committed or is about to be committed;

(*b*) to determine whether information provided to the Authority or an authorised officer or enforcement officer under this Act is correct;

(*c*) to ascertain whether any of the powers conferred by or under this Act on the Authority should or may be exercised.

(2) To avoid doubt, nothing in this Part limits section 31 of the Singapore Land Authority Act 2001 with respect to an offence under this Act.

Power to enter and inspect

22.—(1) An authorised officer or enforcement officer may, without warrant, enter, at all reasonable times, and remain on State land, or any other land in or from which the officer has reasonable grounds to suspect that an offence under this Act may be committed, and do all or any of the following:

(*a*) to examine any thing or observe any activity conducted in or on the land in question without involving any search of any premises, thing or person, or any seizure (without warrant) of any thing, in or on that land;

(*b*) to make a sketch, photograph or still or moving image, or an audio or a video recording, of the land in question and any thing in or on that land;

(*c*) to make measurements of the land in question and any thing in or on that land;

(*d*) to take samples of water, soil, vegetation or other similar substances from the land in question and any thing in or on that land for the purposes of analysis;

(*e*) to inspect any document in or on the land and take extracts from, or make copies of, any such document, without paying any fee;

(*f*) to operate electronic equipment in or on the land;

(*g*) to secure a thing for a period not exceeding 24 hours if the thing is found in or on the land, where the authorised officer or enforcement officer believes on reasonable grounds that —

(i) the thing is evidential material relevant to an offence under this Act; and

(ii) it is necessary to secure the thing in order to prevent it from being concealed, lost or destroyed before a warrant to seize the thing is obtained;

(*h*) under warrant of court, to seize any thing found in or on the land which the authorised officer or enforcement officer reasonably suspects is as described in paragraph (*g*)(i);

(*i*) to take into or onto the land any equipment and materials that the authorised officer or enforcement officer requires for the purpose of exercising powers under this Part in relation to the land.

(2) The power under subsection (1)(*f*) to operate electronic equipment in or on any land includes the power —

(*a*) to use a disk, tape or other storage device that is in or on the land and can be used with the equipment or in association with the equipment;

(*b*) to operate electronic equipment in or on the land to put the relevant data in documentary form and remove the documents so produced from the land; and

(*c*) to operate electronic equipment in or on the land to transfer the relevant data to a disk, tape or other storage device that —

(i) is brought to the premises for the exercise of the power; or

(ii) is in or on the land and the use of which for that purpose has been agreed in writing by the occupier of the land,

and to remove the disk, tape or other storage device from that land.

(3) The power under subsection (1)(*g*) to secure any thing which is found during the exercise of enforcement powers in or on any land includes the power —

(*a*) to secure the thing by locking it up, placing a guard or any other means; and

(*b*) to prohibit any person from dealing with such thing.

(4) The power under subsection (1)(*h*) to seize any thing under warrant includes the power to seize any thing which is similarly so found that is not evidential material of the kind specified in the warrant if —

(*a*) in the course of searching for the kind of evidential material specified in the warrant, the enforcement officer finds the thing; and

(*b*) the thing is evidential material for another offence under this Act.

(5) In this section, "thing" may include a vehicle, vessel, material or an article.

Power to obtain documents and information

23.—(1) Subject to Part 6, an authorised officer or enforcement officer may, in relation to any offence under this Act, by written notice require any person whom the officer has reason to believe to be acquainted with any facts or circumstances relevant to the reasonably suspected commission of the offence, to do any of the following within a reasonable period specified in the notice:

(*a*) to provide, in a form and manner that may be specified in the notice, all documents and information that —

(i) are within the knowledge of the person; or

(ii) are in the custody or under the control of the person;

(*b*) to attend before an authorised officer within the limits of Singapore to answer questions or provide documents or information or both.

(2) The power to require a person to provide any document or information under subsection (1) includes the power —

(*a*) to require that person to provide an explanation of the document or information;

(*b*) if the document or information is not provided, to require that person to state, to the best of the person's knowledge and belief, where it is; and

(*c*) if the information is recorded otherwise than in legible form, to require the information to be made available to the authorised officer or enforcement officer in legible form.

(3) Any statement made by any individual in answer to a question under subsection (1)(*b*) must —

(*a*) be reduced to writing;

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

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

(*d*) after correction (if necessary), be signed by that individual.

(4) The Authority is entitled without payment to keep any document or information, or any copy or extract thereof, provided to an authorised officer or enforcement officer under subsection (1).

(5) A person —

(*a*) who intentionally alters, suppresses or destroys any document or information which the person has been required by an authorised officer or enforcement officer under subsection (1) to provide; or

(*b*) who, in providing any document or information required by an authorised officer or enforcement officer under subsection (1), makes any statement which the person —

(i) knows or ought reasonably to know that; or

(ii) is reckless as to whether,

it is false or misleading,

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 12 months or to both.

(6) Subsection (5) does not apply if the document or information is not false or misleading in a material particular, or if the document or information does not omit any matter or thing without which the document or information (as the case may be) is misleading in a material particular.

(7) A person who, without reasonable excuse, fails to do anything required of the person by an authorised officer or enforcement officer under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

(8) However, in any proceedings for an offence under subsection (7), it is a defence for the accused to prove, on a balance of probabilities, that —

(*a*) the person does not possess the document or information required; and

(*b*) the person has taken all reasonable steps available to the person to obtain the document or information required and has been unable to obtain it.

(9) To avoid doubt, for the purposes of subsection (7), it is a reasonable excuse for a person to refuse or fail to provide any information, produce any document or answer any question if doing so might tend to incriminate that person.

Power to obtain disclosure of identity

24.—(1) Subject to Part 6, an authorised officer or enforcement officer who has reasonable grounds to suspect that an individual in, on or near any State land has committed, is committing, or is attempting to commit, an offence under this Act in relation to the State land may —

(*a*) request the individual to state his or her name and residential address; and

(*b*) if it is suspected on reasonable grounds that the name or address given in response to the request is false, require the individual to produce evidence of its correctness, including proof of identity.

(2) An authorised officer or enforcement officer may detain an individual mentioned in subsection (1) only for so long as is reasonably necessary for the purposes of this section.

(3) An individual commits an offence if he or she, without reasonable excuse —

(*a*) refuses or fails to comply with a request under this section; or

(*b*) in response to the request, gives a name that is false in a material particular, or gives an address other than the individual's full and correct residential address.

(4) An individual who is guilty of an offence under subsection (3) 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.

Division 2 — Supplementary

Disposal of seized or removed vehicles, etc.

