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ACTS SUPPLEMENT

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The following Act was passed by Parliament on 25th July 2001 and assented to by the President on 30th July 2001:—

REPUBLIC OF SINGAPORE

No. 25 of 2001.

I assent.



S R NATHAN,
President.
30th July 2001.

An Act to amend the Land Titles Act (Chapter 157 of the 1994 Revised Edition) and to make consequential amendments to the Conveyancing and Law of Property Act (Chapter 61 of the 1994 Revised Edition).

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

Short title and commencement

1. This Act may be cited as the Land Titles (Amendment) Act 2001 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Land Titles Act (referred to in this Act as the principal Act) is amended by deleting the following words:

“Part III

Division 1	...	Sections 8–20
Division 2	...	Sections 21–27”

and substituting the following words:

“Part III

Division 1	...	Sections 8–18
Division 2	...	Sections 19–24A
Division 3	...	Sections 25–27”.

Amendment of section 4

3. Section 4 (1) of the principal Act is amended by inserting, immediately after the words “subterranean space” in the 1st and 2nd lines of paragraph (b) of the definition of “land”, the words “whether or not”.

Amendment of Part III

4. Part III of the principal Act is amended by deleting the sub-heading “*Division 1 — Infeasible titles*” and substituting the following sub-heading:

*“Division 1 — Bringing land under the Act
on alienation”.*

Amendment of section 8

5. Section 8 of the principal Act is amended —

- (a) by deleting the words “of not less than 10 years” in subsection (1) (c); and
- (b) by deleting subsection (2).

Amendment of section 15

6. Section 15 (1) of the principal Act is amended by deleting the words “Section 8 (2) to” and substituting the words “Section 8 (3) and”.

Repeal and re-enactment of sections 19 to 24 and new section 24A

7. Sections 19 to 24 of the principal Act are repealed and the following sections substituted therefor:

*“Division 2 — Applications and schemes
to bring land under this Act*

Bringing lands under this Act

19.—(1) Unregistered land of whatever tenure may be brought under the provisions of this Act upon any primary application or at the instance of the Registrar in accordance with this Division.

(2) The Registrar may bring unregistered land under the provisions of this Act by the creation of one or more folios for the land which shall be either qualified or unqualified as to title, and shall notify on the folio, in such manner as to preserve their priority, such particulars as he thinks fit of all subsisting mortgages or other encumbrances to which the land is subject at the time of bringing the land under the provisions of this Act.

(3) Any folio, qualified or unqualified as to title, created under this Division for any land may, if the circumstances so require, be qualified as to the boundaries and dimensions of the land, and section 165 shall apply with such modifications as are necessary to that land.

Primary applications

20.—(1) A person entitled to bring unregistered land under the provisions of this Act may lodge a primary application with the Registrar to bring the land under this Act together with any deed, conveyance or instrument affecting the land.

(2) The following persons shall be entitled to have unregistered land brought under the provisions of this Act:

- (a) the person claiming to be the owner (either at law or in equity) or persons who collectively claim to be the owners (either at law or in equity) of the fee simple, an estate in perpetuity or leasehold estate; or
- (b) trustees for the sale of the fee simple, an estate in perpetuity or leasehold estate where the application to

bring the land under the provisions of this Act has been consented to by a majority in number of persons required to give that consent.

(3) A primary application to bring land under the provisions of this Act shall be in the approved form and shall be accompanied by such documents of title or other evidence as the Registrar may require, including but not limited to a statutory declaration (in a form acceptable to the Registrar) executed by an applicant who is unable to produce any such documents of title or other evidence to substantiate his claim or from any person connected with the loss of those documents.

(4) Notwithstanding subsection (2), a mortgagor is not entitled to apply to bring land under the provisions of this Act unless the mortgagee consents to the primary application.

