

**SINGAPORE LAND AUTHORITY ACT
(CHAPTER 301)**

(Original Enactment: Act 17 of 2001)

REVISED EDITION 2002

(31st July 2002)

An Act to establish and incorporate the Singapore Land Authority, to provide for its functions and powers, and for matters connected therewith.

[1st June 2001]

PART I
PRELIMINARY

Short title

1. This Act may be cited as the Singapore Land Authority Act.

Interpretation

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

“Authority” means the Singapore Land Authority established under section 3;

“Chairman” means the Chairman of the Authority and includes any temporary Chairman of the Authority;

“Chief Executive” means the Chief Executive of the Authority appointed under section 11 and includes any person acting in that capacity;

“debenture” includes debenture stock;

“Deputy Chairman” means the Deputy Chairman of the Authority and includes any temporary Deputy Chairman of the Authority;

“land” includes foreshores and any interest in land;

“member” means any member of the Authority;

“public authority” means any board, body or authority established by or under any written law to perform or discharge any public function;

“securities”, in relation to a company, includes shares, debentures, bonds and other securities of the company, whether or not constituting a charge on the assets of the company;

“shares” includes stock;

“State land” means all land in Singapore except —

(a)

land lawfully granted, or contracted to be granted, in fees simple or in estate in perpetuity by or on behalf of the Government;

(b)

land subject to any agreement, lease or licence lawfully granted by or on behalf of the Government; and

(c)

land dedicated as national parks or nature reserves, and includes any land which, having been granted or held under any agreement, lease or licence, has been lawfully surrendered or resumed or compulsorily acquired, and any land which, having been lawfully held by any person for any estate or interest, has been or are lawfully forfeited to, or by any means have reverted or revert to the Government;

“State title” includes any grant in fee simple or estate in perpetuity, any State lease (of whatever tenure) and any temporary occupation licence.

PART II
ESTABLISHMENT, INCORPORATION AND CONSTITUTION OF AUTHORITY

Establishment and incorporation of Singapore Land Authority

3. There is hereby established a body to be known as the Singapore Land Authority which shall be a body corporate with perpetual succession and shall, by that name, be capable of —

- (a) suing and being sued;
- (b) acquiring, owning, holding and developing or disposing of property, both movable and immovable; and
- (c) doing and suffering all such other acts or things as a body corporate may lawfully do or suffer.

Common seal

4.

—(1) The Authority shall have a common seal and such seal may from time to time be broken, changed, altered or made anew as the Authority thinks fit.

(2) All deeds and other documents requiring the seal of the Authority shall be sealed with the common seal of the Authority.

(3) All instruments to which the common seal is affixed shall be signed by any 2 members generally or specially authorised by the Chief Executive for the purpose or by one member and the Chief Executive.

(4) All courts, judges and persons acting judicially shall take notice of the imprint of the common seal of the Authority appearing on any document and shall presume that it was duly affixed.

Constitution of Authority

5.

—(1) The Authority shall consist of the following members:

- (a) a Chairman;
- (b) a Deputy Chairman; and
- (c) not less than 8 and not more than 20 other members as the Minister may from time to time determine.

(2) The First Schedule shall have effect with respect to the Authority, its members and its proceedings.

PART III FUNCTIONS, DUTIES AND POWERS OF AUTHORITY

Functions and duties of Authority

6.

—(1) Subject to the provisions of this Act, it shall be the function and duty of the Authority —

- (a) to optimise land resources;
- (b) to provide secure, reliable and effective registration systems for recording transactions relating to land in Singapore in accordance with the Land Titles Act (Cap. 157), the Land Titles (Strata) Act (Cap. 158) and the Registration of Deeds Act (Cap. 269);
- (c) to manage and maintain the cadastral survey system in Singapore as a foundation for land title, any spatial reference database or information system and for the purposes of any written law, including regulating the conduct of cadastral survey in Singapore;

(d)
to promote, develop or contribute to the development of an integrated spatial reference database or information system relating to land tenure, land transactions, land ownership, land boundaries and other related geographical information so as to facilitate the exchange and dissemination between the Government, public authorities, educational institutions or persons in the private sector of such information;

(e)
to act as agent of the Government in —

(i)
the acquisition of land under the Land Acquisition Act (Cap. 152) or any other method, or the resumption or forfeiture of land under the State Lands Act (Cap. 314), the State Lands Encroachments Act (Cap. 315) or any other law;

(ii)
the administration and management of all State lands and buildings thereon in accordance with the Foreshores Act (Cap. 113), the Sand and Granite Quarries Act (Cap. 284), the State Lands Act, the State Lands Encroachments Act and any other written law;

(iii)
the allocation and disposal of State land or grant of any State title to any person or public authority in accordance with the Foreshores Act, the State Lands Act and any other written law; and

(iv)
the assessment, collection and recovery of any premium (including differential premium), rent, royalty, fee or charge for or in connection with the mining or working of land for minerals, or with the disposition of any State land or grant of any State title or the exercise of any rights under any State title;

(f)
to administer the Residential Property Act (Cap. 274);

(g)
to report to and advise the Government on matters relating to land survey, land tenure, land transactions, land ownership, land boundaries and the administration, management, allocation, acquisition and disposition of State land;

