

THE STATUTES OF THE REPUBLIC OF SINGAPORE

REGISTRATION OF DEEDS ACT

(CHAPTER 269)

1970 Ed. Cap. 281
Ordinance
6 of 1915

Amended by
4 of 1921
26 of 1921
5 of 1929
49 of 1935
19 of 1940
37 of 1941
20 of 1956
31 of 1958
18 of 1976
S 223/59
S(NS) 179/59
Sp S 47/63

REVISED EDITION 1985

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

1986

Registration of Deeds Act

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An Act relating to the registration of deeds.

[1st August 1917]

Short title.

1. This Act may be cited as the Registration of Deeds Act.

Interpre-
tation.

2. In this Act, unless there is something repugnant in the subject or context —

“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;

“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” includes land tenements and hereditaments, corporeal and incorporeal, and houses and other buildings and also an undivided share in land;

“lease” includes an agreement for a lease;

“registered surveyor” means a person registered under the Land Surveyors Act;

“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;

“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;

“Registrar” means the Registrar or the Deputy Registrar of Deeds appointed under this Act;

“will” includes codicil.

3.—(1) The President may appoint fit and proper persons to be the Registrar of Deeds and Deputy Registrars of Deeds, and any person appointed to be a Deputy Registrar has and may exercise the like powers as a Registrar under this Act. Appointment of Registrar and Deputy Registrars.

(2) Every registering officer appointed under this section shall be deemed to be a public servant within the meaning of the Penal Code. Cap. 224.

(3) The Registry of Deeds shall have a seal, and judicial notice shall be taken of the seal and of the signature of the Registrar in all legal proceedings.

4. From and after the commencement of this Act and subject to this Act and any rules made thereunder, all assurances thereafter or theretofore executed or made, and all probates and letters of administration thereafter or theretofore granted, by which any land within Singapore is affected and which have not been registered under the Registration of Deeds Ordinance 1886, may be registered in such manner as is hereinafter directed, and unless so registered shall not be admissible in any court as evidence of title to such land. All deeds, etc., affecting land may be registered. XIII/1886.

5.—(1) Provisional registration of any instrument under this Act shall be effected in the manner provided by this section and by sections 6 and 7. Mode of registration.

(2) Any person desiring to register an instrument under this Act shall present to the Registrar of Deeds —

- (a) in the case of instruments other than private Acts, probates, letters of administration, orders of court, certificates of appointment of trustee in bankruptcy and caveats, a copy of the instrument together with the original or one of the originals thereof;
- (b) in the case of orders of court or certificates of appointment of trustee in bankruptcy, an office copy thereof;
- (c) in the case of a private Act, a copy thereof printed by the Government Printer;
- (d) in the case of probates or letters of administration, a memorial thereof, prepared in accordance with this Act and any rules made thereunder, together with the probate or letters of administration;
- (e) in the case of a memorandum of lien or charge, the original thereof, together with a copy of it; and
- (f) in the case of caveats, the original thereof.

(3) Immediately on receipt of any instrument or memorial of an instrument or memorandum presented for registration, an entry shall be made in a book, to be known as the book of reference, setting forth —

- (a) the date of the instrument;
- (b) in the case of —
 - (i) a deed — the names of the parties;
 - (ii) a probate or letters of administration — the name of the testator or intestate, as the case may be, and the name of the person to whom probate or letters of administration are granted;
 - (iii) an order of court or certificate of appointment of trustee in bankruptcy — the title of the cause or matter wherein the same purports to be made, and the names of the parties thereto, if any;
 - (iv) a private Act — the title of the Act;

- (v) a memorandum of charge — the name of the landowner whose lands are charged, and the name of the person holding the charge;
- (vi) a caveat — the names of the persons by whom and in whose favour it is given;
- (c) the names of all the districts in which the lands affected by the instrument are situated;
- (d) the reference numbers of the State grants or leases, if any, in which the lands affected by the instrument are respectively comprised;
- (e) the volume, page and number of the register where the instrument or memorial is or is intended to be registered; and
- (f) the date, hour and minute when the instrument or memorial was received at the office for the purpose of registration.

(4) Upon such an entry being duly made, the instrument shall be deemed to have been provisionally registered under this Act, and the date, hour and minute so entered shall be deemed for all purposes to be the date of provisional registration.

