

Registration of Deeds Bill

Table of Contents

Bill No: 10/1988

Read the first time: 31st May 1988

Long Title

Enacting Formula

1 Short title and commencement

2 Interpretation

3 Appointment of Registrar, etc.

4 All instruments affecting land may be registered

5 Mode of registration

6 Memorandum of lien or charge

**7 Registration complete on compliance with conditions precedent
within 6 months of provisional registration**

8 Caveats

9 Persons to present documents for registration

10 Powers of attorney for the purposes of section 9

11 Inquiry before registration

12 Procedure where appearance of executant or witness is desired

13 Conditions precedent to registration

14 Priority of instruments

15 Tacking of further advances

16 Rights of purchasers to relief to be the same as those of the persons through whom they claim

17 Registration

18 Title searches

19 Official searches

20 Record of official searches

21 Certified copies

22 Print-outs of information stored

23 Protection of solicitors, trustees, etc., in the case of certificates, etc.

24 Rectification of register by Court

25 Act not to extend to certain leaseholds

26 Penalty for wilful misconduct by Registrar

27 Offences and penalties

28 Fees

29 Rules

30 Service of notices

31 Repeal and savings provision

Explanatory Statement

Expenditure of Public Money

Table of Derivations

Registration of Deeds Bill

Bill No. 10/1988

Read the first time on 31st May 1988.

An Act to repeal and re-enact with amendments the Registration of Deeds Act (Chapter 269 of the 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 Registration of Deeds Act 1988 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

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

“assurance” includes any conveyance, memorandum of charge or discharge, deed of consent to the discharge of a trustee, private Act, order of court or certificate of appointment of trustee in bankruptcy;

“caveatee” means —

- (a) the proprietor of any land who has given an estate or interest in his land to a person named in a caveat; or
- (b) the proprietor of any land, and any person having a prior registered estate or interest in land, in respect of which a caveat has been lodged by any person claiming an estate or interest in the land;

“caveator” means —

- (a) a person who has been given an estate or interest in any land by the proprietor of the land; or
- (b) a person who claims an estate or interest in any land;

“conveyance” includes any assignment, appointment, lease or settlement made by deed on a sale, mortgage, demise or settlement of any land or appointment of a new trustee in respect thereof which has been executed by one or more of the parties by whom any interest in the land is thereby conveyed;

“land” means —

- (a) the surface of any defined parcel of the earth, all substances thereunder and so much of the column of airspace above the surface whether or not held apart from the surface as is reasonably necessary for the use and enjoyment of the proprietor, and includes any estate or interest therein and all vegetation growing thereon and structures affixed thereto; or
- (b) any parcel of airspace or any subterranean space held apart from the surface of the earth and described with certainty by reference to a plan approved by the Chief Surveyor and filed in the Survey Department, and includes any estate or interest therein and all vegetation growing thereon and structures affixed thereto,

and where the context so permits, the proprietorship of land includes natural rights to air, light, water and support and the right of access to any highway on which the land abuts;

“lease” includes an agreement for a lease;

“memorandum of charge” includes any memorandum of a lien or charge on any land which is registered under this Act;

“mortgage” includes any charge on any land for securing money or money’s worth and any transfer of a mortgage; and “mortgagee” has a corresponding meaning;

“order of court” means any judgment, decree, writ of execution or sequestration, adjudication in bankruptcy or other order or process of or issuing from that court or other court of competent jurisdiction whereby any interest in any land is or may be affected;

“prior mortgage” includes a prior charge or assignment which has been either secured by a mortgage or protected by a caveat lodged with and accepted by the Registrar as being in order for registration;

“prior mortgagee” includes a prior chargee or assignee in whose favour an estate or interest in respect of land was mortgaged, charged or assigned by way of mortgage;

“probate” means the probate of any will or any letters of administration with the will annexed or copy thereof, stamped with the seal of the Supreme Court or other court of competent jurisdiction, or a certified office copy thereof;

“registered surveyor” means a person registered under the Land Surveyors Act (Cap. 156);

“Registrar” means the Registrar of Deeds and includes any Deputy Registrar of Deeds appointed under this Act;

“Registry” means the Registry of Deeds;

“repealed enactment” means the Registration of Deeds Ordinance 1886 (XIII 1886) or the Registration of Deeds Act (Cap. 269) which is repealed by this Act;

“rules” means rules made under this Act;

“subsequent mortgage” includes a subsequent charge or assignment;

“subsequent mortgagee” includes a subsequent chargee or assignee in whose favour an estate or interest in respect of land was mortgaged, charged or assigned by way of mortgage;

“will” includes codicil.

(2) In this Act, any reference to a plan certified by a registered surveyor shall, in relation to a plan certified at any time prior to the commencement of the Land Surveyors Act (Cap. 156), be construed as a reference to a plan which was certified by a surveyor licensed under any written law which was in force at the time that plan was certified.

Appointment of Registrar, etc.

3.—(1) The Minister may appoint a Registrar of Deeds and such number of Deputy Registrars and Assistant Registrars of Deeds and other officers of the Registry as he may think fit.

(2) Any act or thing which may be done or performed by the Registrar under this Act may, subject to the orders and directions of the Registrar, be done or performed by a Deputy Registrar or an Assistant Registrar.

(3) The Minister may create such different grades for Deputy Registrars and Assistant Registrars of Deeds as he may think fit.