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**No. S 243**

**LAND TITLES (STRATA) ACT  
(CHAPTER 158)**

**LAND TITLES (STRATA) ACT  
(AMENDMENT OF FOURTH SCHEDULE)  
ORDER 2004**

In exercise of the powers conferred by section 84A (14) of the Land Titles (Strata) Act, the Minister for Law hereby makes the following Order:

**Citation and commencement**

**1.** This Order may be cited as the Land Titles (Strata) Act (Amendment of Fourth Schedule) Order 2004 and shall come into operation on 1st May 2004.

**Deletion and substitution of paragraph 1 and new paragraph 1A**

**2.** Paragraph 1 of the Fourth Schedule to the Land Titles (Strata) Act (referred to in this Order as the Fourth Schedule) is deleted and the following paragraphs substituted therefor:

“1. Before making an application to a Board, the subsidiary proprietors referred to in section 84A (1) or the proprietors of flats referred to in section 84D (2) or 84E (3), as the case may be, shall —

- (a) execute within the permitted time but in no case more than 12 months before the date the application is made, a collective sale agreement in writing among themselves (whether or not with other subsidiary proprietors or proprietors) agreeing to agree to collectively sell —
  - (i) in the case of an application under section 84A, all the lots and common property in a strata title plan; or
  - (ii) in the case of an application under section 84D or 84E, all the flats and the land in a development to which section 84D or 84E, as the case may be, applies;
- (b) once every 8 weeks after the start of the permitted time, affix to a conspicuous part of each building comprised in the strata title plan

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or the development to which section 84D or 84E applies, as the case may be, a notice in the 4 official languages specifying —

- (i) the number of subsidiary proprietors or proprietors who, immediately before the date of the notice, have signed the collective sale agreement; and
  - (ii) the proportion (in percentage) that the total share value of such subsidiary proprietors' lots bear to the total share value of all lots comprised in that strata title plan, or that such proprietors' total share or total notional share of the land bears to the total share or notional share of all proprietors in that land, as the case may be;
- (c) consider the collective sale either —
  - (i) at an extraordinary general meeting of the management corporation held in accordance with Part IV of the Act or any other corresponding written law; or
  - (ii) in the case of land in a development to which section 84D or 84E applies, at a meeting held after sending a notice of the meeting by registered post to all the proprietors to their last recorded addresses at the Registry of Titles or the Registry of Deeds and placing a copy of the notice under the main door of every flat in the development;
- (d) advertise in the 4 official languages the particulars of the application in such local newspapers as approved by the Board;
- (e) serve notice of the proposed application on all the subsidiary proprietors of all the lots and common property in the strata title plan concerned or on all proprietors of all flats in the development concerned, as the case may be, by registered post and by placing a copy of the proposed application under the main door of every lot or flat, together with a copy each of the following:
  - (i) the collective sale agreement referred to in sub-paragraph (a);
  - (ii) the sale and purchase agreement which is to be the subject of the application to the Board;
  - (iii) a statutory declaration made by the purchaser under the sale and purchase agreement on the nature of his relationship (if any) or, if the purchaser is a body corporate, the nature of the relationship of every one of its directors (if any), to any subsidiary proprietor of any lot comprised in that strata title plan or any proprietor of any flat in the development, as the case may be;
  - (iv) the minutes of the extraordinary general meeting or meeting referred to in sub-paragraph (c);
  - (v) the advertisement referred to in sub-paragraph (d);
  - (vi) a valuation report that is not more than 3 months old; and

- (vii) a report by a valuer on the proposed method of distributing the proceeds of the sale due under the sale and purchase agreement; and
  - (f) affix a copy of the notice referred to in sub-paragraph (e) in the 4 official languages to a conspicuous part of each building comprised in the strata title plan or the development, as the case may be.
- 1A. For the purposes of this Schedule —
  - (a) the permitted time in relation to a collective sale agreement executed or to be executed by subsidiary proprietors or proprietors referred to in section 84A (1), 84D (2) or 84E (3), means a period —
    - (i) starting from the date the first subsidiary proprietor or proprietor, or his duly appointed attorney, as the case may be, signs the collective sale agreement; and
    - (ii) ending not more than 12 months after the date the first subsidiary proprietor or proprietor, or his duly appointed attorney, as the case may be, signs the collective sale agreement; and
  - (b) the collective sale agreement shall be regarded as executed notwithstanding that it is executed on separate copies thereof and at different times.”.

### **Amendment of paragraph 2**

3. Paragraph 2 of the Fourth Schedule is amended by deleting the words “paragraph 1 (c)” and substituting the words “paragraph 1 (e)”.

### **Amendment of paragraph 3**

4. Paragraph 3 of the Fourth Schedule is amended by deleting the words “paragraph 1 (b)” and substituting the words “paragraph 1 (d)”.

### **Amendment of paragraph 4**

5. Paragraph 4 of the Fourth Schedule is amended —

- (a) by deleting the words “paragraph 1 (b)” and substituting the words “paragraph 1 (d)”;
- (b) by deleting sub-paragraphs (a) and (b) and substituting the following sub-paragraphs:
  - “(a) the documents specified in paragraph 1 (e);
  - (b) a statutory declaration made by the representatives appointed under section 84A (2) or their solicitors stating —
    - (i) the date the permitted time for the collective sale agreement started;

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- (ii) the date on which collective sale agreement referred to in paragraph 1 (a) was last executed by any subsidiary proprietor or proprietor referred to in section 84A (1), 84D (2) or 84E (3), as the case may be;
  - (iii) the date or dates on which the notice or notices referred to in paragraph 1 (b) were affixed; and
  - (iv) that sub-paragraphs (c), (d), (e) and (f) of paragraph 1 have been complied with;”.

### **Saving and transitional provision**

**6.** This Order shall not affect —

- (a) any application made or pending before a Strata Titles Board before 1st May 2004, and every such application may be continued and everything in relation thereto may be done in all respects after that date as if this Order had not been enacted;
- (b) the continued operation or force of any order or decision of a Strata Titles Board made before 1st May 2004;
- (c) any right of appeal accrued before 1st May 2004, in respect of any such order or decision of a Strata Titles Board; and
- (d) any collective sale agreement for the collective sale of all the lots and common property comprised in a strata title plan, or of all the flats and the land in the type of development referred to in section 84D or 84E, which has been executed before 1st May 2004 by any subsidiary proprietor of any of those lots or any proprietor of any of those flats, as the case may be, and any application to be made to a Strata Titles Board on or after that date in respect of any such agreement shall be subject to the Act as if this Order had not been enacted.

Made this 27th day of April 2004.

LIEW HENG SAN  
*Permanent Secretary,  
Ministry of Law,  
Singapore.*