(h)
to maintain and provide access by the public to documents and information relating to land survey, land tenure, land transactions, land ownership, land boundaries, State lands, State titles and other related matters kept or maintained by the Authority;

(i)
to manage technical co-operation and exchange in the area of land survey and land resource administration and management with other persons and organisations, including foreign organisations and international inter-governmental organisations, on its own or on behalf of the Government;

(j)
to represent the Government internationally in respect of matters relating to land survey and land resource administration and management;

(k)
to provide training, advice and assistance in relation to land survey and land resource administration and management to any Government department or any public authority, or to authorities of other countries and territories which administer and manage public lands and resources;

(l)
to provide administrative support services to the Land Surveyors Board in the performance of its functions under the Land Surveyors Act (Cap. 156); and

(m)
to exercise any other functions and duties conferred on the Authority by or under this Act or any other written law.

(2) In carrying out its functions, the Authority shall —

(a)

have regard to efficiency and economy and to the social, industrial, commercial and economic needs of Singapore; and

(b)

as far as practicable, promote, develop and provide facilities or services that facilitate or are necessary for land planning, land infrastructure development and maintenance and the economic growth in Singapore.

(3) In addition to the functions and duties imposed by this section, the Authority may undertake such other functions as the Minister may assign to the Authority and in so doing, the Authority shall be deemed to be fulfilling the purposes of this Act and the provisions of this Act shall apply to the Authority in respect of such functions.

(4) Nothing in this section shall be construed as imposing on the Authority, directly or indirectly, any form of duty or liability enforceable by proceedings before any court.

Powers of Authority

7.

—(1) The Authority shall have the power to do anything for the purpose of discharging its functions under this Act or under any other written law, or which it may consider advantageous, necessary or convenient to the discharge of those functions and in particular, may —

(a)

formulate and implement policies to optimise land resources and build up the supporting infrastructure;

(b)

administer systems for the recording and registration of transactions relating to land under the Land Titles Act (Cap. 157), the Land Titles (Strata) Act (Cap. 158) and the Registration of Deeds Act (Cap. 269);

(c)

collect, compile and analyse information relating to land tenure, geography, transactions relating to land or other subject-matter necessary or connected with the establishment and maintenance of an integrated spatial reference database or information system (and related products and services) or the performance of any of its other functions, and make available, publish or disseminate such information, products or services or the results of such compilation or analysis;

(d)

prescribe, regulate or implement measures, guidelines and standards on any matter related to or connected with land survey and land registration;

(e)

prescribe policies, standards and common methods of capturing geographical and other information and information relating to land tenure, land transactions, land ownership, land boundaries and other related matters so as to facilitate the mutual exchange and dissemination of such information;

(f)

levy such charges or fees as may be reasonable for services and facilities provided by the Authority;

(g)

form or participate in the formation of any company or in any joint venture as a shareholder or partner or in any other capacity, with any firm, body corporate, society or institution for the purposes of this Act or any other written law and to share profits;

(h)

subscribe for or acquire any securities and shares of an incorporated company or other body corporate, procure its admission to membership of an incorporated company limited by guarantee, promote the formation of an incorporated company or participate in the promotion of such company or acquire an undertaking or part of an undertaking;

(i)

engage in conjunction with other authorities, international agencies or organisations in any study or co-operation project related to or connected with land resource administration and management or in the promotion of land administration and management;

(j)

regulate and control any activity related to or connected with the network of survey control marks in Singapore;

(k)

enter into contracts for itself or for the Government for the supply of goods or materials or for the execution of works or any other contract as may be necessary for the discharge of its duties and functions under this Act or any other written law;

(l)

lease, let, develop or otherwise utilise any property movable or immovable, vested in or acquired by the Authority on such terms and conditions as the Authority thinks fit;

(m)

provide financial loans, advances, grants, aid or assistance to any person for all or any of the purposes of this Act;

(n)

provide bursaries, scholarships and training grants in the field of land administration and management;

(o)

receive donations, grants, gifts, subsidies and contributions from any source and raise funds by all lawful means;

(p)

make provision for pensions, gratuities, allowances or other benefits for employees or former employees of the Authority;

(q)

grant or guarantee loans to officers or employees of the Authority for any purpose specifically approved by the Authority;

(r)

provide recreational facilities and promote recreational activities for, and activities conducive to, the welfare of officers and employees of the Authority and members of their families; and

(s)

do such other acts as are incidental to any of its functions and powers.

(2) This section shall not be construed as limiting any power of the Authority conferred by or under any other written law.

Power to request for information

8.

—(1) Without prejudice to section 7, the Authority, or any officer authorised on its behalf, may require any person to furnish information to the Authority relating to land tenure, land transactions, land ownership, land boundaries or other geographical information.

(2) A request under subsection (1) —

(a)

shall be in writing;

(b)

shall be served on the person to whom it is addressed;

(c)

shall specify the particulars of information required;

(d)

may specify the form in which and the time within which the information is to be furnished;

(e)

may require the information to be furnished periodically at or within such time or times and in such form or forms as are specified in the request; and

(f)

may specify the place or manner at or in which the information is to be delivered.