(5) Unless expressly prohibited by the terms of its memorandum of association, constitution, charter or other constituting document, a corporation (whether sole or aggregate) shall be deemed to have power to apply to the Registrar to bring land under the provisions of this Act, and any such primary application may be made on its behalf by its managing director, manager, secretary or by an attorney appointed in that behalf by the corporation under its common seal.

(6) The Registrar may refer any primary application to any legally qualified person for investigation of and report on the applicant's title.

(7) On the creation of a folio for the land, the Registrar shall cancel —

- (a) all assurances lodged to support the primary application if the folio is unqualified as to title; or
- (b) in any other case, the last deed lodged with the Registry of Deeds prior to the creation of the folio.

Unregistered land may be brought under this Act at instance of Registrar or on registration of conveyance

21.—(1) The Registrar may, if he thinks fit, bring under the provisions of this Act any unregistered land comprised in any conveyance registered under the Registration of Deeds Act (Cap. 269).

(2) If the Registrar intends to bring any unregistered land under the provisions of this Act in accordance with subsection (1), the Registrar shall —

- (a) give notice of his intention to do so to the owner of the land (as shown from the records in the Registry of Deeds); and
- (b) require the owner to produce for cancellation, within the time specified in the notice, his documents of title or any other evidence substantiating his ownership of the land.

(3) Where the owner of the land fails, neglects or refuses to comply with the notice under subsection (2), the Registrar shall insert a notice in one or more local daily newspapers circulating in Singapore stating the Registrar's intention to bring the unregistered land under the provisions of this Act, including particulars of the owner of the land as shown from the records in the Registry of Deeds or such other particulars as the Registrar may in his discretion deem appropriate.

(4) After the Registrar has given notice under subsection (2) or (3), as the case may be, he shall bring the land specified in the notice under the provisions of this Act by creating one or more folios for that land.

(5) Where a person entitled to the unregistered land does not or is unable to produce the documents of title or any other evidence substantiating his claim, the Registrar may, in his discretion, issue a certificate of title to that person if a statutory declaration (in a form acceptable to the Registrar) has been executed by that person or his successor-in-title or his mortgagee and produced to the Registrar for his inspection and, if the Registrar so requires, retention.

(6) On registering a conveyance in accordance with section 7 (2) of the Registration of Deeds Act (Cap. 269), the Registrar of Deeds shall forward the conveyance to the Registrar who may, if he thinks fit, bring the land comprised in the conveyance under the provisions of this Act.

(7) The Registrar shall cancel the last deed pertaining to any land brought under the provisions of this Act in accordance with this section.

Land may be brought under this Act upon subdivision

22.—(1) Where permission has been granted to develop or subdivide any unregistered land, the owner shall not be entitled to deal with the land or any part thereof.

(2) The Registrar of Deeds may refuse to register any assurance of the land or part thereof under the Registration of Deeds Act (Cap. 269) unless —

- (a) the entire parcel of land is brought under the provisions of this Act in accordance with Division 1 or 2; or
- (b) the Registrar issues to the owner a certificate exempting the land from this section.

(3) Subject to subsection (4), subsection (2) shall not apply to unregistered land where permission for the subdivision of any building erected thereon was previously granted and an assurance of part of that subdivided building was registered under the Registration of Deeds Act before 15th May 1968.

(4) Where the whole of the estate in an unregistered land referred to in subsection (3) comprising the subdivided building has wholly become vested or subsequently vests in the same proprietor at any time on or after 15th May 1968, subsection (2) shall apply to that unregistered land.

In whose name title to issue

23.—(1) A folio created under this Division shall be in the name of —

- (a) the person who in accordance with the documents lodged is entitled to be registered as the proprietor of the fee simple, estate in perpetuity or leasehold estate of the land; or
- (b) the person who in accordance with the documents lodged is entitled to be registered as the proprietor of the equity of redemption if conversion is based on the delivery of a document which is a conveyance of the land by way of mortgage.