(5) If such an entry is duly made in respect of part only of the lands affected by any such instrument, the instrument shall, as to the lands with respect to which the entry has been duly made but not as to the residue of the lands affected thereby, be deemed to have been provisionally registered under this Act.

(6) If that instrument is afterwards provisionally registered as to the omitted property, a note of that provisional registration and of the date thereof shall be made in the book of reference, and that provisional registration shall thenceforth be valid and effectual as to the omitted lands.

(7) As soon as conveniently may be after the presentation of any instrument or memorial for enrolment in the register, the instrument or memorial shall be duly enrolled in the register, and the volume, page and number of the register where it is so enrolled shall correspond with the entry made or to be made in the book of reference relating to that instrument, and an entry of the date of provisional registration shall be made in the margin of the register opposite any instrument or memorial so enrolled.

(8) Upon the presentation for registration of an instrument affecting any land that has not been surveyed and demarcated to the satisfaction of the Chief Surveyor, the person on whose behalf the deed is so presented shall be deemed to have made an application that the land be surveyed and demarcated by the Chief Surveyor:

Provided that where the Chief Surveyor has approved a plan for the purpose of section 14 (1) (c), the land comprised therein shall not, by reason only of that approval, be deemed to have been surveyed and demarcated to the satisfaction of the Chief Surveyor.

Memorials.

6. Except so far as is otherwise expressly provided by this Act or by any rules made thereunder, memorials provisionally registered under this Act shall be subject to the following requirements:

- (a) in the case of a probate, the memorial shall be under the hand of one of the trustees or executors of the will or of one or more persons claiming an interest thereunder in some of the lands affected thereby within Singapore, and shall be attested by one or more witnesses, and shall contain —
- (i) the date of the will;
 - (ii) the date of the death of the testator;
 - (iii) the name, address and occupation of the testator;
 - (iv) the names, addresses and occupations of all executors who have proved;
 - (v) a description of all the lands affected by the will within Singapore, and the names of all the districts in which they are situated, and the reference numbers of the Crown grants or leases or State grants or leases, if any, in which they are comprised; and
 - (vi) the name, address and occupation of the person on whose behalf the memorial is to be registered;
- (b) in the case of letters of administration, the memorial shall be under the hand of the administrator

or of one or more persons claiming an interest in some of the lands of the intestate within Singapore, and shall be attested by one or more witnesses, and shall contain —

- (i) the date of the grant of the letters of administration;
- (ii) the date of the death of the intestate;
- (iii) the name, address and occupation of the intestate;
- (iv) the names, addresses and occupations of all administrators;
- (v) a description, so far as is possible, of all the lands of the intestate within Singapore, with the names of all the districts in which they are situated, and the reference numbers of the Crown grants and leases or State grants and leases, if any, in which they are comprised; and
- (vi) the name, address and occupation of the person on whose behalf the memorial is to be registered.

7.—(1) Where any lien or charge on any lands is claimed in respect of any unpaid purchase-money or by reason of any deposit of title deeds or otherwise, a memorandum of the lien or charge, signed by the person against whom the lien or charge is claimed, may be provisionally registered on presentation by any person claiming to be interested therein.

Memorandum of lien or charge.

- (2) Every such memorandum shall state —
 - (a) the date from which the lien or charge is claimed;
 - (b) the name, address and occupation of the landowner whose lands are charged;
 - (c) a description of all the lands affected by the lien or charge within Singapore, and the names of all the districts in which they are situated, and the reference numbers of the Crown grants or leases or State grants or leases, if any, in which they are comprised;

- (d) the nature of the lien or charge claimed on or in those lands; and
- (e) the name, address and occupation of the person registering the memorandum.

(3) No such lien or charge shall have any effect or priority as against any assurance for valuable consideration until a memorandum thereof has been registered in accordance with this Act.

(4) Where any such lien or charge is satisfied or discharged, any person entitled or claiming to be entitled to any interest in the land may register a memorandum of discharge.

(5) Such a memorandum shall be in such form, and be signed by such person, as are prescribed.

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

8.—(1) Immediately section 14 (1), or the provisions of that subsection other than paragraphs (c) and (d), in the event of those paragraphs being dispensed with under section 29 (1) (l), have been complied with, any instrument provisionally registered shall be deemed to have been registered under this Act as to the lands with respect to which an entry has been made under section 5 (3), and the date, hour and minute entered under that subsection shall be deemed for all purposes to be the date of registration.

