

THE STATUTES OF THE REPUBLIC OF SINGAPORE

LAND IMPROVEMENT ACT
(CHAPTER 153)

1970 Ed. Cap. 273
Ordinance
2 of 1901

Amended by
6 of 1908
1 of 1910
8 of 1955
S 265/55
S 223/59
Sp S 47/63

REVISED EDITION 1985

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

1986

Land Improvement Act

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Works contemplated by this Act.
3. Expediency of work determined by meeting of proprietors.
4. Report by Collector of Land Revenue.
5. Specification of works.
6. Deposit of specification for objections.
7. Procedure when Minister decides work to be carried out.
8. Deposit of further specification for objections.
9. Objections, how heard and determined.
10. Cost of works, how defrayed.
11. Repayment by proprietors.
12. Repairs of works not exceeding \$1,000 may be executed by Director-General of Public Works.
13. Requisition for payment.
14. Cost of maintenance.
15. Sums payable under this Act to be a first charge on the land.
How recoverable.
16. Requisitions and assessments to be registered.

An Act to provide for the improvement of agricultural lands.

[5th February 1901]

1. This Act may be cited as the Land Improvement Act. Short title.
2. The following works and repairs may be carried out under this Act: Works contemplated by this Act.
 - (a) works constructed to prevent the inundation of marsh lands by sea;
 - (b) irrigation works;
 - (c) drainage works;
 - (d) any works of a similar nature which are necessary or expedient for the improvement of agricultural lands; and

- (e) any repairs to, including the maintenance in repair of, any of the above works, whether they are works that have been carried out under this Act or were in existence before 5th February 1901.

Expediency of work determined by meeting of proprietors.

3. The Collector of Land Revenue may, either of his own motion or at the request of 3 or more proprietors of agricultural land, call a meeting of the proprietors of any lands which are likely to be affected by any proposed work or repairs, and may require them, in the notice calling the meeting, to show cause thereat why the work or repairs, as the case may be, should not be carried out under this Act.

Report by Collector of Land Revenue.

4.—(1) If a majority consisting of not less than two-thirds of the proprietors present at the meeting, either in person or by proxy in writing, object to the proposed work or repairs being carried out, and duly evidence their objection by recording their votes against the proposal, the Collector of Land Revenue shall declare that sufficient cause has been shown why the proposed work or repairs should not be so carried out; otherwise he shall declare it to be determined that it is expedient that the work or repairs should be carried out under this Act, and shall forward a report of that determination to the Minister.

(2) That report shall show approximately the holdings of land likely to be affected, including State lands, and the names, so far as he can ascertain them, of the proprietors of those holdings.

(3) When it is determined under this section that it is expedient that any work shall be placed in a state of repair and subsequently maintained in repair, or placed in a state of repair without provision being made for its subsequent maintenance in repair, sections 5 to 16 shall mutatis mutandis apply to the placing of the work in a state of repair with or without its subsequent maintenance in repair, the carrying out of the repairs and provisions required for the maintenance being treated for the purpose of the application as equivalent to the construction of a work under this Act.

Specification of works.

5. If it appears to the Minister expedient that the proposed work should be undertaken by the Government,

the Minister shall appoint a committee consisting of two or more persons to make a detailed specification showing —

- (a) the particulars of the work to be undertaken;
- (b) the approximate cost of the construction of the work;
- (c) the approximate cost per annum of maintenance; and
- (d) the lands to be benefited by the work.

6.—(1) The specification, with a plan of the land, shall be deposited with the Collector of Land Revenue and shall remain so deposited and open to inspection at all reasonable hours for a period of 3 months.

Deposit of specification for objections.

(2) Notice of such deposit shall be published in the *Gazette* and in at least one local newspaper, and shall be posted in such conspicuous places on and in the neighbourhood of the lands to be affected as the Collector of Land Revenue determines, calling upon all persons objecting to the work to send in their objections in writing to the Minister within that period of 3 months.

7.—(1) At the expiration of that period of 3 months the Minister shall consider the specification and the objections thereto, and if after such consideration he decides that the work shall be carried out, the committee referred to in section 5, or another like committee appointed by the Minister, shall make a further specification showing —

Procedure when Minister decides work to be carried out.

- (a) the lands to be benefited by the work, including State lands, distinguishing the various holdings;
- (b) the extent of each holding;
- (c) the name of the owner or reputed owner of each holding; and
- (d) the proportion of the cost of the work to be borne by each holding, which need not necessarily be determined by the extent of the holding.

(2) In estimating the proportion of the cost to be borne by each holding, the committee shall take into consideration not only the extent of the holding, but also the relative amount of benefit which it may be expected to derive from the execution of the work in comparison with other lands benefited.

Deposit of further specification for objections.