25.—(1) Any removed material moved or removed and any other thing seized under this Act —

(*a*) must be dealt with in accordance with section 364(1) of the Criminal Procedure Code 2010 where the removed material or other thing is produced in any criminal trial;

(*b*) is deemed to be forfeited to the Authority where the owner of the removed material or other thing consents to its disposal; or

(*c*) in any other case, must be returned to the owner or reported to a Magistrate's Court,

unless section 13(5) applies.

(2) Where the report of any removed material and any other thing is made to a Magistrate's Court under subsection (1)(*c*), sections 370, 371 and 372 of the Criminal Procedure Code 2010 apply, with the necessary modifications.

(3) Subject to any order to the contrary by the Magistrate's Court, any removed material or other thing forfeited or deemed to be

forfeited under this section must be delivered to the Authority and may be disposed of in any manner that the Authority thinks fit.

Obstructing authorised officers, etc.

26.—(1) A person who —

(*a*) intentionally fails to do anything required of the person under section 22(1) by an authorised officer or enforcement officer; or

(*b*) knowingly obstructs or prevents, or attempts to obstruct or prevent, an authorised officer or enforcement officer in the discharge of the officer's powers or duties under this Act,

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 12 months or to both.

(2) A person who, without the permission of an authorised officer —

(*a*) intentionally or dishonestly removes or attempts to remove any immobilisation or other device or cordon affixed or placed under section 22(1)(*g*) to secure any thing that is evidential material of an offence under this Act; or

(*b*) intentionally or dishonestly removes or tampers with —

(i) any encroachment notice given by an authorised officer or enforcement officer; or

(ii) any summons for criminal proceedings arising from a complaint made by an authorised officer under section 16(1),

after the notice or summons is affixed on the land in accordance with section 37(5) or (6), as the case may be,

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.

(3) It is not an offence under subsection (1) for any person to refuse to comply with any request, demand or order made or given by any

authorised officer or enforcement officer who fails to declare his or her office and refuses to produce his or her identification card on demand being made by that person.

Composition of offences

27.—(1) An authorised officer or enforcement officer specially authorised by the Authority for this purpose 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.

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

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

PART 6

ADMINISTRATION

Administration of Act

28.—(1) It is the function of the Authority —

(*a*) to administer this Act; and

(*b*) to administer and manage all State lands, and to undertake the resumption or forfeiture of land, in accordance with this Act as an agent of the Government.

(2) No liability shall lie personally against any member, officer or employee of the Authority, any authorised officer or any other person acting under the direction of the Authority for anything which is done or purported to be done, or omitted to be done, in good faith and with reasonable care in —

(*a*) the exercise or purported exercise of any power under this Act; or

(*b*) the performance or purported performance of any function under this Act.

Authorised officers

29.—(1) The Authority may, in relation to any provision of this Act, appoint to be authorised officers for the purposes of that provision, any of the following individuals:

(*a*) the Commissioner of Lands;

(*b*) any employee of the Authority, or any individual performing duties in the Authority, who is suitably trained.

(2) The Authority may, for any reason that appears to it to be sufficient, at any time revoke an individual's appointment as an authorised officer.

(3) The Authority may delegate the exercise of all or any of the powers conferred or duties imposed upon it by any provision of this Act (except the powers of delegation conferred by this subsection and to make subsidiary legislation) to any authorised officer, subject to any conditions or limitations that the Authority may specify; and any reference in that provision of this Act to the Authority includes a reference to such an authorised officer.

(4) Any delegation under subsection (3) may be general or in a particular case and may be subject to any conditions or limitations that are set out in this Act or that the Authority may specify.

(5) The Authority must issue to each authorised officer an identification card, which must be carried at all times by the authorised officer when exercising powers under this Act.

(6) An individual whose appointment as an authorised officer ceases must return any identification card issued to the individual under subsection (5) to the Authority.

(7) A reference in subsection (1) to a person performing duties in the Authority includes a person performing duties in the Authority under a contract, or under an arrangement making available

temporarily to the Authority the services of public officers, on secondment.

Enforcement officers

30.—(1) The Authority may, in relation to any provision of this Act, appoint any of the following individuals to be an enforcement officer to assist the Authority in the administration of this Act in any particular area in Singapore:

(*a*) any public officer, or any employee of a public authority (but not a Town Council);

(*b*) an individual who is an auxiliary police officer appointed under the Police Force Act 2004.

(2) The Authority may, for any reason that appears to the Authority to be sufficient, at any time revoke an individual's appointment as an enforcement officer.

(3) The Authority must issue to each enforcement officer an identification card, which must be carried at all times by the enforcement officer when exercising powers under this Act.

(4) An enforcement officer is not an employee of the Authority.

(5) An individual who is appointed as an enforcement officer under subsection (1) does not, by virtue only of the appointment, become an agent of the Authority.

(6) An individual whose appointment as an enforcement officer ceases must return any identification card issued to the individual under subsection (3) to the Authority.

Authorisation for enforcement officers

31.—(1) The Authority must issue to each enforcement officer a written authorisation specifying such of the powers expressly specified in section 22, 23 or 24 as exercisable by an enforcement officer, as what that enforcement officer may exercise, and no other powers.

(2) The authorisation under subsection (1) issued to an enforcement officer may also do all or any of the following:

(*a*) limit when, and where in Singapore, the enforcement officer may exercise powers in section 22, 23 or 24 expressed as exercisable by an enforcement officer or any of them;

(*b*) limit the circumstances in which the enforcement officer may exercise those powers or any of them.

(3) To avoid doubt, the Authority cannot authorise under this section an enforcement officer to arrest any individual.

(4) The powers that an enforcement officer may be authorised under this section to exercise may be exercised only —

(*a*) to the extent authorised by the Authority under subsection (1);

(*b*) upon production of the identification card issued under section 30(3); and

(*c*) as directed (generally or specially) by an authorised officer or other employee of the Authority.

(5) An enforcement officer who is authorised under subsection (1) to exercise any power expressly specified in this Act as exercisable by an enforcement officer is deemed to be a public servant for the purposes of the Penal Code 1871 when exercising that power.

(6) To avoid doubt, an enforcement officer does not cease to be acting on the direction of an officer or employee of the Authority by reason only that the officer or employee of the Authority is not present at all times.

PART 7

MISCELLANEOUS

Interface with other laws

32.—(1) To avoid doubt, this Act does not affect the operation of —

(*a*) the Active Mobility Act 2017;

(*b*) the Parks and Trees Act 2005;

(*c*) the Sewerage, Drainage and Coastal Protection Act 1999; and

[Act 8 of 2026 wef 29/05/2026]

(*d*) the Street Works Act 1995.