(2) Immediately after the registration of any deed, probate, letters of administration, order of court, certificate of appointment of trustee in bankruptcy, private Act or memorandum of charge or discharge there shall be endorsed on the original deed or on the probate or letters of administration or the office copy of the order of court or certificate or the copy of the Act or on the memorandum of charge or discharge, as the case may be, produced to the Registrar, a certificate stating the date, hour and minute of registration, and the volume, page and number in the register in which the same or the memorial thereof, as the case may be, is or is intended to be enrolled, and the Registrar shall sign the certificate and seal it with the seal of the Registry of Deeds, and every certificate so signed and sealed shall be receivable in evidence.

(3) If at the expiration of 6 months from the date of provisional registration of any instrument section 14 (1)

other than paragraphs (c) and (d) has not been fully complied with, then the provisional registration shall be null and void for all purposes and all entries in respect thereof shall be cancelled.

(4) Subsection (1) shall not apply to any assurance in respect of any estate or interest in any residential property within the meaning of the Residential Property Act lodged with the Registrar on or after 11th September 1973*.

9.—(1) Subject to any rules made under this Act, a caveat may at any time be given with respect to any lands by any person claiming to be entitled to any interest in those lands in favour of any person named therein.

(2) Such a caveat may be registered under this Act and, when so registered, shall, unless removed or cancelled in accordance with any rules made for that purpose, be in force for such period not exceeding 6 months as is specified therein in that behalf.

(3) Every such caveat shall be under the hand of the person by whom it is given, and attested by at least one witness, and shall contain —

- (a) the date on which it is given;
- (b) the name, address and occupation of the person by whom it is given;
- (c) the name, address and occupation of the person in whose favour it is given;
- (d) a statement of the time for which it is intended to remain in force;
- (e) a description of the lands to be affected by the caveat, and names of all the districts in which they are situated, and the reference numbers of the State grants or leases, if any, in which they are comprised.

(4) If within the time during which the caveat remains in force any assurance made or executed by the person by whom the caveat was given and conveying any interest in the lands described therein to or in favour of the person in whose favour the caveat was given or his heirs, executors, administrators or assigns is duly registered under this Act,

*Date on which Cap. 274 came into operation.

that assurance shall have priority as though it had been registered upon the date on which the caveat was registered, and that date shall, subject to subsection (5), be deemed to be the date of registration of the assurance for all purposes and shall be substituted in all certificates and other instruments for the date on which the assurance was actually presented for enrolment accordingly.

(5) No caveat has any effect as against the operation of any law for the time being in force relating to bankruptcy, and for the purpose of any such law the date of registration of any such assurance shall be deemed to be the date on which the assurance was actually registered.

Persons to present documents for registration.

10.—(1) No assurance or caveat shall be provisionally registered under this Act unless it is presented for registration by some person who has executed or claims under it or by the legal personal representative of that person or by the agent of that person or representative duly authorised by power of attorney, executed and authenticated in the manner hereinafter mentioned, or by the solicitor of that person or representative.

(2) No instrument shall be provisionally registered on behalf of a corporation or company, unless it is presented for registration —

- (a) in the case of a corporation sole by the corporation and in the case of a company or other corporation aggregate by a director or secretary of the company or other corporation;
- (b) by the agent of the corporation or company duly authorised thereunto by a power of attorney; or
- (c) by the solicitor of the corporation or company.

Powers of attorney recognisable for the purposes of section 10.

11.—(1) For the purposes of section 10 the powers of attorney mentioned in this section shall alone be recognised —

- (a) if the principal at the time of executing the power of attorney resides, or in the case of a company has its registered office, in Singapore, a power of attorney executed before, and authenticated by, a Justice of the Peace or notary public;
- (b) if the principal at the time aforesaid does not reside, or in the case of a company does not

have its registered office, in Singapore, a power of attorney executed before, and authenticated by, a notary public or any court, judge, magistrate, consul or vice-consul or representative of Singapore.

(2) Any power of attorney mentioned in this section may be proved by the production of it without further proof when it purports on the face of it to have been executed before, and authenticated by, the person or court hereinbefore mentioned in that behalf.