(2) If before a folio is created, the person who is entitled to be recorded as the registered proprietor on the folio dies, the folio may be created recording the deceased person as the registered proprietor as if the folio was created before the person died.

Mortgages and leases

24.—(1) Where land has been brought under the provisions of this Act by the creation of a folio (whether qualified or unqualified as to title), any subsisting mortgage registered under the Registration of Deeds Act (Cap. 269) in respect of land comprised in the folio shall, when notified on the folio, be deemed to be a mortgage registered under the provisions of this Act and the provisions of this Act applicable to registered mortgages shall apply to that mortgage.

(2) Any second or subsequent conveyance by mortgage of the land in any such folio shall be deemed to be a second or subsequent mortgage registered under the provisions of this Act.

(3) Where a folio has been created under this Division for any land —

(a) subject to paragraph (b), the Registration of Deeds Act shall cease to apply to the land;

(b) the Registration of Deeds Act shall continue to apply to any document relating to any trust, probate and letters of administration and any settlement created under any instrument for that land which was subsisting immediately before the date on which the folio was created, not being a document purporting to convey, mortgage or discharge any estate or interest in the land comprised in the folio.

(4) Every folio created for any leasehold estate in land shall be subject to the rights and powers of the lessor or other proprietor of the reversion immediately expectant on the term.

(5) Where the Registrar is unable to determine when the term of any leasehold estate in any unregistered land commences, he shall, for the purposes of bringing the land under the provisions of this Act, be entitled to assume that the term of the lease commences on the date of the lease.

Leases of flats erected on unregistered land

24A.—(1) Where there is a subsisting lease for a flat in a building erected on unregistered land and the lease for such a flat has been registered under the Registration of Deeds Act, the Registrar may issue a subsidiary certificate of title to the owner

(as it appears from the records kept by the Registry of Deeds) of the flat without requiring the owner to produce the lease or any other documents of title in his possession for cancellation.

(2) If the Registrar intends to issue a subsidiary certificate of title in accordance with subsection (1), the Registrar shall —

- (a) insert a notice in one or more local daily newspapers circulating in Singapore stating the Registrar's intention to issue the subsidiary certificate of title to the owner of the flat after the expiry of 21 days from the date of publication of the notice; and
- (b) send by registered post, a notice to the owner informing him of the Registrar's decision to issue a subsidiary certificate of title for the flat.

(3) A subsidiary certificate of title issued under this section shall, where applicable, be endorsed with a notice —

- (a) stating that the area and plan reference of the flat are not stated as no survey has been carried out and approved by the Chief Surveyor; and
- (b) stating the owner's share in the land on which the flat stands or the owner's share in the land appurtenant to the flat which forms part of the development.

(4) Where the Registrar determines from the records in the Registry of Deeds that it was intended that the owner of the flat should —

- (a) own a share in the land on which the flat stands; or
- (b) own a share in the land appurtenant to the flat which forms part of the development,

the Registrar may, notwithstanding any earlier failure or omission to transfer the relevant share in land to the owner of the flat, endorse on the subsidiary certificate of title —

- (i) the share in land owned by the owner; or
- (ii) a share in land appurtenant to the flat,

as the case may be.

(5) A share in the land appurtenant to a flat comprised in a subsidiary certificate of title shall not be disposed of except as appurtenant to the flat and any transfer of that flat operates to transfer the share in the land.

(6) Where the owner of the land has granted leases for some but not all of the flats in the building, he shall be deemed to be a proprietor of the flats which are still owned by him.

(7) Where the owners of the flats are also the owners of the land on which the flats stand or which form part of the development, the Registrar shall not, except upon request, produce the certificate of title.

(8) For the purposes of this section —

- (a) it shall be deemed that the planning approval for subdivision of the building had been granted by the relevant authority;
- (b) in the event of a conflict between this section and the provisions of the Land Titles (Strata) Act (Cap. 158), this section shall prevail; and
- (c) “flats” shall have the meaning ascribed to it in section 3 of the Land Titles (Strata) Act.