(3) Any person who —

(a)

wilfully refuses or without lawful excuse (the proof of which lies on him) neglects —

(i)

to furnish the information required within the time allowed in any request under subsection (1) for furnishing the information;

(ii)

to furnish the information in the form specified in any request under subsection (1); or

(iii)

to deliver the information at the place or in the manner specified in any request under subsection (1) for the delivery thereof; or

(b)

wilfully furnishes or causes to be furnished any false information in respect of any matter specified in a request under subsection (1), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day or part thereof during which the offence continues after conviction.

(4) Nothing in this section shall oblige or bind any person to furnish any information not in his possession or which he is prohibited by law from disclosing.

Directions by Minister

9.

—(1) The Minister may give to the Authority such directions, not inconsistent with the provisions of this Act, as he thinks fit as to the performance of its functions and the exercise of its powers, and the Authority shall give effect to such directions.

(2) The Authority shall furnish the Minister with such information in respect of its property and activities in such manner and at such times as the Minister may require.

Appointment of committees and delegation of powers

10.

—(1) The Authority may appoint from amongst its own members or from other persons who are not members such number of committees as it thinks fit for purposes which, in the opinion of the Authority, would be better regulated and managed by means of such committees.

(2) The Authority may, subject to such conditions or restrictions as it thinks fit, delegate to any such committee appointed under subsection (1) or to the Chairman or Chief Executive or to any other member, officer or employee of the Authority, any of the functions or powers of the Authority under this Act or any other written law, except —

(a)

the power of delegation conferred by this section; and

(b)

the power to make any subsidiary legislation.

(3) Any function or power delegated under subsection (2) to any committee or person may be performed or exercised by the committee or person to whom it has been delegated in the name and on behalf of the Authority.

(4) No delegation under this section shall prevent the performance or exercise of any function or power by the Authority.

PART IV PROVISIONS RELATING TO STAFF

Appointment of Chief Executive

11.

—(1) The Authority shall, with the approval of the Minister, appoint a Chief Executive of the Authority on such terms and conditions as the Authority may determine.

- (2) The Chief Executive shall —
- (a) be known by such designation as the Authority may determine;
 - (b) be responsible to the Authority for the proper administration and management of the functions and affairs of the Authority in accordance with the policy laid down by the Authority; and
 - (c) not be removed from office without the consent of the Minister.
- (3) If the Chief Executive is unable to perform his duties for any period, by reason of absence from Singapore, illness or for any other reason, another person may be appointed by the Authority to act in the place of the Chief Executive during such period.
- (4) The Authority may, from time to time, appoint and employ on such terms and conditions as the Authority may determine such other employees, consultants and agents as may be necessary for the effective performance of its functions.

Protection from personal liability

12.

—(1) No suit or other legal proceedings shall lie personally against any member, officer or employee of the Authority or any other person acting under the direction of the Authority for anything which is in good faith done or intended to be done in the execution or purported execution of this Act or any other written law.

(2) Where the Authority provides a service to the public whereby information is supplied to the public pursuant to any written law, neither the Authority nor any of its members, officers or employees involved in the supply of such information shall be liable for any loss or damage suffered by any member of the public by reason of any error or omission of whatever nature appearing therein or however caused if made in good faith and in the ordinary course of the discharge of the duties of such member, officer or employee.

Public servants

13.

—(1) All members, officers and employees (including persons seconded to the Authority for any period) of the Authority shall be deemed to be public servants for the purposes of the Penal Code (Cap. 224).

(2) All members, officers and employees (including persons seconded to the Authority for any period) of the Authority shall also be deemed to be —

(a) public officers for the purposes of the Financial Procedure Act (Cap. 109) in relation to the performance of any function referred to in section 6(1)(e); and

(b) public officers for the purposes of the Government Contracts Act (Cap. 118) in relation to the performance of any function referred to in section 6(1)(e), and section 20 of the Financial Procedure Act shall apply to such persons notwithstanding that they are not or were not in the employment of the Government.

PART V FINANCIAL PROVISIONS

Funds and property of Authority

- 14.** The funds and property of the Authority shall consist of —
- (a) grants made under section 19;

- all moneys paid to the Authority by way of grants, subsidies, donations, gifts and contributions; (b)
- all fees, charges, fines and composition sums payable to the funds of the Authority under any written law; (c)
- all moneys received by the Authority by way of charges and fees for services rendered by the Authority to any person, including any collection agency fee; (d)
- all moneys derived from the disposal, lease or hire of, or any other dealing with any property vested in or acquired by the Authority; (e)
- all accumulations of income derived from any such property or money, including any gains made on the sale of any investment of such money, and interest or gains thereon; (f)
- all moneys borrowed by the Authority under this Act; and (g)
- all other moneys and property lawfully received by the Authority for the purposes of the Authority. (h)

