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The following Act was passed by Parliament on 5th August 2014 and assented to by the President on 10th September 2014:—

REPUBLIC OF SINGAPORE

No. 26 of 2014.

I assent.

TONY TAN KENG YAM,

President.

10th September 2014.



An Act to amend the Land Acquisition Act (Chapter 152 of the 1985 Revised Edition) in relation to the application of the betterment levy, operational improvements, and non-lot acquisitions in strata developments and to make related amendments to the Building Maintenance and Strata Management Act (Chapter 30C of the 2008 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.—(1) This Act may be cited as the Land Acquisition (Amendment) Act 2014 and shall, with the exception of section 12, come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) Section 12 is deemed to have come into operation on 7th July 2014.

Amendment of section 2

2. Section 2 of the Land Acquisition Act (referred to in this Act as the principal Act) is amended —

(a) by inserting, immediately after the definition of “Commissioner” in subsection (1), the following definitions:

“ “common property” and “lot” have the same respective meanings as in the Land Titles (Strata) Act (Cap. 158);”;

(b) by inserting, immediately after the word “includes” in the definition of “land” in subsection (1), the words “any foreshore, and”;

(c) by inserting, immediately after the definition of “land” in subsection (1), the following definitions:

“ “management corporation”, in relation to any land comprised in a strata title plan, means the management corporation constituted in respect of that strata title plan under the Land Titles (Strata) Act;

“non-lot acquisition” means an acquisition under this Act of any common property (and no other land) comprised in a strata title plan;”;

(d) by deleting the full-stop at the end of the definition of “person interested” in subsection (1) and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

““strata title plan” and “subsidiary proprietor” have the same respective meanings as in the Land Titles (Strata) Act.”;

(e) by deleting the word “and” at the end of subsection (2)(a);

(f) by inserting, immediately after paragraph (a) of subsection (2), the following paragraph:

“(b) the management corporation for a strata title plan shall be deemed the person entitled to act for, and the person authorised to receive service within Singapore on behalf of, every subsidiary proprietor of every lot comprised in the strata title plan with reference only to any non-lot acquisition relating to that strata title plan; and”;

(g) by inserting, immediately after subsection (2), the following subsection:

“(3) Notwithstanding subsection (2)(iv) and sections 34 and 35 of the Building Maintenance and Strata Management Act (Cap. 30C), a management corporation for a strata title plan is deemed for the purposes of this Act, competent to receive the compensation money payable under this Act for any non-lot acquisition relating to that strata title plan.”.

Amendment of section 8

3. Section 8 of the principal Act is amended —

(a) by deleting the words “or by any person authorised in writing in that behalf” in subsection (3)(b)(i) and substituting the words “, or by the person entitled to act for the person interested or any other person authorised in writing in that behalf,”; and

(b) by inserting, immediately after subsection (4), the following subsection:

“(5) In a non-lot acquisition relating to a strata title plan, only the management corporation constituted for that strata title plan, and no other person, is entitled to make a claim for compensation pursuant to a notice published under subsection (1) or served under subsection (2) in relation to the non-lot acquisition, and it shall be lawful for the Collector to reject any claim for compensation as a result of that non-lot acquisition made by —

- (a) any subsidiary proprietor constituting the management corporation; or
- (b) any mortgagee, chargee or other person with an estate and interest in any lot comprised in the strata title plan.”.

Amendment of section 9

4. Section 9(1) of the principal Act is amended by inserting, immediately after the words “the date of the statement”, the words “and, where any claim to compensation is made by a management corporation, the resolution required under section 85A(2) of the Building Maintenance and Strata Management Act to authorise the management corporation to make that claim and any special resolution referred to in section 85A(4) of that Act”.

Amendment of section 10

5. Section 10 of the principal Act is amended by inserting, immediately after subsection (1), the following subsections:

“(1A) Despite subsection (1)(c), the compensation awarded for a non-lot acquisition relating to any strata title plan under this Act shall not be apportioned among the subsidiary proprietors constituting the management corporation for that strata title plan but must be awarded to the management corporation unless subsection (1B) applies.

(1B) Where the subsidiary proprietors constituting the management corporation for a strata title plan so agree by a special resolution referred to in section 85A(4) of the Building

Maintenance and Strata Management Act, the compensation awarded under subsection (1) for a non-lot acquisition relating to that strata title plan shall be apportioned —

- (a) among the persons who, on the date the Collector takes possession under section 16 of the land acquired, are subsidiary proprietors constituting the management corporation; and
- (b) in shares proportional to the share values of those persons' respective lots.”.

Amendment of section 14

6. The principal Act is amended by renumbering section 14 as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) The Collector shall, in particular, have power to compel the production of any resolution by the subsidiary proprietors constituting the management corporation for a strata title plan where that is relevant to the making of any award of compensation for the acquisition under this Act of any property comprised in the strata title plan.”.

Repeal and re-enactment of section 16

7. Section 16 of the principal Act is repealed and the following section substituted therefor:

“Power to take possession

16. When a Collector has made an award under section 10, the Collector may take possession of the land by serving, in accordance with section 45, a copy of an appropriate notice of taking possession on every person interested in the land or any person known or believed to be entitled to act for a person so interested.”.