(2) This Act does not deprive the Government of any right to proceed under the law, or of any remedy against trespassers given by law.

Supplementary provisions

33.—(1) The Authority may, upon an application by a person, grant an extension of time within which the person is required by or under this Act to do or not to do any thing or work (whether for the same or less than the period of extension applied for), upon being satisfied that there are good reasons to do so.

(2) No misnomer or inaccurate description of any person or place named or described in any document prepared, issued or given under or for the purposes of this Act affects the operation of this Act as respects that person or place, if that person or place is so designated in the document as to be identifiable.

(3) To avoid doubt, an identification card may be issued under section 29(5) or 30(3) in a digital form, consisting of evidence of the issue thereof to an individual using information relating to the appointment as an authorised officer or enforcement officer (as the case may be) of the individual that is displayed on a mobile communication device or other electronic device.

Offences by corporations

34.—(1) Where, in a proceeding for an offence under this Act, it is necessary to prove the state of mind of a corporation in relation to a particular conduct, evidence that —

(*a*) an officer, employee or agent of the corporation engaged in that conduct within the scope of his or her actual or apparent authority; and

(*b*) the officer, employee or agent had that state of mind,

is evidence that the corporation had that state of mind.

(2) Where a corporation commits an offence under this Act, a person —

(*a*) who is —

(i) an officer of the corporation; or

(ii) an individual involved in the management of the corporation and in a position to influence the conduct of the corporation in relation to the commission of the offence; and

(*b*) who —

(i) consented or connived, or conspired with others, to effect the commission of the offence;

(ii) is in any other way, whether by act or omission, knowingly concerned in, or is party to, the commission of the offence by the corporation; or

(iii) knew or ought reasonably to have known that the offence by the corporation (or an offence of the same type) would be or is being committed, and failed to take all reasonable steps to prevent or stop the commission of that offence,

shall be guilty of that same offence as is the corporation, and shall be liable on conviction to be punished accordingly.

(3) A person mentioned in subsection (2) may rely on a defence that would be available to the corporation if it were charged with the offence with which the person is charged and, in doing so, the person bears the same burden of proof that the corporation would bear.

(4) To avoid doubt, this section does not affect the application of —

(*a*) Chapters 5 and 5A of the Penal Code 1871; or

(*b*) any written law or practice regarding the admissibility of evidence.

(5) To avoid doubt, subsection (2) also does not affect the liability of the corporation for an offence under this Act, and applies whether or not the corporation is convicted of the offence.

(6) In this section —

"chief executive officer", in relation to a corporation, means an individual (by whatever name described) who —

(*a*) is in the direct employment of, or acting for or by arrangement with, the corporation; and

(*b*) is principally responsible for the management and conduct of the business of the corporation,

and includes an individual for the time being performing all or any of the functions or duties of a chief executive officer;

"corporation" includes a limited liability partnership;

"officer", in relation to a corporation, means any director, partner, chief executive officer, manager, secretary or other similar officer of the corporation, and includes —

(*a*) any person purporting to act in any such capacity; and

(*b*) for a corporation whose affairs are managed by its members, any of those members as if the member were a director of the corporation;

"reasonable steps", in relation to the commission of an offence, includes, but is not limited to, any action (if any) of the following kinds that is reasonable in all the circumstances:

(*a*) action towards —

(i) assessing the corporation's compliance with the provision creating the offence; and

(ii) ensuring that the corporation arranged regular professional assessments of its compliance with the provision;

(*b*) action towards ensuring that the corporation's employees, agents and contractors are provided with information, training, instruction and supervision appropriate to them to enable them to comply with the provision creating the offence so far as the provision is relevant to them;

(*c*) action towards ensuring that —

(i) the equipment and other resources; and

(ii) the structures, work systems and other processes,

relevant to compliance with the provision creating the offence are appropriate in all the circumstances;

(*d*) action towards creating and maintaining a corporate culture that does not direct, encourage, tolerate or lead to non-compliance with the provision creating the offence;

"state of mind" of a person includes —

(*a*) the knowledge, intention, opinion, belief or purpose of the person; and

(*b*) the person's reasons for the intention, opinion, belief or purpose.

(7) The Minister may make rules to provide for the application of any provision of this section, with any modifications that the Minister considers appropriate, to any corporation formed or recognised under the law of a territory outside Singapore.

Offences by unincorporated associations or partnerships

35.—(1) Where, in a proceeding for an offence under this Act, it is necessary to prove the state of mind of an unincorporated association or a partnership in relation to a particular conduct, evidence that —

(*a*) an employee or agent of the unincorporated association or partnership engaged in that conduct within the scope of his or her actual or apparent authority; and

(*b*) the employee or agent had that state of mind,

is evidence that the unincorporated association or partnership had that state of mind.

(2) Where an unincorporated association or a partnership commits an offence under this Act, a person —

(*a*) who is —

(i) an officer of the unincorporated association or a member of its governing body;

(ii) a partner in the partnership; or

(iii) an individual involved in the management of the unincorporated association or partnership and in a position to influence the conduct of the unincorporated association or partnership (as the case may be) in relation to the commission of the offence; and

(*b*) who —

(i) consented or connived, or conspired with others, to effect the commission of the offence;

(ii) is in any other way, whether by act or omission, knowingly concerned in, or is party to, the commission of the offence by the unincorporated association or partnership; or

(iii) knew or ought reasonably to have known that the offence by the unincorporated association or partnership (or an offence of the same type) would be or is being committed, and failed to take all reasonable steps to prevent or stop the commission of that offence,

shall be guilty of the same offence as is the unincorporated association or partnership (as the case may be), and shall be liable on conviction to be punished accordingly.

(3) A person mentioned in subsection (2) may rely on a defence that would be available to the unincorporated association or partnership if it were charged with the offence with which the person is charged and, in doing so, the person bears the same burden of proof that the unincorporated association or partnership would bear.

(4) To avoid doubt, this section does not affect the application of —

(*a*) Chapters 5 and 5A of the Penal Code 1871; or

(*b*) any written law or practice regarding the admissibility of evidence.

(5) To avoid doubt, subsection (2) also does not affect the liability of an unincorporated association or a partnership for an offence under this Act, and applies whether or not the unincorporated association or partnership is convicted of the offence.

(6) In this section —

"officer", in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, and includes —

(*a*) any person holding a position analogous to that of president, secretary or member of a committee of the unincorporated association; and

(*b*) any person purporting to act in any such capacity;

"partner" includes a person purporting to act as a partner;

"reasonable steps" has the meaning given by section 34;

"state of mind" of a person includes —

(*a*) the knowledge, intention, opinion, belief or purpose of the person; and

(*b*) the person's reasons for the intention, opinion, belief or purpose.