Application of moneys

15. The moneys of the Authority for any financial year shall be applied in defraying the following charges:

- the remuneration, fees and allowances of the members of the Authority; (a)
- the salaries, fees, remuneration, pensions, superannuation allowances and gratuities of the officers, agents, employees, advisers and former employees of the Authority; (b)
- working and establishment expenses and expenditure on, or provision for, the maintenance of any of the property of the Authority, and the discharge of the functions of the Authority properly chargeable to revenue account; (c)
- expenses incurred or incidental to the investment or management of the moneys or properties of the Authority; (d)
- interest on any loan raised by the Authority; (e)
- sums required to be transferred to a sinking fund or otherwise set aside for the purpose of making provision for the repayment of borrowed money; (f)
- such sums as may be deemed appropriate to set aside in respect of depreciation or renewal of the property of the Authority, having regard to the amount set aside out of revenue under paragraphs (c) and (f); (g)
- the cost, or any portion thereof, of any new works, plant, vessels or appliances not being a renewal of the property of the Authority, which the Authority may determine to charge to revenue; (h)
- such sums by way of contribution, for the purposes associated with the objects of this Act as the Authority may determine, to the public or for charities; and (i)
- any other expenditure authorised by the Authority and properly chargeable to revenue account. (j)

Bank accounts

16.

—(1) The Authority shall open and maintain an account or accounts with such bank or banks as the Authority thinks fit.

(2) Every such account shall be operated by such person or persons as may, from time to time, be authorised in that behalf by the Authority.

Annual estimates

17.

—(1) The Authority shall in every financial year prepare or cause to be prepared and adopt annual estimates of income and expenditure of the Authority for the ensuing financial year.

(2) Supplementary estimates may be adopted by the Authority at any of its meetings.

(3) A copy of all annual estimates and supplementary estimates shall, upon their adoption by the Authority, be sent forthwith to the Minister.

(4) The Minister may approve or disallow any item or portion of any item shown in the estimates, and shall return the estimates as amended by him to the Authority, and the Authority shall be bound thereby.

Power of investment

18. The Authority may invest its funds in accordance with the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act (Cap. 1).

[45/2004 wef 15/12/2004]

Grants

19. For the purpose of enabling the Authority to carry out its functions under this Act, the Minister may, from time to time, make grants to the Authority of such sums of money as the Minister may determine out of moneys to be provided by Parliament.

Power to borrow

20. For the discharge of its functions or duties under this Act or any other written law, the Authority may, from time to time, raise loans from the Government or, with the approval of the Minister for Finance, raise loans from banks or other financial institutions (whether in Singapore or elsewhere) by —

mortgage, overdraft or otherwise; (a)

charge, whether legal or equitable, on any property vested in the Authority or on any other revenue receivable by the Authority under this Act or any other written law; or (b)

the creation and issue of debentures or bonds. (c)

Issue of shares, etc.

***20A.** As a consequence of the vesting of any property, rights or liabilities of the Government in the Authority under this Act, or of any capital injection or other investment by the Government in the Authority in accordance with any written law, the Authority shall issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

[5/2002 wef 29/07/2002]

* This section was not in operation as at 30th June 2002.

Other financial provisions

21. The financial provisions set out in the Second Schedule shall have effect with respect to the Authority.

PART VI TRANSFER OF PROPERTY, ASSETS, LIABILITIES AND EMPLOYEES

Transfer to Authority of property, assets and liabilities

22.

—(1) As from 1st June 2001 —

- (a) the assurance fund under section 151 of the Land Titles Act (Cap. 157);
- (b) such movable and immovable property vested in the Government as may be determined by the Minister for Finance and used or managed by the Government departments formerly known as —
 - (i) the Singapore Land Registry (including the Land Dealings (Approval) Unit);
 - (ii) the Land Office;
 - (iii) the Survey Department; and
 - (iv) the Land Systems Support Unit; and
- (c) all assets, interests, rights, privileges, liabilities and obligations of the Government relating to the assurance fund and to those departments, shall be transferred to and shall vest in the Authority without further assurance, act or deed.

(2) If any question arises as to whether any particular property, asset, interest, right, privilege, liability or obligation has been transferred to or vested in the Authority under subsection (1), a certificate under the hand of the Minister for Finance shall be conclusive evidence that the property, asset, interest, right, privilege, liability or obligation was or was not so transferred or vested.

(3) Any immovable property to be transferred to and vested in the Authority under subsection (1) shall be held by the Authority upon such tenure and subject to such terms and conditions as the President may determine.

Transfer of employees

23.

—(1) As from 1st June 2001, such persons or categories of persons as the Minister may determine who, immediately before that date, were employed by the Government in the Government departments formerly known as —

- (a) the Singapore Land Registry (including the Land Dealings (Approval) Unit);
 - (b) the Land Office;
 - (c) the Survey Department; and
 - (d) the Land Systems Support Unit,
- shall be transferred to the service of the Authority on terms no less favourable than those enjoyed by them immediately prior to their transfer.

(2) If any question arises as to whether any person or any category of persons has been transferred to the service of the Authority under subsection (1), a certificate under the hand of the Minister shall be conclusive evidence that the person or category of persons was or was not so transferred.

(3) Until such time as terms and conditions of service are drawn up by the Authority, the schemes and terms and conditions of service in the Government shall continue to apply to every person transferred to the service of the Authority under subsection (1) as if he were still in the service of the Government.

(4) Notwithstanding the provisions of the Pensions Act (Cap. 225), no person who is transferred to the service of the Authority under this section shall be entitled to claim any benefit under that Act on the ground that he has been retired from the service of the Government on account of abolition or reorganisation of office in consequence of the establishment of the Authority.