(9) This section shall also apply with the necessary modifications where —

- (a) subsisting leases for flats are registered under the Registration of Deeds Act (Cap. 269) and the flats are in a building erected on registered land; and
- (b) the land is vested in the owners of the flats as tenants in common in their respective shares reflected in the land-register.

Division 3 — Qualified titles and caveats”.

Amendment of section 25

8. Section 25 of the principal Act is amended —

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

“(2) A caution recorded on any qualified folio (whether created under this Act or the repealed Land Titles Act (Cap. 157, 1985 Ed.)) shall lapse in one of the following ways:

- (a) if, after the creation of the qualified folio, a purchaser for valuable consideration and without fraud becomes registered as proprietor of an

estate or interest in the land comprised in the folio, the caution shall lapse as regards the estate or interest on the expiration of 5 years after the date of the last deed which was cancelled by the Registrar on the creation of the folio; or

(b) if, immediately before the expiration of 10 years after the creation of the qualified folio, the caution affecting the folio has not lapsed as regards all estates and interests in the land comprised in the folio or has not been cancelled, the caution shall lapse —

(i) on the expiration of that period; or

(ii) on the expiration of 24 months after the date of commencement of section 8 of the Land Titles (Amendment) Act 2001,

whichever is the later.”;

(b) by inserting, immediately after the words “the Registrar shall,” in the 2nd and 3rd lines of subsection (4), the words “of his own motion or”; and

(c) by deleting subsection (7).

Amendment of section 27

9. Section 27 of the principal Act is amended —

(a) by deleting the words “qualified folio” in the following subsections and substituting in each case the word “folio”:

Subsections (1) (1st line), (2) (2nd line), (4) (1st line) and marginal note; and

(b) by deleting subsection (3) and substituting the following subsections:

“(3) The proprietor in whose name a folio has been created shall lodge with the Registrar a statement setting out particulars of any subsisting interest affecting the land therein comprised which is known to him and which is not already notified pursuant to subsection (1) other than an interest excepted by section 46.

(3A) Where any unregistered land has been brought under the provisions of this Act with one or more subsisting caveats for an estate or interest in the land

lodged in accordance with the Registration of Deeds Act (Cap. 269), the Registrar may, on being satisfied that the caveat has not been withdrawn, cancelled or lapsed, enter a notification of such caveat in that folio as if the caveator had also lodged a caveat under section 115 and in the manner specified in section 115 (2) (b) for the same estate or interest in the land when lodging the caveat under the Registration of Deeds Act.”.

Amendment of section 29

10. Section 29 of the principal Act is amended by deleting subsection (6) and substituting the following subsection:

“(6) The Registrar may create a single folio, qualified or unqualified as to title —

- (a) for 2 or more parcels of land even though they may be of different tenure; or
- (b) for one parcel of land, even if that parcel of land comprises land of different tenure.”.

Amendment of section 38

11. Section 38 (4) of the principal Act is amended by inserting, immediately after the words “partially paid”, the words “or arrangements have been made for payment through the inter-bank GIRO or other electronic means”.

Amendment of section 42

12. Section 42 (3) of the principal Act is amended by inserting, immediately after the word “production” in the last line, the words “or the application for a replacement certificate of title”.

Repeal and re-enactment of section 44

13. Section 44 of the principal Act is repealed and the following section substituted therefor:

“Disposal of antecedent documents of title following creation of folio

44.—(1) Upon creating a folio for any land under the provisions of this Act, or where, in the opinion of the Registrar,

documents lodged with the Land Titles Registry need no longer be retained, the Registrar —

- (a) shall return or deliver to the person from whom he received the documents of title or to any other person entitled thereto any documents of title lodged or deposited with the Registrar; and
- (b) may, in relation to any other documents —
 - (i) transfer them to the National Archives of Singapore to be preserved for historical purposes; or
 - (ii) subject to subsection (2), dispose or destroy them after having them microfilmed or imaged.