(7) The Minister may make rules to provide for the application of any provision of this section, with any modifications that the Minister considers appropriate, to any unincorporated association or partnership formed or recognised under the law of a territory outside Singapore.

Jurisdiction of courts

36. Despite the Criminal Procedure Code 2010, a District Court or a Magistrate's Court has jurisdiction to try any offence under this Act and has power to impose the full punishment for any such offence.

Service of documents

37.—(1) A document that is permitted or required by this Act to be served on a person may be served as described in this section.

(2) A document permitted or required by this Act to be served on an individual may be served —

(*a*) by giving it to the individual personally;

(*b*) by sending it by post to the address specified by the individual for the service of documents or, if no address is so specified, the individual's residential address or business address;

(*c*) by leaving it at the individual's residential address with an adult apparently resident there, or at the individual's business address with an adult apparently employed there;

(*d*) by affixing a copy of the document in a conspicuous place at the individual's residential address or business address;

(*e*) by sending it by fax to the fax number last known to the person giving or serving the document as the fax number for the service of documents on the individual; or

(*f*) by sending it by email to the individual's last email address.

(3) A document permitted or required by this Act to be served on a partnership (other than a limited liability partnership) may be served —

(*a*) by giving it to any partner, secretary or other similar officer of the partnership;

(*b*) by leaving it at, or by sending it by post to, the partnership's business address;

(*c*) by sending it by fax to the fax number used at the partnership's business address; or

(*d*) by sending it by email to the partnership's last email address.

(4) A document permitted or required by this Act to be served on a body corporate (including a limited liability partnership) or an unincorporated association may be served —

(*a*) by giving it to the secretary or other similar officer of the body corporate or unincorporated association, or the limited liability partnership's manager;

(*b*) by leaving it at, or by sending it by post to, the registered office or principal office in Singapore of the body corporate or unincorporated association;

(*c*) by sending it by fax to the fax number used at the registered office or principal office in Singapore of the body corporate or unincorporated association; or

(*d*) by sending it by email to the last email address of the body corporate or unincorporated association.

(5) In addition, a document permitted or required by this Act to be served on an individual, a partnership, a body corporate or an unincorporated association may be served —

(*a*) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents; or

(*b*) where by the exercise of reasonable diligence, the name of any individual or a body of persons to whom the document is to be given, or the business address, residential address or last email address of the individual or body, cannot be ascertained —

(i) in the case of an encroachment notice, by affixing it on a board or other structure in a conspicuous place on the land to which the notice relates; or

(ii) by posting the document on a website maintained by the Authority and prescribed by the Minister, by notification in the *Gazette*, for this purpose.

(6) A summons for criminal proceedings arising from a complaint made by an authorised officer under section 16(1) may be served as follows, despite the Criminal Procedure Code 2010:

(*a*) in the manner described in subsection (2)(*a*), (*b*), (*c*) or (*d*) in the case of individuals, subsection (3)(*a*), (*b*) or (*c*) in the case of partnerships, or subsection (4)(*a*), (*b*) or (*c*) in the case of a body corporate (including a limited liability partnership) or an unincorporated association;

(*b*) if, after due inquiry to ascertain the whereabouts of any person on whom a summons is required to be served, the whereabouts of that person cannot be ascertained, the summons may be given or served —

(i) by affixing it on a board or other structure in a conspicuous place on the land to which the alleged offence in the summons relates; and

(ii) by affixing a copy of the same summons in a conspicuous place in the office of the Authority.

(7) Service of a document takes effect —

(*a*) if the document is sent by fax and a notification of successful transmission is received, on the day of transmission;

(*b*) if the document is sent by email, at the time that the email becomes capable of being retrieved by the person to whom it is sent;

(*c*) if the document is sent by post, 2 days after the day the document was posted (even if it is returned undelivered);

(*d*) in the case of an encroachment notice or summons affixed in the manner described in subsection (5)(*b*)(i) or (6)(*b*), at the beginning of the day after the date on which subsection (5)(*b*)(i) or (6)(*b*) has been complied with; and

(*e*) if the document is posted on a website mentioned in subsection (5)(*b*)(ii), at the beginning of the day after the date on which subsection (5)(*b*)(ii) has been complied with.

(8) However, service of any document under this Act on a person by email or by an electronic notice at the person's chosen means of notification, may be effected only with the person's prior consent (express or implied) to service in that way.

(9) This section does not apply to any documents to be served in proceedings in court except where expressly provided.

(10) In this section —

"business address" means —

(*a*) in the case of an individual, the individual's usual or last known place of business, or place of employment, in Singapore; or

(*b*) in the case of a partnership (other than a limited liability partnership), the partnership's principal or last known place of business in Singapore;

"chosen means of access", for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means the addressee agrees with the person giving or serving the document as the means by which the addressee may access that document's contents;

"chosen means of notification", for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means that the addressee nominates to the person giving or serving the document as the means by which the addressee may be notified that such a document has been served on the addressee;

"document" includes a notice or an order permitted or required by this Act to be served;

"last email address" means the last email address given by the addressee concerned to the person giving or serving the

document as the email address for the service of documents under this Act;

"residential address" means an individual's usual or last known place of residence in Singapore.

Regulations

38.—(1) The Authority may, with the approval of the Minister, make regulations necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Regulations made under this section may —

(*a*) prescribe the offences under this Act that may be compounded;

(*b*) provide that any contravention of any provision of the regulations is an offence, and that the penalty for which on conviction shall be a fine not exceeding $5,000; and

(*c*) provide for any saving, transitional, and other consequential, incidental and supplemental provisions that are necessary or expedient for the purposes of this Act.

Presentation to Parliament

39. All regulations made under this Act must be presented to Parliament as soon as possible after publication in the *Gazette*.

PART 8

AMENDMENTS TO OTHER ACTS AND FINAL PROVISIONS

Amendment of Land Titles Act 1993

40. Section 29(1) of the Land Titles Act 1993 is amended —

(*a*) by deleting the word "and" at the end of paragraph (*c*)(ii);

(*b*) by deleting the comma at the end of paragraph (*c*)(iii) and substituting the word "; and"; and

(*c*) by inserting, immediately after sub-paragraph (iii) of paragraph (*c*), the following sub-paragraph:

"(iv) any encroachment notice issued under section 12 of the State Lands Protection Act 2022 in respect of the land unless the information specified in the encroachment notice is no longer current,".