12.—(1) No assurance or caveat shall be provisionally registered under this Act unless the persons who have executed it or their legal personal representatives or the agents authorised as in section 11 of those persons or representatives appear either simultaneously or at different times before the Registrar and admit such execution.

Inquiry
before
registration.

(2) The Registrar shall —

- (a) inquire whether or not the instrument was executed by the persons by whom it purports to have been executed;
- (b) satisfy himself as to the identity of the persons appearing before him and alleging that they have executed the instrument; and
- (c) in the case of any person appearing as a legal personal representative or agent, satisfy himself of the right of that person so to appear.

(3) If all the persons who have executed the instrument appear personally before the Registrar and are personally known to him, or if he is otherwise satisfied that they are the persons they represent themselves to be, and if they all admit the execution or, in the case of any person appearing by an agent, if his agent admits the execution, or if the person who has executed the instrument is dead and his legal personal representative appears before the Registrar and admits the execution, the Registrar shall provisionally register the instrument under this Act.

Procedure on
admission of
execution.

(4) The Registrar may, in order to satisfy himself that the persons appearing before him are the persons they represent themselves to be, or for any other purpose contemplated by this Act, examine on oath or affirmation any one present in his office.

(5) This section shall not apply in the case of a person whose execution of the instrument is certified in the form in Schedule A or B by —

- (a) an advocate and solicitor of the Supreme Court;
- (b) a consul or vice-consul or representative of Singapore;
- (c) a notary public practising in the country where the execution takes place;
- (d) a judge of any court or magistrate officiating in the country where the execution takes place;
- (e) a practising advocate and solicitor of a High Court of Malaysia when the execution has taken place in Malaysia; or
- (f) the Malay Pilgrimage Officer, or the Assistant Malay Pilgrimage Officer, Jeddah, Saudi Arabia:

Provided that in cases (b), (c) and (d) the certificate purports to be sealed with the seal of office of the official signing the certificate.

(6) This section shall not apply in the case of a company or corporation in cases where any instrument has been executed under its common seal, if —

- (a) a director or the secretary of the company or corporation by which the instrument purports to have been executed appears before the Registrar and admits that the instrument was executed in accordance with the articles of association or other rules governing the conduct of the company or corporation and that the seal upon it is the seal of that company or corporation; or
- (b) the execution of the instrument is certified in the form in Schedule C or D, or as near thereto as circumstances permit by —
 - (i) an advocate and solicitor of the Supreme Court;
 - (ii) a consul or vice-consul or representative of Singapore;
 - (iii) a notary public practising in the country where the execution takes place;

- (iv) a judge of any court or magistrate officiating in the country where the execution takes place; or
- (v) a practising advocate and solicitor of a High Court of Malaysia when the execution has taken place in Malaysia:

Provided that in cases (ii), (iii) and (iv) the certificate purports to be sealed with the seal of office of the official signing the certificate.

(7) This section shall not apply in the case of any instrument executed by the Public Trustee or by the Official Assignee under his official seal.

13.—(1) If any person presenting any instrument for provisional registration desires the appearance of any person whose presence or testimony is necessary for the provisional registration of the instrument, the Registrar may in his discretion issue a summons requiring him to appear at the Registry of Deeds either in person or by a duly authorised agent as in the summons mentioned and at the time named therein.

Procedure where appearance of executant or witness is desired.

(2) A person who by reason of bodily infirmity is unable without risk or serious inconvenience to appear at the Registry of Deeds and a person in jail under civil or criminal process shall not be required so to appear, but in every such case the Registrar shall either himself go to the house of that person or to the jail in which he is confined and examine him or issue a commission for his examination.

Persons exempt from appearance.

(3) The law in force for the time being as to summonses, commissions and compelling the attendance of witnesses and for their remuneration in suits before a District Court shall apply *mutatis mutandis* to any summons or commission issued and any person summoned to appear under this Act.

Law as to summonses, commissions and witnesses.

14.—(1) No instrument or memorial shall be registered —

Conditions precedent to registration.