(2) The Registrar shall not destroy any documents unless the National Heritage Board established under the National Heritage Board Act (Cap. 196A) consents to the destruction.”.

Amendment of section 46

14. Section 46 (1) of the principal Act is amended by deleting paragraph (f) and substituting the following paragraph:

- “(f) the rights of any person in occupation of the land under a tenancy when the proprietor became registered as such, being a tenancy the term of which does not exceed 7 years and could not have been extended by exercise of the option of renewal to exceed an aggregate of 7 years; and”.

Amendment of section 47

15. Section 47 of the principal Act is amended —

- (a) by deleting the words “bankruptcy proceeding,” in the 8th and 9th lines of subsection (1); and
- (b) by deleting the words “Section 18 (2) and (3)” in subsection (3) and substituting the words “Section 15 (2) and (3)”.

Amendment of section 53

16. Section 53 of the principal Act is amended —

- (a) by inserting, immediately after the words “Tenants in common” in the 1st line of subsection (3), the words “entitled in equal shares”;

- (b) by deleting subsection (6) and substituting the following subsection:

“(6) Upon the registration of the instrument of declaration which has been duly served as required by subsection (5), the respective registered estates and interests in the registered land shall be held by the declarant as tenant in common with the remaining joint tenants and shares in the registered land shall be equally apportioned by the Registrar among the declarant and the remaining joint tenants.”; and

- (c) by inserting, immediately after subsection (7), the following subsection:

“(8) Where an application to register an instrument of declaration is made under this section, the Registrar may dispense with production of the document of title on such terms as the Registrar may think fit and register the instrument if he is satisfied that the applicant is unable to produce the document of title on the basis that he is unable to procure it despite his best efforts.”.

Amendment of section 54

17. Section 54 (2) of the principal Act is amended by deleting the word “Where” in the 1st line and substituting the words “Subject to section 54A, where”.

New section 54A

18. The principal Act is amended by inserting, immediately after section 54, the following section:

“Obtaining of lot or strata lot number

54A.—(1) Where a proprietor intends to sell part of a parcel of any land or part of a building, he shall, after he has obtained the approval of the competent authority and before he enters into a sale and purchase agreement for such part, either —

- (a) obtain from the Chief Surveyor a lot or strata lot number for the proposed part; or
- (b) deposit with the Registrar a schedule and plan of the proposed subdivision of the parcel or building showing the new property addresses.

(2) Notwithstanding section 165, the Registrar shall refuse to accept any caveat or charge or such other instrument for lodgment unless the proprietor has complied with subsection (1).”.

Amendment of section 59

19. Section 59 of the principal Act is amended —

- (a) by deleting the words “person acquiring title and a certificate by the person divesting title under this Act” in the 5th and 6th lines of subsection (1) and substituting the words “parties to the instrument”;
- (b) by deleting the words “the person acquiring title or divesting title” in the 1st and 2nd lines of subsection (2) and substituting the words “any party to the instrument”;
- (c) by deleting subsections (3) and (4) and substituting the following subsections:

“(3) Where —

- (a) a solicitor has been employed by a party to the instrument, the certificate referred to in subsection (2) shall be signed by the solicitor; or
- (b) a solicitor has not been employed by a party to the instrument, the party himself shall sign the certificate referred to in subsection (2) and if the party is a corporation, a responsible officer of the corporation shall sign the certificate.

(3A) Where any instrument is executed by an attorney (within the meaning of Part XVI) for a party to the instrument, the certificate by the attorney shall imply representations that, to the best of the belief of the attorney or (as the case may be) the solicitor employed, the attorney has the authority to act as the agent for and on behalf of the party in respect of that instrument.

(4) Each certificate shall indicate in legible characters —

- (a) the name and capacity of the signatory; and
 - (b) where it is signed by a solicitor employed by the party to the instrument, the date of issue of the solicitor’s practising certificate.”; and
- (d) by deleting the words “either before or after 1st March 1994” in the 2nd line of subsection (7).