Amendment of Parks and Trees Act 2005

41.—(1) Section 4 of the Parks and Trees Act 2005 is amended by deleting the words "and 42" in subsections (6), (7) and (8) and substituting in each case the words ", 42, 42A and 42B".

(2) Section 42 of the Parks and Trees Act 2005 is amended by deleting subsection (3).

(3) Part 7 of the Parks and Trees Act 2005 is amended by inserting, immediately after section 42, the following sections:

"**Power to move vehicles and demolish structures, etc.**

42A.—(1) Subject to sections 42B and 42C, where —

(*a*) any vehicle, boat, trailer, skip, dumpster or other thing is parked, moored or otherwise left in a national park, nature reserve or public park contrary to this Act; or

(*b*) any sign, shrine, altar, religious object, shelter, structure or building is affixed, set up or erected in a public park contrary to this Act,

the Commissioner, an authorised officer or a park ranger may serve upon any person specified in subsection (2) a written notice requiring the person to do any of the following within the period specified in the notice, or any extension of that period that the Commissioner, authorised officer or park ranger (as the case may be) may allow in any particular case:

(*c*) to remove the vehicle, boat, trailer, skip, dumpster or other thing mentioned in paragraph (*a*) from the national park, nature reserve or public park, as the case may be;

(*d*) to alter, demolish or remove any sign, shrine, altar, religious object, shelter, structure or building mentioned in paragraph (*b*) and remove all resulting debris from the public park concerned.

(2) The written notice mentioned in subsection (1) may be served on any person as follows:

(*a*) any person who does or causes or permits to be done any of the acts mentioned in subsection (1)(*a*) or (*b*);

(*b*) the owner or person having charge or control of —

(i) the vehicle, boat, trailer, skip, dumpster or other thing mentioned in subsection (1)(*a*); or

(ii) any sign, shrine, altar, religious object, shelter, structure or building mentioned in subsection (1)(*b*);

(*c*) any other person having power to remove —

(i) the vehicle, boat, trailer, skip, dumpster or other thing mentioned in subsection (1)(*a*); or

(ii) any sign, shrine, altar, religious object, shelter, structure or building mentioned in subsection (1)(*b*).

Immediate removal of dangerous or obstructing vehicles, etc., in national park, nature reserve or public park

42B.—(1) Where any vehicle, boat, trailer, skip, dumpster or other thing is parked, moored or otherwise left in a national park, nature reserve or public park contrary to this Act and —

(*a*) by the exercise of reasonable diligence, the following cannot be ascertained:

(i) the name of any person in section 42A(2)(*a*), (*b*)(i) or (*c*)(i) to whom the written notice under section 42A(1) is to be served;

(ii) the business address, residential address or last email address of the person in section 42A(2)(*a*), (*b*)(i) or (*c*)(i) to whom the written notice under section 42A(1) is to be served; or

(*b*) in the opinion of the Commissioner, an authorised officer or a park ranger, the vehicle, boat, trailer, skip, dumpster or other thing —

(i) is endangering or is expected to endanger other users of the national park, nature reserve or public park; or

(ii) is causing or is expected to cause an obstruction to other users of the national park, nature reserve or public park,

the Commissioner, authorised officer or park ranger (as the case may be) may, without first serving a written notice under section 42A(1), move or cause to be moved, the vehicle, boat, trailer, skip, dumpster or other thing to a holding yard, or to another place, to avoid further danger or obstruction or a danger or an obstruction arising (as the case may be) to other users of the national park, nature reserve or public park.

(2) For the purpose of exercising a power under subsection (1), the Commissioner, an authorised officer or a park ranger may, with any assistance that he or she considers necessary —

(*a*) move the vehicle, boat, trailer, skip, dumpster or other thing by any reasonable means (including by driving, riding or towing it); and

(*b*) use reasonable force, including cutting or breaking open any lock, seal, fastener or other device on or connected to the vehicle, boat, trailer, skip, dumpster or other thing.

(3) After a vehicle, boat, trailer, skip, dumpster or other thing is moved to a holding yard or other place under subsection (1), the Commissioner, an authorised officer or a park ranger (as the case may be) must, as soon as practicable, serve a notice to any

owner, or person having charge or control, of the vehicle, boat, trailer, skip, dumpster or other thing —

(*a*) about the moving to and detention at a holding yard or other place of the vehicle, boat, trailer, skip, dumpster or other thing moved and detained; and

(*b*) informing about —

(i) the manner by which and the time within which an owner of the vehicle, boat, trailer, skip, dumpster or other thing so detained may procure its release; and

(ii) the consequences that may follow under section 46A if the vehicle, boat, trailer, skip, dumpster or other thing is not claimed within the time specified in the notice.

(4) A notice under subsection (3) is not required if, by the exercise of reasonable diligence, the name and the business address, residential address or last email address of the owner, or person having charge or control, of the vehicle, boat, trailer, skip, dumpster or other thing cannot be ascertained.

Immediate demolition, etc., of dangerous structure, etc., in public park

42C.—(1) Where any sign, shrine, altar, religious object, shelter, structure or building is affixed, set up or erected in a public park contrary to this Act and —

(*a*) by the exercise of reasonable diligence, the following cannot be ascertained:

(i) the name of any person in section 42A(2)(*a*), (*b*)(ii) or (*c*)(ii) to whom the written notice under section 42A(1) is to be served;

(ii) the business address, residential address or last email address of the person in section 42A(2)(*a*), (*b*)(ii) or (*c*)(ii) to whom the written notice under section 42A(1) is to be served;

(*b*) in the opinion of the Commissioner or an authorised officer, the sign, shrine, altar, religious object, shelter, structure or building —

(i) is in such a condition, or is used to carry such loads, as to be endangering or expected to endanger other users of the public park; or

(ii) is causing or is likely to cause a serious obstruction to other users of the public park; or

(*c*) in the opinion of the Commissioner or an authorised officer —

(i) there is a serious and imminent risk of public disorder in the public park; or

(ii) an actual or imminent occurrence has happened or may happen that endangers or threatens the safety of users of the public park,

because of any crowd, or any ceremony or other activity undertaken or which may be undertaken, at or around the sign, shrine, altar, religious object, shelter, structure or building,

the Commissioner or authorised officer (as the case may be) may, without first serving a written notice under section 42A(1) —

(*d*) alter, demolish or remove or cause to be altered, demolished or removed, the sign, shrine, altar, religious object, shelter, structure or building to avoid further danger or obstruction or a danger or an obstruction arising (as the case may be) to other users of the public park; and

(*e*) move the sign, shrine, altar or religious object and any resulting debris from the altering, demolition or removal to a holding yard or another place.

