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Notification No. B 9 — The Land Titles (Strata) (Amendment) Bill is hereby published for general information. It was introduced in Parliament on the 26th day of April 2010.

Land Titles (Strata) (Amendment) Bill

Bill No. 9/2010.

Read the first time on 26th April 2010.

A BILL

i n t i t u l e d

An Act to amend the Land Titles (Strata) Act (Chapter 158 of the 2009 Revised Edition) and to make consequential and related amendments to the Building Maintenance and Strata Management Act (Chapter 30C of the 2008 Revised Edition) and the Stamp Duties Act (Chapter 312 of the 2006 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 (Strata) (Amendment) Act 2010 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

5 Amendment of section 84A

2. Section 84A of the Land Titles (Strata) Act (referred to in this Act as the principal Act) is amended —

(a) by deleting the words “to a Board” in subsection (1);

10 (b) by inserting, immediately after subsection (2), the following subsections:

“(2A) An application under subsection (1) for an order for the sale of all the lots and common property in a strata title plan —

(a) must be made to a Board in the first instance; and

15 (b) may be made to the High Court thereafter if, and only if, a section 84A stop order is issued by the Board under subsection (6A)(b) with respect to the application to that Board in respect of the same sale.

20 (2B) An application to the High Court under subsection (1) for an order for the sale of all the lots and common property in a strata title plan must be made within a period of 14 days after a section 84A stop order is issued by a Board under subsection (6A)(b) in relation to the same sale.”;

25 (c) by inserting, immediately after the words “may be made” in subsection (3), the words “to a Board”;

(d) by deleting subsection (4) and substituting the following subsections:

30 “(4) In the case of an application to a Board under subsection (1) for an order for the sale of all the lots and common property in a strata title plan, each of the following persons may file an objection to the sale, stating the grounds of objection, within a period of 21 days after the date of the notice served pursuant to paragraph 1(e) of the First Schedule or such

longer period as the Board allows in exceptional circumstances, whether before or after the end of the 21 days:

(a) a subsidiary proprietor of any lot in the strata title plan who has not agreed in writing to the sale; and

5 (b) a mortgagee, chargee or other person (other than a lessee) with an estate or interest in land and whose interest is notified on the land-register for that lot.

10 (4A) Where a section 84A stop order is issued under subsection (6A)(b) in respect of an application to a Board under subsection (1) for an order for the sale of all the lots and common property in a strata title plan, and an application is then made to the High Court under subsection (1) for an order for the same sale of all the lots and common property in the same strata title plan, any person referred to in subsection 15 (4)(a) or (b) who filed an objection to the Board (but no others) may re-file his objection to the sale, stating the same grounds of objection, to the High Court in the manner and within the time delimited by the Rules of Court.”;

20 (e) by inserting, immediately after the words “an application made” in subsection (5)(a), the words “to it”;

(f) by inserting, immediately after paragraph (a) of subsection (5), the following paragraph:

25 “(aa) to summon any person whom the Board is of the view is connected or otherwise related to the sale which is the subject of the application, to attend before the Board at the time and place specified in the summons and to produce such books, documents or other records in the person’s custody or control which the person is required by the summons to produce;”;

30 (g) by inserting, immediately after the words “an application” in subsection (5)(c), the words “made to it”;

(h) by inserting, immediately after subsection (5), the following subsection:

35 “(5A) Where an application is made under subsection (1) to the High Court in the circumstances described in

subsection (2A)(b), the High Court shall, without prejudice to such other powers it may have under law, have power —

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- (a) to summon any person whom the Court is of the view is connected or otherwise related to the sale which is the subject of the application, to attend before the Court at the time and place specified in the summons and to produce such books, documents or other records in the person’s custody or control which the person is required by the summons to produce;
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- (b) to call for a valuation report or other report and to require the subsidiary proprietors referred to in subsection (1) to pay for the costs; and
- (c) to impose such conditions as it may think fair and reasonable in approving the application.”;
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- (i) by inserting, immediately after the words “under subsection (1)” in subsection (6), the words “to a Board”;
- (j) by inserting, immediately after subsection (6), the following subsections:
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- “(6A) Where an application is made under subsection (1) to a Board, and one or more objections have been filed under subsection (4) in relation to that application —
- (a) the Board shall mediate matters that are in dispute between the objectors and the applicants to achieve a resolution of the dispute; and
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- (b) if —
- (i) at the end of a period of 60 days starting from the first day set aside for mediation; or
- (ii) mediation has proceeded as far as it reasonably can in an attempt to achieve a resolution of the dispute but has nevertheless failed to resolve the dispute,
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- whichever first occurs, one or more of those objections are not withdrawn, the Board shall, subject to subsection (6B), order a discontinuance of all proceedings before it in connection with that
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