- (a) unless it is duly stamped in accordance with the law for the time being in force with regard to the collection of stamp duties;
- (b) so long as any arrears of land revenue or any fees payable under subsection (2) after demand for payment has been made remain due to the State

in respect of the land included therein or affected thereby or any part of that land;

- (c) unless the boundaries of all lands affected thereby have been surveyed and demarcated to the satisfaction of the Chief Surveyor, or unless the Chief Surveyor certifies to the Registrar that a plan showing the boundaries of all the lands affected thereby and certified as correct by a registered surveyor has been lodged with him and that the plan has been approved by him for the purposes of this subsection;
- (d) unless the instrument or memorial presented for registration has endorsed upon it by a Collector of Land Revenue the town subdivision or mukim number, the demarcation lot number or part number, and the area of all land affected thereby, which endorsement the Collector of Land Revenue shall make on demand without undue delay and without charging any fee for so doing; and if any person suffers loss or damage by reason of such delay, the Collector of Land Revenue shall be liable to make good the loss or damage:

Provided that where the Chief Surveyor has approved a plan under paragraph (c), the instrument or memorial shall be deemed to comply with this paragraph if the Collector of Land Revenue has endorsed thereon, in lieu of the area of the land affected, the serial number given to the plan by the Chief Surveyor;

- (e) if the fees for registration having been demanded remain unpaid;
- (f) which is not in accordance with this Act or with any rules made thereunder; and
- (g) where the Chief Surveyor has approved a plan under paragraph (c) — unless there has been paid to the Collector of Land Revenue such sum of money as the Collector of Land Revenue may determine to be the cost of demarcation and survey of the lands affected by the Chief Surveyor.

(2) The Chief Surveyor with the approval of the Minister may fix a scale of fees to be charged for such demarcation and survey as aforesaid.

(3) If by error any instrument has endorsed upon it a wrong town subdivision or mukim number, demarcation lot number or part number, or a wrong area, the Collector of Land Revenue may visit the land and there hold an inquiry into the matter, and if the Collector is satisfied that all the parties to the instrument who can be found within Singapore or their representatives, if any, admit the error and that the instrument has in fact been wrongly endorsed, then, notwithstanding the absence of any parties who are dead or have left Singapore, the Collector may, by order in writing, direct the endorsement on the instrument to be corrected and may himself make the correction upon the instrument being produced to him.

(4) A certified copy of any order made under subsection (3) shall be served by the Collector upon the Registrar, who shall thereupon make such alterations as are necessary in the books and enrolled copies of instruments kept at the Registry of Deeds.

15.—(1) Subject to this Act, all instruments registered under the Registration of Deeds Ordinance 1886 or entitled to be registered under this Act, have priority according to the date of their registration and not according to the date of the instruments or of their execution.

Priority of
instruments.
XIII/1886.

(2) Nothing in this Act shall interfere with the priorities as between themselves of any instruments the dates of registration of which are identical.

(3) Instruments executed or made before the commencement of this Act in Singapore by which any land within Singapore is affected which are not registered under the Registration of Deeds Ordinance 1886 shall, if registered under this Act within 6 months from the day of the date of commencement of this Act as regards priority, be deemed to have been registered on that day.

(4) All priorities given by this Act shall have full effect in all courts except in cases of actual fraud, to which the person by or on whose behalf the registration is made is a party, and all persons claiming thereunder any legal or equitable interests are entitled to corresponding priorities, and no such person shall lose any such priority merely in

consequence of his having been affected with actual or constructive notice except in cases of actual fraud to which he is a party.

(5) Nothing in this section shall operate to confer upon any person claiming without valuable consideration under any person any further priority or protection than would belong to the person under whom he claims, and any disposition of land or charge on land which, if unregistered, would be fraudulent and void shall, notwithstanding registration, be fraudulent and void in like manner.

Protection by legal estate and tacking not to be allowed.

16.—(1) In any case in which priority or protection might but for this Act have been given or allowed to any estate or interest in lands by reason or on the ground of that estate or interest being protected by or tacked to any legal or other estate or interest in those lands, no such priority or protection shall after the date of commencement of this Act be so given or allowed to any estate or interest in lands except as against any estate or interest which existed prior to that date.

(2) Full effect shall be given in every court to this provision although the party claiming such priority or protection claims as a purchaser for valuable consideration and without notice.

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

17. Any person claiming under any assurance duly registered shall have and be entitled to all the same grounds of relief as against any person claiming through any assurance of a subsequent date to that under which he claims but which has acquired priority by earlier registration as the person through whom he claims under that first-mentioned assurance might have had and been entitled to.