(2) For the purpose of exercising a power under subsection (1), the Commissioner or an authorised officer may, with any assistance that he or she considers necessary —

(*a*) enter any premises (without warrant) but only after declaring his or her office to any owner or occupier of the premises, or any other person who appears to be in charge of those premises, and is present during entry; and

(*b*) forcibly enter any premises without warrant, including by breaking open any outer or inner door or window leading to the premises and removing by force any obstruction to the entry, if the Commissioner or authorised officer (as the case may be) is unable to enter, or is refused entry to, the premises.

(3) After a sign, shrine, altar, religious object, shelter, structure or building is altered, demolished or removed under subsection (1), the Commissioner or an authorised officer must, as soon as practicable, serve a notice to any owner, or person having charge or control, of the sign, shrine, altar, religious object, shelter, structure or building —

(*a*) about the altering, demolition or removal of the sign, shrine, altar, religious object, shelter, structure or building and the moving it and any resulting debris to and detention at a holding yard or other place; and

(*b*) informing about —

(i) the manner by which and the time within which an owner of the sign, shrine, altar, religious object, shelter, structure or building, and any resulting debris, so detained may procure its release; and

(ii) the consequences that may follow under section 46A if the sign, shrine, altar, religious object, shelter, structure or building and any resulting debris is not claimed within the time specified in the notice.

(4) A notice under subsection (3) is not required if, by the exercise of reasonable diligence, the name and the business

address, residential address or last email address of the owner, or person having charge or control, of the sign, shrine, altar, religious object, shelter, structure or building cannot be ascertained.

(5) Subsection (2)(*a*) does not apply if the premises in question is unoccupied at the time of entry.".

(4) Section 46 of the Parks and Trees Act 2005 is amended —

(*a*) by inserting, immediately after sub-paragraph (ii) of subsection (1)(*a*), the following sub-paragraph:

"(ii*a*) a notice under section 42A(1);"; and

(*b*) by deleting subsection (4) and substituting the following subsection:

"(4) If any notice or condition of approval mentioned in subsection (1) is not complied with to the satisfaction of the Commissioner, the Commissioner may at any time enter the premises concerned and carry out or cause to be carried out any works, activities or steps which are in the Commissioner's opinion necessary to secure compliance with the notice or condition of approval (as the case may be), including all or any of the following:

(*a*) cut or remove any tree;

(*b*) alter, demolish or remove any sign, shrine, altar, religious object, shelter, structure or building erected, and removing to and detaining it and any resulting debris at a holding yard or other place;

(*c*) remove to and detain any vehicle, boat, trailer, skip, dumpster or other thing at a holding yard or other place;

(*d*) using reasonable force, including cutting or breaking open any lock, seal, fastener or other device.".

(5) The Parks and Trees Act 2005 is amended by inserting, immediately after section 46, the following section:

"**Disposal of moved vehicles, etc.**

46A.—(1) Unless subsection (2) applies, any vehicle, boat, trailer, skip, dumpster or other thing, or any sign, shrine, altar or religious object and any resulting debris from the altering, demolition or removal of the sign, shrine, altar, religious object, shelter, structure or building, which is removed to and detained at a holding yard or other place under section 42B(1), 42C(1) or 46(4) (called in this section the removed material) —

(*a*) must be dealt with in accordance with section 364(1) of the Criminal Procedure Code 2010 where the removed material is to be produced in any criminal trial in connection with an offence under this Act;

(*b*) is deemed to be forfeited to the Board where any owner of the removed material consents to its disposal; or

(*c*) in any other case, must be —

(i) returned to the owner; or

(ii) reported to a Magistrate's Court, in which event sections 370, 371 and 372 of the Criminal Procedure Code 2010 then apply with the necessary modifications.

(2) Despite subsection (1), where it appears to the Commissioner that any removed material —

(*a*) is perishable;

(*b*) may rapidly depreciate in value; or

(*c*) is of such a nature or in such condition that it would be dangerous, not reasonably practicable or unduly costly for the Commissioner to retain custody of the removed material,

the Commissioner may, instead of storing the removed material at a holding yard or other place and notifying the owner thereof, cause the removed material —

(*d*) to be sold (by public auction or otherwise) at once; or

(*e*) to be destroyed or otherwise disposed of at such time and in such manner as the Commissioner thinks fit.

(3) If a person who appears, to the satisfaction of the Board, to be the owner of any removed material, and not to be a person in default with complying with the relevant notice or condition of approval in section 46(1), claims —

(*a*) after that removed material has been sold, destroyed or disposed of under subsection (2); but

(*b*) before the end of one year starting the date the removed material was removed under section 42B(1), 42C(1) or 46(4), whichever is applicable,

the Board may compensate, out of the funds of the Board, the person for the loss of the removed material, less reasonable costs and expenses incurred by the Board in storing and selling, destroying or disposing of the removed material.

(4) Subject to any order to the contrary by the Magistrate's Court under the Criminal Procedure Code 2010, any removed material deemed forfeited under this section may be disposed of by the Board in any manner that the Board thinks fit.".

(6) Section 63(2) of the Parks and Trees Act 2005 is amended by deleting sub-paragraph (viii) of paragraph (*a*).

Amendment of Sewerage and Drainage Act 1999

42. The Sewerage and Drainage Act 1999 is amended —

(*a*) by deleting the definition of "drainage reserve" in section 2 and substituting the following definition:

""drainage reserve" means —

(*a*) any land set aside for drainage works pursuant to development proposals approved by a competent authority;

(*b*) any land vested in the Government under section 29; or

(*c*) any State land that is reserved for the purposes of the Board (permanently or temporarily) in connection with drainage works or a storm water drainage system;";

(*b*) by deleting paragraph (*a*) of section 24(1) and substituting the following paragraph:

"(*a*) erect or place any fence, partition, structure or object in, above or across, or enclosing, any drain;";

(*c*) by deleting subsection (2) of section 24 and substituting the following subsections:

"(1A) A person must not, except with the prior approval of the Board —

(*a*) deposit or leave any soil, building material or components, construction or renovation debris or other like matter within any drainage reserve that is State land;

(*b*) park or leave any vehicle on any drainage reserve that is State land;

(*c*) clear, dig up or cultivate, or interfere with any substance on, in or forming part of, any drainage reserve that is State land; or

(*d*) cause or allow any activity mentioned in paragraph (*a*), (*b*) or (*c*) to be carried out.