Service rights, etc., of transferred employees to be preserved

24.

—(1) The terms and conditions to be drawn up by the Authority shall take into account the salaries and terms and conditions of service, including any accrued rights to leave, enjoyed by the persons transferred to the service of the Authority under section 23 while in the employment of the Government.

(2) Any term or condition relating to the length of service with the Authority shall recognise the length of service of the persons so transferred while in the employment of the Government to be service with the Authority.

(3) Nothing in the terms and conditions of service to be drawn up by the Authority shall adversely affect the conditions that would have been applicable to persons transferred to the service of the Authority as regards any pension, gratuity or allowance payable under the Pensions Act.

(4) Where a person has been transferred to the service of the Authority under section 23, the Government shall be liable to pay to the Authority such portion of any pension, gratuity or allowance payable to the person on his retirement as the same shall bear to the proportion which the aggregate amount of his pensionable emoluments during his service with the Government bears to the aggregate amount of his pensionable emoluments during his service under both the Government and the Authority.

(5) Where any person in the service of the Authority, whose case does not fall within the scope of any pension or other schemes established under this section, retires or dies in the service of the Authority or is discharged from such service, the Authority may grant to him or to such other person or persons wholly or partly dependent on him, as the Authority thinks fit, such allowance or gratuity as the Authority may determine.

Existing contracts

25. All deeds, bonds, agreements, instruments and arrangements subsisting immediately before 1st June 2001 to which the Government is a party and relating —

to the assurance fund under section 151 of the Land Titles Act (Cap. 157); (a)

to the Government departments formerly known as — (b)

the Singapore Land Registry (including the Land Dealings (Approval) Unit); (i)

the Land Office; (ii)

the Survey Department; and (iii)

the Land Systems Support Unit; or (iv)

(c)

to any other person transferred to the service of the Authority under section 23, shall continue in force on and after that date and shall be enforceable by or against the Authority as if the Authority had been named therein or had been a party thereto instead of the Government.

Pending proceedings

26. Any proceedings or cause of action relating to the portion of the property, assets, interests, rights, privileges, liabilities and obligations transferred to the Authority under section 22 or to any employee transferred to the service of the Authority under section 23 pending or existing immediately before 1st June 2001 by or against the Government, or any person acting on its behalf, may be continued and shall be enforced by or against the Authority.

Continuation and completion of disciplinary proceedings

27.

—(1) Where on 1st June 2001 —

(a)

any disciplinary proceedings were pending against any employee of the Government transferred to the service of the Authority under section 23, the proceedings shall be carried on and completed by the Authority; and

(b)

any matter was in the course of being heard or investigated or had been heard or investigated by a committee acting under due authority but no order, ruling or decision had been made thereon, the committee shall complete the hearing or investigation and shall make such order, ruling or direction as it could have been made under the authority vested in it before that date.

(2) Any order, ruling or direction made by a committee pursuant to this section shall be treated as an order, a ruling or a direction of the Authority and have the same force or effect as if it had been made by the Authority pursuant to the authority vested in the Authority under this Act.

Misconduct or neglect of duty by employee before transfer

28. The Authority may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person transferred to the service of the Authority under section 23 for any misconduct or neglect of duty, committed prior to 1st June 2001 whilst he was in the employment of the Government, which would have rendered him liable to be reprimanded, reduced in rank, retired, dismissed or punished in some other manner if he had continued to be in the employment of the Government and if this Act had not been enacted.

PART VII MISCELLANEOUS

Annual report

29.

—(1) The Authority shall, as soon as practicable after the end of each financial year, cause to be prepared and transmitted to the Minister a report dealing generally with the activities of the Authority during that financial year and containing such other information relating to the Authority as the Minister may from time to time direct.

(2) The Minister shall, as soon as practicable, cause a copy of every such report to be presented to Parliament.

Symbol or representation of Authority

30.

—(1) The Authority shall have the exclusive right to the use of such symbol or representation as the Authority may select or devise and thereafter display or exhibit such symbol or representation in connection with its activities or affairs.

(2) Any person who uses a symbol or representation identical with that of the Authority or which so resembles the Authority's symbol or representation as to deceive or cause confusion, or to be likely to deceive or cause confusion, 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.

Powers of enforcement

31.

—(1) In addition to the powers conferred on him by this Act or any other written law, an officer or employee of the Authority may, in relation to any offence under this Act or any written law set out in the Third Schedule, on declaration of his office and production to the person against whom he is acting such identification card as the Chief Executive may direct to be carried by officers or employees of the Authority —

(a)

require any person whom he reasonably believes to have committed that offence to furnish evidence of the person's identity;

(b)

require any person to furnish any information or produce any book, document or copy thereof in the possession of that person, and may, without fee or reward, inspect, copy or make extracts from such book or document; and

(c)

require, by order in writing, the attendance before the officer or employee of any person within the limits of Singapore who, from any information given or otherwise obtained by the officer or employee, appears to be acquainted with the circumstances of the case.