Registration.

18. Subject to this Act and any rules made thereunder, the Registrar shall register all assurances and other instruments that are entitled to be registered under this Act which or memorials of which are presented to him for registration in the order in which they are so presented and shall make such entries as are prescribed.

Searches may be made and copies taken by any person.

19. Subject to this Act and to any rules made thereunder, any person may, on application at the Registry of Deeds at such times as are limited by the Registrar in that behalf, inspect and search the microfilm copy of the register and inspect and search any other books and indexes which are

required to be kept at the Registry of Deeds under this Act or any rules made thereunder, and may take copies thereof or extracts therefrom.

20. Subject to this Act and to any rules made thereunder, any person may at any time require an official search to be made on his behalf at the Registry of Deeds, subject to the following conditions: Official searches.

- (a) he shall deliver at the Registry of Deeds a requisition in writing signed by himself requiring the search to be made;
- (b) the requisition shall contain such full particulars of the character of the search required to be made and otherwise in relation thereto as are required by the Registrar;
- (c) upon receipt of any such requisition the Registrar shall cause a diligent search to be made and shall give a certificate of the result of that search to the person requiring it to be made and shall sign the certificate and seal it with the seal of the Registry of Deeds, and every certificate so signed and sealed shall be receivable in evidence.

21.—(1) Where any official search has been made under this Act, a record of the result of the search shall be preserved at the Registry of Deeds. Record of official searches.

(2) The Registrar shall give a certificate of that result to any person requiring it and shall sign the certificate and seal it with the seal of the Registry of Deeds, and every certificate so signed and sealed shall be receivable in evidence.

22.—(1) Subject to this Act and to any rules made thereunder, any person may require a certified copy of or extract from any document enrolled in the register or of or from any entry in the register or any book or index kept at the Registry of Deeds under this Act or any rules made thereunder, and thereupon a certified copy or extract signed by the Registrar and sealed with the seal of the Registry of Deeds shall be given to that person. Certified copies.

(2) Every such copy or extract so signed and sealed shall be receivable as evidence of the contents of that document or entry in every case where those contents may under the rules of evidence be proved by means of any copy or extract.

(3) Nothing in this section shall be taken to dispense with the production of any original document in any case in which the production thereof might otherwise be required, nor to dispense with any proof which might otherwise be required as to the due making and execution thereof.

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

23.—(1) Where any solicitor, trustee, executor, agent or other person in a fiduciary position, either by himself or by a solicitor, obtains a certificate of the result of an official search or a certified copy of any document enrolled in the register or of any entry in any book or index kept at the Registry of Deeds under this Act or any rules made thereunder, the solicitor, trustee, executor, agent or other person shall not be answerable for any loss, damage or injury that arises from any error in that certificate or copy.

(2) Where in any case it is the duty of any solicitor, trustee, executor, agent or other person in a fiduciary position, either by himself or by a solicitor, to compare any abstract of any deed with any original deed which has been registered, the comparison of the abstract with the copy so registered shall be deemed a sufficient discharge of his duty by the solicitor, trustee, executor, agent or other person, and he shall not be answerable for any loss that arises from any error in the copy so registered.

Rectification of register by Court.

24.—(1) Any person claiming any estate or interest in any lands within Singapore may at any time apply to the High Court for an order that —

- (a) the register or any book or index kept at the Registry of Deeds under this Act or any rules made thereunder shall be rectified;
- (b) any entry may be made or interpolated in any such register, book or index;
- (c) any entry in such a register, book or index may be cancelled;
- (d) any certificate endorsed or given under this Act may be amended or cancelled;
- (e) any deed, probate, letters of administration, certificate or other document may be produced to the Registrar for the purpose of any registration, entry or cancellation; or
- (f) the priority by this Act granted to assurances or other instruments upon the registration thereof

may be suspended in whole or in part during the continuance of any proceedings then pending in any court as to any assurances registered after the date of the order.

(2) The court may either refuse such an application or, if satisfied of the justice of the case, may make such order in reference thereto and as to the costs thereof as in the opinion of the court is just and expedient.

(3) The Registrar and every other person or body affected by any such order of court shall obey it on being served with the order or an official copy thereof, and upon such service on the Registrar the order shall be deemed to have been presented to him for registration and shall be registered accordingly.