(2) Where any fence, partition, structure or object is erected or placed, or any obstruction is caused, in

contravention of subsection (1) or an act is carried out in contravention of subsection (1A), the Board may by notice, direct the person to whom the notice is given, to do all or any of the following and within the time as are specified in the notice:

(*a*) to demolish or remove any fence, partition, structure or object erected or placed —

(i) in, above or across, or enclosing, the drain; or

(ii) within the drainage reserve;

(*b*) to move or remove from the drainage reserve, any object or obstruction, including vehicles, soil, building material or components, construction or renovation debris or other like matter;

(*c*) to do, or to refrain from doing, any work that is specified in the notice in order —

(i) to rectify any damage to the drain or drainage reserve as a result of; or

(ii) to restore the drain or drainage reserve to its state before,

any unlawful activity mentioned in subsection (1) or (1A) done by the person, or caused or permitted by the person.";

(*d*) by inserting, immediately after the words "subsection (1)" in section 24(3)(*a*), the words "or (1A)(*a*), (*b*) or (*c*)";

(*e*) by deleting the words "structure, object or obstruction" in section 24(3)(*b*) and (*c*) and substituting in each case the words "fence, partition, structure, object or obstruction";

(*f*) by inserting, immediately after the words "subsection (1)" in section 24(4), the words "or (1A)";

(*g*) by inserting, immediately after subsection (4) of section 24, the following subsections:

"(5) Where the person on whom a notice mentioned in subsection (2) is served fails to comply with the notice, an authorised officer may, at all reasonable hours in the day or night, or at any other time that may be agreed with an owner or occupier of the premises to which the notice relates, enter the premises and take such measures and execute such work as may be necessary to secure compliance with the notice, including —

(*a*) by cutting or breaking open any lock, seal, fastener or other device on or connected to the fence, partition, structure, object, vehicle, material, article or thing concerned using reasonable force;

(*b*) by towing away the object, vehicle, material, article or thing concerned; or

(*c*) by removing or demolishing any fence, partition, structure or object concerned and removing any resulting debris.

(6) Any expenses reasonably incurred by the Board under subsection (5) may be recovered from the person who failed to comply with the notice served on the person under subsection (2), and section 48 applies in respect of those expenses.

(7) Unless subsection (8) applies, any fence, partition, structure, object, vehicle, material, article, thing or resulting debris removed under subsection (5) —

(*a*) must be dealt with in accordance with section 364(1) of the Criminal Procedure Code 2010 where the fence, partition, structure, object, vehicle, material, article, thing or debris is to be produced in any

criminal trial in connection with an offence under this Act;

(*b*) is deemed to be forfeited to the Board where any owner of the fence, partition, structure, object, vehicle, material, article, thing or debris consents to its disposal; or

(*c*) in any other case, must be —

(i) returned to the owner; or

(ii) reported to a Magistrate's Court, in which event sections 370, 371 and 372 of the Criminal Procedure Code 2010 then apply with the necessary modifications.

(8) Where it appears to the Board that any fence, partition, structure, object, vehicle, material, article, thing or resulting debris removed by an authorised officer under subsection (5) —

(*a*) is perishable;

(*b*) may rapidly depreciate in value; or

(*c*) is of such a nature or in such condition that it would be dangerous, not reasonably practicable or unduly costly for the Board to retain custody of the fence, partition, structure, object, vehicle, material, article, thing or debris,

the Board may cause the fence, partition, structure, object, vehicle, material, article, thing or debris (called in this section the removed material) —

(*d*) to be sold (by public auction or otherwise) at once and the proceeds of sale to be paid into the funds of the Board; or

(*e*) to be destroyed or otherwise disposed of at such time and in such manner as the Board thinks fit.

(9) If a person who appears, to the satisfaction of the Board, to be the owner of any removed material and not to be a person in default with complying with the relevant notice in subsection (2), claims —

(*a*) after that removed material has been sold, destroyed or disposed of under subsection (8); but

(*b*) before the end of one year starting the date the removed material was removed under subsection (5),

the Board may compensate, out of the funds of the Board, the person for the loss of the removed material, less reasonable costs and expenses incurred by the Board in storing and selling, destroying or disposing of the removed material.

(10) Subject to any order to the contrary by the Magistrate's Court under the Criminal Procedure Code 2010, any removed material deemed forfeited under this section may be disposed of by the Board in any manner that the Board thinks fit.

(11) To avoid doubt —

(*a*) this section does not prohibit the Board from carrying out any works specified in any notice under subsection (2) at the request of a person who has been served with the notice upon an undertaking by that person to pay the costs and expenses in executing the works; and

(*b*) any measures taken or work executed under subsection (5) by an authorised officer does not affect any proceedings that may be taken against a person for an offence under subsection (4).";

(*h*) by inserting, immediately after section 24, the following section:

"**Trees and plants encroaching into drainage reserve**

24A.—(1) Where the Board is satisfied that any tree or plant (whether or not dead or dying) on any premises adjoining a drainage reserve or any part of a drainage reserve is likely, by falling or otherwise —

(*a*) to cause any obstruction to the flow of any storm water drainage system or the maintenance of any drain in the drainage reserve; or

(*b*) to hinder the efficient operation of any storm water drainage system or drain in the drainage reserve,

the Board may serve a notice requiring the occupier of the premises to take any measures (including cutting the tree or plant or any part of it) that the Board thinks fit within the time specified in the notice.

(2) Any person on whom a notice mentioned in subsection (1) is served who, without reasonable excuse, fails to comply with the notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

(3) Where the person on whom the notice mentioned in subsection (1) is served fails to comply with the notice, an authorised officer may, at all reasonable hours in the day or night, or at any other time that may be agreed with the owner or occupier of the premises to which the notice relates, enter the premises and take such measures and execute such work as may be necessary to secure compliance with the notice.

(4) Any expenses reasonably incurred by the Board under subsection (3) may be recovered from the person who failed to comply with the notice served on the person under subsection (1), and section 48 and, if

that person is the owner of the premises, section 50 apply in respect of those expenses.

(5) To avoid doubt —

(*a*) this section does not prohibit the Board from carrying out any works specified in any notice under subsection (1) at the request of a person who has been served with the notice upon an undertaking by that person to pay the costs and expenses in executing the works; and

(*b*) any measures taken or work executed under subsection (3) by an authorised officer does not affect any proceedings that may be taken against a person for an offence under subsection (2).”; and

(*i*) by inserting, immediately after the words “drainage reserve” in section 29(1), the words “that is not within State land and”.