(2) Any person who —

(a)

refuses to give access to, or assaults, obstructs, hinders or delays, an officer or employee of the Authority in the discharge of the duties by such officer or employee of the Authority under this Act or that written law;

(b)

wilfully mis-states or without lawful excuse refuses to give any information or produce any book, document or copy thereof required of him by an officer or employee of the Authority under subsection (1); or

(c)

fails to comply with a lawful demand of an officer or employee of the Authority in the discharge of the duties by such officer or employee of the Authority under this Act or that written law, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

Offences committed by bodies corporate, etc.

32.

—(1) Where an offence under this Act which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or any similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) shall apply in relation to the acts and defaults of a member in connection with his functions or management as if he were a director of the body corporate.

(3) Proceedings for an offence under this Act alleged to have been committed by a partnership shall be brought in the name of the partnership and not in that of the partners; but without prejudice to any liability of the partners under subsection (5).

(4) A fine imposed on a partnership on its conviction in such proceedings shall be paid out of the partnership assets.

(5) Where a partnership is guilty of an offence under this Act, every partner, other than a partner who is proved to have been ignorant of or to have attempted to prevent the commission of the offence, is also guilty of the offence and liable to be proceeded against and punished accordingly.

Composition of offences

33.

—(1) The Chief Executive or any officer authorised by him may, in his discretion, compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$1,000.

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

Proceedings conducted by officers of Authority

34.

—(1) Proceedings in respect of an offence under this Act or under any written law set out in the Third Schedule may, with the authorisation of the Public Prosecutor, be conducted by an officer of the Authority who is authorised in writing in that behalf by the Chief Executive.

[\[15/2010 wef 02/01/2011\]](#)

(2) Notwithstanding the provisions of any written law, a legal officer of the Authority who has been admitted as an advocate and solicitor under the Legal Profession Act (Cap. 161) may —

(a) appear in any civil proceedings involving the Authority or any Registrar in the performance of his functions or duties under any written law so specified; and

(b) make and do all acts and applications in respect of such proceedings on behalf of the Authority or any Registrar, as the case may be.

(3) All fines collected under any written law set out in the Third Schedule shall be paid to the Authority.

(4) The Minister may, by order published in the *Gazette*, amend the Third Schedule.

(5) For the purposes of this section, “Registrar” means —

(a) the Registrar of Titles appointed under the Land Titles Act (Cap. 157);

(b) the Registrar of Deeds appointed under the Registration of Deeds Act (Cap. 269); or

(c) the Controller of Residential Property appointed under the Residential Property Act (Cap. 274).

Preservation of secrecy

35.

—(1) Except for the purpose of the performance of his duties or the exercise of his functions or when lawfully required to do so by any court or under the provisions of any written law, no person who is or has been a member, an officer, employee or an agent of the Authority or a member of a committee of the Authority shall disclose any information or matter relating to the affairs of the

Authority or of any other person which has been obtained by him in the performance of his duties or the exercise of his functions.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both.

Rules

36.

—(1) The Authority may make rules for carrying out the purposes and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Authority may make rules for or with respect to all or any of the following matters:

(a)
the manner of appointment, conduct and discipline and the terms and conditions of service of the employees of the Authority; and

(b)
the establishment of funds for the payment of gratuities and other benefits to employees of the Authority.

References in other written law

37.

—(1) Where in any written law reference is made to the Land Office, the Survey Department or the Singapore Land Registry, such reference shall be read as a reference to the Authority.

(2) The Registry of Deeds referred to in the Registration of Deeds Act (Cap. 269) and the Land Titles Registry referred to in the Land Titles Act (Cap. 157) shall be transferred to the Authority and all references in any written law to the Registry of Deeds or the Land Titles Registry shall be read as references to the Registry of Deeds or the Land Titles Registry, as the case may be, of the Authority.

Consequential amendments to other written law

38. The Minister may, by order published in the *Gazette*, repeal or amend any written law which appears to him unnecessary having regard to the provisions of this Act or to be inconsistent with any provision of this Act.

FIRST SCHEDULE

Section 5(2)

CONSTITUTION AND PROCEEDINGS OF AUTHORITY

Appointment of Chairman, Deputy Chairman and members

1.—(1) The Chairman, Deputy Chairman and other members of the Authority shall be appointed by the Minister from among persons who appear to the Minister to be qualified for appointment because of his knowledge of or experience in one or more of the following fields:

(a)
public administration;

(b)
commerce;

(c)
economics;

(d)
law;

survey; (e)
real estate development; (f)
consumer affairs; (g)
town planning. (h)

(2) The Minister may appoint the Chief Executive and any other public officer to be a member of the Authority.

Tenure of office of members of Authority

2. The Chairman, Deputy Chairman and a member of the Authority shall hold office for such period and on such terms and conditions as the Minister may determine, and shall be eligible for re-appointment.

Deputy Chairman

3. The Deputy Chairman so appointed may, subject to such directions as may be given by the Chairman, exercise all or any of the powers exercisable by the Chairman under this Act.

Temporary Chairman or Deputy Chairman

4. The Minister may appoint any member of the Authority to be a temporary Chairman or temporary Deputy Chairman during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of the Chairman or Deputy Chairman, as the case may be.

Temporary member

5. The Minister may appoint any person to be a temporary member if any member is unable to perform his duties for any period, by reason of absence from Singapore, illness or for any other reason.