Amendment of section 60

20. Section 60 of the principal Act is amended —

- (a) by inserting, immediately after the words “his address” in subsection (2), the words “in such prescribed manner”; and
- (b) by deleting subsection (3).

New section 60A

21. The principal Act is amended by inserting, immediately after section 60, the following section:

“Service of notices, etc.

60A.—(1) Unless otherwise expressly provided in this Act, a notice that is required or authorised by this Act to be given to or served on a person may be given to or served on that person —

- (a) by posting it or sending it by facsimile transmission to his address for service (within the meaning of this section) or to his last known place of residence or business;
- (b) by leaving it at his address for service (within the meaning of this section) or at his last known place of residence or business; or
- (c) by publishing a copy of the notice in one or more local daily newspapers circulating in Singapore.

(2) The address of a person, specified in —

- (a) any instrument by which that person becomes a registered proprietor; or
- (b) any caveat lodged by or on behalf of that person,

may be regarded as his address for service.

(3) On being notified through any prescribed method or in writing by a registered proprietor or a caveator of any change of his address for service or place of residence or business, the Registrar shall make an appropriate record of the change of address.

(4) Where any notice or other document is —

- (a) sent by facsimile transmission in accordance with subsection (1), it shall be deemed to have been duly

served on the person to whom it is addressed where there is an acknowledgment by electronic or other means to the effect that the notice or document has been received at the address for service or place of residence or business, as the case may be;

- (b) sent by pre-paid registered post, it shall be deemed to have been duly served on the person to whom it is addressed 2 days after the day the notice or document was posted, notwithstanding it is returned undelivered; or
- (c) served by publishing a copy of it in one or more local daily newspapers circulating in Singapore, it shall be deemed to have been duly served on the person to whom it is addressed on the day of the last publication.

(5) This section shall not apply to notices and documents to be served in proceedings in court.”.

Amendment of section 78

22. Section 78 of the principal Act is amended by deleting subsection (3) and substituting the following subsection:

“(3) Where a discharge was executed as a separate instrument in respect of a mortgage registered prior to 1st March 1994, the Registrar shall dispense with the production of the duplicate of the relevant mortgage.”.

Amendment of section 90

23. Section 90 of the principal Act is amended by deleting the words “; but if evidence is furnished to the Registrar that a lessor has consented to a dealing by the lessee, the Registrar shall refer to that consent in the memorial of registration of the dealing” in the 3rd to 6th lines.

Amendment of section 110

24. Section 110 of the principal Act is amended —

- (a) by deleting the word “The” in the 1st line of subsection (1) and substituting the words “Subject to subsection (1A), the”; and

(b) by inserting, immediately after subsection (1), the following subsection:

“(1A) The Official Assignee shall make such application as referred to in subsection (1) before exercising his rights under the Bankruptcy Act (Cap. 20) to sell the property.”.

Amendment of section 115

25. Section 115 (3) of the principal Act is amended by inserting, immediately after the words “sale of land” in paragraph (a), the words “, not being an interest arising from a judgment or order for the payment of money”.

Amendment of section 129

26. Section 129 (1) of the principal Act is amended —

- (a) by deleting the words “discharge of a mortgage” in paragraph (e) and substituting the words “total or partial discharge of a mortgage”;
- (b) by deleting the word “liquidator” in the last line of paragraph (g) and substituting the words “Official Receiver”;
- (c) by deleting the word “and” at the end of paragraph (k); and
- (d) by deleting the full-stop at the end of paragraph (l) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:

“(m) an application made to a Strata Titles Board under Part VA of the Land Titles (Strata) Act (Cap. 158).”.

Amendment of section 137

27. Section 137 (1) of the principal Act is amended by deleting the words “section 54” in the 3rd line and substituting the words “section 51”.