8.—(1) Such last-mentioned specification shall be deposited with the Collector of Land Revenue and shall remain so deposited and open to inspection at all reasonable hours for a period of 3 months.

(2) Notice of such deposit shall be, as far as possible, served upon every owner or reputed owner named in the specification, and shall be posted in such conspicuous places on and in the neighbourhood of the lands to be benefited as the Collector of Land Revenue determines, calling on all persons objecting to the specification to send in their objections to the Collector of Land Revenue in writing within that period of 3 months.

(3) Where notice cannot be served on any owners or occupiers or reputed owners or occupiers owing to their present residence being unknown, or for any other reason, a copy of the notice, together with a list of all the owners and occupiers and reputed owners and occupiers on whom the notice cannot be served, shall be posted in English, Malay, Tamil and Chinese at a mosque, police station and Magistrate's Court nearest to the lands mentioned in the notice.

Objections, how heard and determined.

9.—(1) All objections so made shall be heard and determined by the Collector of Land Revenue.

(2) The decision of the Collector of Land Revenue shall be final, and the specification as settled by the Collector of Land Revenue shall be conclusive evidence of the facts stated therein.

Cost of works, how defrayed.

10. Every such work shall be carried out under the supervision of the Director-General of Public Works, or such officer of his Department as he may appoint, and the cost of the construction of every work carried out under this Act shall in the first instance be charged on and paid out of the Consolidated Fund and shall, together with interest at the rate of 6% per annum, be payable by the proprietors of the lands benefited in the manner hereinafter provided.

Repayment by proprietors.

11. Interest at the rate of 6% per annum, if payable, shall be calculated on the cost and on the amount which will for the time being remain unpaid, in accordance with such rules

as the Minister may prescribe, and the sum of principal and interest shall be apportioned among those proprietors in accordance with the specification mentioned in section 9, and the portion of the cost and interest payable in respect of each such holding shall be paid by the proprietor thereof in 10 equal yearly instalments.

12.—(1) Where repair is required to a work which was not constructed under this Act, but is of one of the kinds specified in section 2, and the cost of the repair will not exceed \$1,000, the Director-General of Public Works may, with the consent of the Minister, execute the work, to be charged on and paid out of the Consolidated Fund, apportioning the amount of the cost, with interest at the rate of 6% per annum, among the proprietors or reputed proprietors of the holdings benefited by the work, who shall repay the same in the manner hereinafter provided.

Repairs of works not exceeding \$1,000 may be executed by Director-General of Public Works.

(2) Any repair executed by the Director-General of Public Works under this section shall be deemed to be a work which has been constructed under this Act, and, subject to this section, sections 11, 13, 15 and 16 shall be applicable to the work and to its cost.

13.—(1) When any work has been constructed under this Act, the Collector of Land Revenue shall cause a requisition to be served on the proprietor of each holding, stating the total amount payable and the amount of each instalment payable in respect of that holding, and calling upon the proprietor to pay that amount once in every year, at the office of the Collector of Land Revenue, on a day to be specified in the requisition.

Requisition for payment.

(2) In default of payment, the amount of any instalment due and payable may be recovered in the manner hereinafter provided.

14.—(1) When any work has been constructed under this Act, the lands benefited and the proprietors thereof shall, upon the expiration of the period of 10 years limited for the repayment of the cost of construction of the work, be severally bound and liable to an annual rate not exceeding 50 cents per annum per 4,047 square metres for the maintenance of the work.

Cost of maintenance.

(2) The rate referred to in subsection (1) shall be assessed upon each holding benefited by the work, including State lands, by the Collector of Land Revenue within one year from the expiration of that term of 10 years, and that assessment may be revised by him once in every 5 years.

(3) A copy of every assessment or revised assessment shall be served on each of the proprietors by whom the rate is payable.

(4) The rate so assessed shall be due and payable in respect of each holding on 1st January in each year, and may be added to the assessment, if any, payable to the Comptroller of Property Tax in respect of the land under the Property Tax Act and collected together with that assessment.

Cap. 254.

Sums payable under this Act to be a first charge on the land. How recoverable.

15. All sums payable in respect of any instalment or rate due in respect of any works constructed under this Act shall be a first charge upon the several lands in respect of which the sums are payable, and shall take precedence over all mortgages, charges and incumbrances whatsoever, and in case of default may be recovered in the manner prescribed by the Property Tax Act for the recovery of assessments under that Act.

Requisitions and assessments to be registered.

16. A certificate under the hand of the Collector of Land Revenue, containing a schedule giving particulars of the requisitions made in respect of any work done under this Act, and of the holdings in respect of which the requisitions are made, and also a like certificate containing a schedule giving particulars of every assessment made in respect of the maintenance of the work, shall be presented for registration to the Registrar of Deeds and shall be registered by him free of charge.