Revocation of appointment

6. If it appears to the Minister that the removal of the Chairman, Deputy Chairman or any member is necessary in the interest of the effective and economical performance of the functions of the Authority under this Act or any other written law, or in the public interest, the Minister may remove from office all of them or so many of them as he considers necessary in such interests.

Resignation

7. A member of the Authority may resign from his appointment at any time by giving at least one month's notice in writing to the Minister.

Chairman may delegate functions

8. The Chairman may, in writing, authorise any member of the Authority to exercise and perform any power, function or duty conferred on the Chairman by or under this Act, as he sees fit.

Vacation of office

9. The office of a member of the Authority shall become vacant —
- (a) if he becomes in any manner disqualified from membership of the Authority;
 - (b) if he fails to attend 3 consecutive meetings of the Authority without sufficient cause (the sufficiency thereof to be decided by the Authority);
 - (c) if he resigns from his office; or
 - (d) on his death.

Filling of vacancies

10. If a vacancy occurs in the membership of the Authority, the Minister may, subject to paragraphs 1 and 11, appoint any person to fill the vacancy, and the person so appointed shall hold office for the remainder of the term for which the vacating member was appointed.

Disqualification from membership

11. No person shall be appointed or shall continue to hold office as a Chairman, Deputy Chairman or member if he —
- (a) is incapacitated by physical or mental illness;
 - (b) is an undischarged bankrupt or has made any arrangement or composition with his creditors;
 - (c) is convicted of an offence involving dishonesty, fraud or moral turpitude and has not received a free pardon;
 - (d) has been sentenced to imprisonment for a term of 6 months or more and has not received a free pardon; or
 - (e) is otherwise unable or unfit to discharge the functions of a member.

Disclosure of interest by members

12.—(1) Subject to sub-paragraph (2), if a member of the Authority has a pecuniary interest, direct or indirect, in any contract, proposed contract or other matter which is before any meeting of the Authority, he shall at that meeting declare the nature of his interest and shall not take part in the consideration or discussion of, or vote on any question with respect to, that contract or other matter, and if the Chairman or the person presiding at that meeting so directs, he shall withdraw from the meeting during the consideration or discussion.

(2) For the purposes of sub-paragraph (1), a general notice given to the members of the Authority by a member to the effect that he is an officer or member of a specified corporation or a member of a specified firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with that corporation or firm shall be deemed to be a sufficient declaration of interest in relation to any contract so made if —

- (a) the general notice specifies the nature and extent of his interest in the specified corporation or firm; and
- (b) his interest is not different in nature or greater in extent than the nature or extent so specified in the general notice at the time any contract is so made.

(3) No general notice given under sub-paragraph (2) shall be of effect unless either it is given at a meeting of the Authority or the member takes reasonable steps to ensure that it is brought up and read at the next meeting of the Authority after it is given.

(4) For the purpose of this paragraph, a pecuniary interest of any spouse, parent, son or adopted son, or daughter or adopted daughter, of a member shall be regarded as a pecuniary interest of the member.

(5) For the purpose of determining whether there is a quorum, a member shall be treated as being present notwithstanding that, under this paragraph, he cannot vote or has withdrawn from the meeting.

Salaries, fees and allowances payable to Chairman and members

13. There shall be paid to the Chairman, Deputy Chairman and members of the Authority out of the funds of the Authority such salaries, fees and allowances as the Minister may, from time to time, determine.

Meetings and proceedings of Authority

14.—(1) The Authority shall meet for the despatch of business at such times and places as the Chairman may from time to time appoint.

(2) The quorum for a meeting of the Authority shall be half the number of its members.

(3) The Chairman shall preside at all meetings of the Authority at which he is present; and where the Chairman is absent, the Deputy Chairman shall preside.

(4) If neither the Chairman nor the Deputy Chairman are present at a meeting, such member as the members present may elect shall preside at that meeting.

(5) Decisions at meetings of the Authority shall be adopted by a simple majority of the votes of the members present and voting; and in the case of an equality of votes, the Chairman or, in his absence, the Deputy Chairman or (as the case may be) the member presiding shall have a casting vote.

(6) A resolution shall be taken to have been passed at a meeting of the Authority if —

(a) without meeting, a majority of the members indicate agreement with the resolution in accordance with such method as may be determined by the Authority; and

(b) all members were informed of the proposed resolution, or reasonable efforts had been made to inform all members of the proposed resolution.

(7) Where not less than 4 members of the Authority request the Chairman by notice in writing signed by them to convene a meeting of the Authority for any purpose specified in the notice, the Chairman shall, within 7 days from the receipt of the notice, convene a meeting for that purpose.

(8) Subject to the provisions of this Act, the Authority may regulate its own proceedings generally and, in particular, regarding the holding of meetings, the notice to be given of such meetings, the proceedings thereat, the keeping of minutes, the custody, production and inspection of such minutes, and the opening, keeping, closing and audit of accounts.

Vacancy not to affect performance of functions

15. The performance of the functions, or the exercise of the powers, of the Authority shall not be affected only because there being any vacancy in the membership of the Authority or any defect in the appointment of any member.

FINANCIAL PROVISIONS

Financial year

1. The financial year of the Authority shall begin on 1st April of each year and end on 31st March of the succeeding year.