Amendment of Singapore Land Authority Act 2001

43. The Singapore Land Authority Act 2001 is amended —

(*a*) by deleting the words “State Lands Encroachments Act 1883” in section 6(1)(*e*)(i) and (ii) and substituting in each case the words “State Lands Protection Act 2022”;

(*b*) by deleting the words “done or intended to be done” in section 12(1) and substituting the words “and with reasonable care done or omitted to be done”;

(*c*) by deleting the words “, charges, fines and composition sums” in section 14(*c*) and substituting the words “and charges”;

(*d*) by inserting, immediately after subsection (2) of section 33, the following subsection:

“(3) All sums collected under this section must be paid into the Consolidated Fund.”;

(*e*) by deleting subsection (3) of section 34; and

(*f*) by deleting item 6 of the Third Schedule and substituting the following item:

"6. Sections 5, 6, 10(2), 12(5), 18(5), 23(5) and (7), 24(3) and 26(1) and (2) of the State Lands Protection Act 2022.".

Amendment of Street Works Act 1995

44. Section 32A of the Street Works Act 1995 is amended —

(*a*) by deleting the word "or" at the end of subsection (1)(*a*);

(*b*) by inserting, immediately after the words "to remain on" in subsection (1)(*b*), the words "or to protrude over";

(*c*) by deleting the comma at the end of paragraph (*b*) of subsection (1) and substituting the word "; or", and by inserting immediately thereafter the following paragraph:

"(*c*) erect or cause to be erected a structure on, under or over any public street, five-footway or private footway,";

(*d*) by deleting subsection (3) and substituting the following subsection:

"(3) If —

(*a*) any article or thing is deposited or left on, or protrudes over; or

(*b*) any structure is erected, placed, maintained, replaced, renewed or restored on, under or over,

any public street, five-footway or private footway in contravention of subsection (1), an authorised officer may move or remove that article, thing or structure, or cause it to be so moved or removed, so that it is no longer an obstruction or inconvenience to the passage of the public on the public street, five-footway or private footway.";

(*e*) by deleting the words "move the article or thing" in subsection (4) and substituting the words "move or remove the article, thing or structure";

(*f*) by deleting paragraphs (*a*) and (*b*) of subsection (4) and substituting the following paragraphs:

"(*a*) the owner of the article, thing or structure, as the case may be;

(*b*) the person who caused the article or thing to be deposited or left on, or to protrude over, the public street, five-footway or private footway;

(*ba*) the person who caused the structure to be erected on, under or over the public street, five-footway or private footway;";

(*g*) by deleting paragraphs (*a*) and (*b*) of subsection (5) and substituting the following paragraphs:

"(*a*) demolish or remove any structure erected on, under or over the public street, five-footway or private footway, and then move or remove the structure to store at a holding yard and dispose of the resulting debris from the demolition;

(*b*) move or remove from the public street, five-footway or private footway, any article, thing or structure by any reasonable means to store at a holding yard, including by towing the article, thing or structure (as the case may be) to a holding yard; and

(*c*) use reasonable force, including cutting or breaking open any lock, seal, fastener or other device on or connected to any article, thing or structure mentioned in paragraph (*a*) or (*b*).";

(*h*) by deleting the words "remove any article or thing" in subsection (6) and substituting the words "move or remove any article, thing or structure";

(*i*) by deleting subsections (8) and (9) and substituting the following subsections:

"(8) Where an authorised officer has exercised any power under subsection (3) in relation to any article, thing or structure —

(*a*) the authorised officer must cause a written notice to be sent to an owner of the article, thing or structure (if known) to inform the owner of —

(i) the removal or demolition of the article, thing or structure;

(ii) the manner by which and the time within which the owner may procure the release of the article, thing or structure if not demolished; and

(iii) the consequences that may follow under subsections (10) and (11) if the article, thing or structure is not claimed within the time specified in the notice; and

(*b*) the Authority may recover, from any person mentioned in subsection (4)(*a*), (*b*), (*ba*) or (*c*), any costs reasonably incurred by the Authority in connection with the exercise of those powers, including costs of storing any article, thing or structure.

(9) Despite subsections (8) and (10), where it appears to the Authority that any article, thing or structure moved or removed under subsection (3) —

(*a*) is perishable;

(*b*) may rapidly depreciate in value; or

(*c*) is of such a nature or in such condition that it would be dangerous, not reasonably practicable or unduly costly for the Authority to retain custody of the article, thing or structure,

the Authority may, instead of storing the article, thing or structure at a holding yard and notifying the owner thereof, cause it —

(*d*) to be sold (by public auction or otherwise) at once; or

(*e*) to be destroyed or otherwise disposed of at such time and in such manner as the Authority thinks fit.";

(*j*) by deleting the words "subsection (9)" in subsections (10) and (12)(*b*) and substituting in each case the words "subsection (8)(*a*)";

(*k*) by deleting the words "article or thing" wherever they appear in subsections (10), (11), (12) and (13) and substituting in each case the words "article, thing or structure";

(*l*) by deleting the words "subsection (10)" in subsection (11) and substituting the words "subsection (9) or (10)"; and

(*m*) by deleting subsection (15) and substituting the following subsection:

"(15) In this section —

"authorised officer" means any employee of the Authority, any outsourced enforcement officer and any other person appointed by the Authority under section 4 to assist in the enforcement of this section;

"erect", in relation to a structure, includes any work carried out in constructing, installing,

creating, replacing, maintaining, renewing or restoring a structure;

"structure" includes any of the following:

(*a*) a post, pile, stake, pipe, chain, wire or any other similar thing fixed to the ground;

(*b*) a billboard, signboard, hoarding, fence, partition, sun-shading device or canopy, an awning or advertising structure, or a platform, safety netting or other similar temporary structure;

(*c*) a tunnel or bridge or an underpass or overpass;

(*d*) a roof, cladding, curtain wall, bracket, cornice or other exterior feature of a building that is installed on, forms part of or projects outwards from a building.".

Repeal

45. The State Lands Encroachments Act 1883 is repealed.

Saving and transitional provisions

46.—(1) This Act does not affect or apply in relation to —

(*a*) any summons issued under section 2 or 6 of the repealed Act before the date of commencement of section 45;

(*b*) any warrant issued under section 4 of the repealed Act before the date of commencement of section 45; and

(*c*) any written notice to vacate served under section 4(4) of the repealed Act before the date of commencement of section 45,

and all proceedings from that summons, warrant or notice are to continue according to the repealed Act as if this Act had not been enacted.

(2) Despite section 45, sections 10 and 11 of the repealed Act continue to apply to and in relation to any land which is the subject of a notice in the *Gazette* under section 10(1) of the repealed Act.

(3) For a period of 2 years after the date of commencement of this section, the Minister may make regulations prescribing such additional provisions of a saving or transitional nature consequent on the enactment of this section as the Minister may consider necessary or expedient.

(4) Nothing in this section affects section 16 of the Interpretation Act 1965.