Amendment of section 141

28. Section 141 of the principal Act is amended by deleting subsection (1) and substituting the following subsections:

“(1) Unless extended in the manner provided by this section, a restriction (other than a restriction referred to in subsection (1A)) shall cease to be enforceable against assigns of

the servient land at the expiry of 20 years from the date of entry of a notification thereof on the land-register.

(1A) Where a restriction was created before bringing the servient land under the provisions of this Act and the owner of the servient land is not the covenantor, the restriction shall (unless extended in the manner provided by this section) cease to be enforceable against the owner or assigns of the servient land at —

- (a) the expiry of 20 years from the date of creation of the restriction;
- (b) the expiry of 5 years from the date of entry of a notification thereof on the land-register; or
- (c) the expiry of 24 months from the date of commencement of section 28 of the Land Titles (Amendment) Act 2001, whichever expires the latest.

(1B) A notification on the land-register in respect of any restriction may be cancelled by the Registrar after the restriction ceases to be enforceable under subsection (1) or (1A) or after lodgment of an application in the approved form by the proprietor of the land.”.

Amendment of section 144

29. Section 144 (1) of the principal Act is amended —

- (a) by inserting the word “or” at the end of paragraph (a);
- (b) by deleting the word “; or” at the end of paragraph (b) and substituting a comma; and
- (c) by deleting paragraph (c).

Amendment of section 145

30. Section 145 of the principal Act is amended —

- (a) by deleting the word “Whenever” in the 1st line of subsection (1) and substituting the words “Subject to subsection (3), whenever”; and
- (b) by inserting, immediately after subsection (2), the following subsection:

“(3) Notwithstanding subsection (1), where a certificate of approval has been issued under section 14A of the

Banking Act (Cap. 19) effecting a bank merger, the Registrar shall, upon application in an approved form by the bank issued with the certificate of approval and accompanied by such evidence as the Registrar considers sufficient, enter in the land-register a note of the vesting of the mortgages transferred to that bank under the provisions of the Fifth Schedule to the Banking Act.”.

Amendment of section 155

31. Section 155 (3) of the principal Act is amended —

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

“(c) any incorrect description or lack of description of the parcels or dimensions (including area) of any land or a strata lot where no survey has been carried out.”.

Amendment of section 165

32. Section 165 (4) of the principal Act is amended —

- (a) by inserting the word “or” at the end of paragraph (b); and
- (b) by deleting paragraph (c).

Amendment of section 171

33. Section 171 of the principal Act is amended —

- (a) by deleting the words “Public Utilities Act 1995, the Director-General of Public Works by sections 34 and 35 of the Local Government Integration Act and the Director of Sewerage and Drainage under section 16 of the Water Pollution Control and Drainage Act” in the 3rd to 7th lines and substituting the words “Public Utilities Act 2001 (Act 8 of 2001) and by section 5 of the Sewerage and Drainage Act (Cap. 293A) and the Building Authority by sections 27, 28, 29 and 32 of the Street Works Act (Cap. 320A)”;
- (b) by deleting the marginal references “Cap. 166” and “Cap. 348”.

Consequential amendment to Conveyancing and Law of Property Act

34. Section 66A of the Conveyancing and Law of Property Act (Cap. 61) is amended —

- (a) by inserting, immediately after the words “Tenants in common” in the 1st line of subsection (1), the words “entitled in equal shares”; and
- (b) by deleting the words “and the remaining joint tenants as tenants in common in their respective shares” in the 4th and 5th lines of subsection (4) and substituting the words “as tenant in common with the remaining joint tenants and shares in the registered land shall be equally apportioned by the Registrar among the declarant and the remaining joint tenants”.

Transitional provisions

35. Section 15 of the Land Titles (Amendment) Act 2001 shall not affect any person who dealt with a proprietor or who was entitled to be a proprietor under any contract or any other instrument evidencing the dealing in land that is dated before the commencement of section 15.