Accounts of Authority

2. The Authority shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that all payments out of its moneys are correctly made and properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Authority and over the expenditure incurred by the Authority.

Auditor

3. The accounts of the Authority shall be audited by the Auditor-General or such other auditor appointed annually by the Minister in consultation with the Auditor-General.

Appointment of auditor

4. A person shall not be qualified for appointment as an auditor under paragraph 3 unless he is an approved company auditor under the Companies Act (Cap. 50).

Remuneration of auditor

5. The remuneration of the auditor shall be paid out of the funds of the Authority.

Annual financial statements

6. The Authority shall, as soon as practicable after the close of the financial year, prepare and submit the financial statements in respect of that year to the auditor who shall audit and report on them.

Duties of auditor

7. The auditor shall in his report state —

(a)
whether the financial statements show fairly the financial transactions and the state of affairs of the Authority;

(b)
whether proper accounting and other records have been kept including records of all assets of the Authority whether purchased, donated or otherwise;

(c)
whether the receipts, expenditure and investment of moneys and the acquisition and disposal of assets by the Authority during the year have been in accordance with this Act; and

(d)
such other matters arising from the audit as he considers should be reported.

Auditor's report

8. The auditor shall, as soon as practicable after the accounts have been submitted for audit, send a report of his audit to the Minister and the Authority, and shall also submit such periodical and special reports to the Minister and to the Authority as may appear to him to be necessary or as the Minister or the Authority may require.

Powers of auditor

9.—(1) The auditor or any person authorised by him is entitled at all reasonable time to full and free access to all accounting and other records relating, directly or indirectly, to the financial transactions of the Authority.

(2) The auditor or any person authorised by him may make copies of, or make extracts from, any such accounting and other records.

(3) The auditor or any person authorised by him may require any person to furnish him with such information in the possession of that person or to which that person has access as the auditor or any duly authorised person considers necessary for the purposes of his functions under this Act.

Penalty for obstructing auditor

10. Any person who fails, without reasonable cause, to comply with any requirement of the auditor under paragraph 9 or who otherwise hinders, obstructs or delays the auditor or authorised person in the performance of his functions under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day or part thereof during which the offence continues after conviction.

Presentation of audited financial statements and auditor's report

11. As soon as the accounts of the Authority and the financial statements have been audited in accordance with this Act, a copy of the audited financial statements signed by the Chairman and certified by the auditor, together with a copy of any report made by the auditor, shall be submitted to the Minister.

Copy of auditor's report for Auditor-General

12. Where the Auditor-General is not appointed as the auditor, a copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General at the same time they are submitted to the Authority.

Presentation to Parliament

13. The Minister shall as soon as practicable cause a copy of the audited financial statements and of the auditor's report to be presented to Parliament.

THIRD SCHEDULE

Sections 31(1) and 34

SPECIFIED LEGISLATION

1. Sections 8, 11 and 15 of the Boundaries and Survey Maps Act (Cap. 25).
2. Section 46 of the Land Acquisition Act (Cap. 152).
3. Sections 7, 27, 59 and 169 of the Land Titles Act (Cap. 157).
4. Sections 7, 15, 37, 41, 42, 43, 49, 54, 62, 65, 66, 67, 81, 82, 111, 113 and 120 of the Land Titles (Strata) Act (Cap. 158).
5. Sections 4, 9, 10, 11, 16, 23, 25, 35 and 36 of the Residential Property Act (Cap. 274).
[\[9/2006 wef 31/03/2006\]](#)
6. Sections 7, 13 and 14 of the State Lands Encroachments Act (Cap. 315).

LEGISLATIVE HISTORY

SINGAPORE LAND AUTHORITY ACT (CHAPTER 301)

This Legislative History is provided for the convenience of users of the Singapore Land

Authority Act. It is not part of this Act.

1. Act 17 of 2001—Singapore Land Authority Act 2001

Date of First Reading : 5.3.2001
(Bill No. 17/2001 published on
7.3.2001)

Date of Second and Third Readings : 19.4.2001

Date of commencement : 1.6.2001

2. Act 5 of 2002—Statutory Corporations (Capital Contribution) Act 2002

(Consequential amendments made by)

Date of First Reading : 3.5.2002
(Bill No. 7/2002 published on
4.5.2002)

Date of Second and Third Readings : 24.5.2002

Date of commencement : 15.7.2002

3. 2002 Revised Edition—Singapore Land Authority Act

Date of operation : 31 July 2002

4. Act 45 of 2004—Trustees (Amendment) Act 2004

Date of First Reading : 21 September 2004
(Bill No. 43/2004 published on 12
November 2004)

Date of Second and Third Readings : 19 October 2004

Date of commencement : 15 December 2004

5. Act 9 of 2006—Residential Property (Amendment) Act 2006

Date of First Reading : 16 January 2006
(Bill No. 1/2006 published on 17
March 2006)

Date of Second and Third Readings : 14 February 2006

Date of commencement : 31 March 2006

6. Act 15 of 2010—Criminal Procedure Code 2010

Date of First Reading : 26 April 2010
(Bill No. 11/2010)

Date of Second Reading : Date not available.

Date of Third Reading : Date not available.

Date of commencement : 2 January 2011