(4) Any jurisdiction under this section may be exercised by any judge whether sitting in open court or in chambers.

(5) The Chief Justice may, with the sanction of the President, make rules for carrying into effect the objects of this section, provided that no rules so made shall extend the jurisdiction of the court.

(6) Any person aggrieved by an order made by the court under this section may appeal within the prescribed time in the same manner and with the same incidents in and with which orders made by the court in cases within its ordinary jurisdiction may be appealed from.

25. Nothing in this Act shall extend to any lease not exceeding 3 years or any assignment thereof where accompanied by actual possession from the making of the lease or assignment.

Act not to extend to certain leaseholds.

26. The Registrar or any person employed by or under him for the purposes of this Act, who wilfully neglects his duty in the execution of his office according to the rules and directions in this Act mentioned, or wilfully commits or suffers to be committed any undue or fraudulent practice in the execution of that office, intending thereby to cause or knowing it to be likely that he may thereby cause injury as defined in the Penal Code to any person, shall be guilty of an offence and shall be punished on conviction with a fine or with imprisonment for a term not exceeding 7 years or with both.

Penalty for wilful misconduct by Registrar.

Cap. 224.

Penalty for making false statements before registering officer; delivering false document; false personation;

abetment.

Fees.

Rules.

27. Any person who —

- (a) intentionally makes any false statement, whether on oath or not, before any officer acting in the execution of this Act;
 - (b) intentionally delivers to a registering officer a false document;
 - (c) falsely personates another and in that assumed character presents any document or makes any statement or does any other act in any proceeding under this Act; or
 - (d) abets anything made punishable by this Act,
- shall be guilty of an offence and shall be liable on conviction to a fine or to imprisonment for a term not exceeding 7 years or to both.

28.—(1) The Registrar shall not be required to do any act or permit any act to be done in respect of which any fee is specified or fixed except on payment of that fee.

(2) All fees taken by the Registrar under this Act shall be accounted for by him and paid into the Consolidated Fund.

29.—(1) The Minister may make rules with respect to all or any of the following matters:

- (a) the form of the register and of the book of reference and the mode in which they are to be made and kept;
- (b) the preparation and keeping at the Registry of Deeds of any books and indexes and the entries to be made therein for the purpose of effecting any registration;
- (c) the mode in which registration or provisional registration is to be conducted;
- (d) the making of entries in the register where any mortgage, lien or charge with reference to which any instrument has been registered under this Act has been satisfied or discharged;
- (e) the forms of memorials, memoranda of discharge, certificates and other instruments to be prepared for the purposes of this Act;
- (f) the making of searches and the giving of certified copies;
- (g) the fees to be taken by the Registrar;

- (h) the penalties or additional fees to be taken by the Registrar for delay in removing instruments after registration;
- (i) the custody of the register and other documents connected with the business of registration;
- (j) exempting any leases exceeding 3 years or assignments thereof from any of the provisions of this Act, and prescribing the method by which the boundaries of land comprised in such leases shall be recorded;
- (k) exempting instruments relating to land intended to form parts of streets or back lanes from any of the provisions of this Act, and prescribing the mode in which such instruments may be registered;
- (l) enabling the Registrar in his discretion to dispense with section 14 (1) (c) and (d) when he considers it desirable to do so;
- (m) the persons by whom and the manner in which any memorandum of discharge shall be signed;
- (n) generally to carry into effect the objects of this Act.

(2) Any rules made under this Act shall be published in the *Gazette* and shall be presented to Parliament as soon as possible and shall not come into force until approved by a resolution of Parliament.

(3) In approving any such rules Parliament may make such alterations thereto as it thinks fit.

30. Any notice or other document required by this Act to be served shall be sufficiently served if it is left at the last known place of abode or business in Singapore of the person to be served.

Service of
notices, etc.

SCHEDULE D

Section 12
(6).

I, _____, an Advocate
and Solicitor of the Supreme Court of the Republic of Singapore
High Court in _____
practising in _____ hereby certify that on the
day of _____ 19 _____ the common
seal of _____ (insert name of company or corporation) was duly
affixed to the above written instrument at _____ in my
presence in accordance with the regulations of the said company
corporation
(which regulations have been produced and shown to me).
Witness my hand this _____ day of _____ 19 _____ .