



THE STATUTES OF THE REPUBLIC OF SINGAPORE

FORESHORES ACT 1920

2020 REVISED EDITION

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Foreshores Act 1920

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An Act to provide for reclamations and to validate and facilitate leases or grants of foreshores and submerged lands.

[28 November 1921]

Short title

1. This Act is the Foreshores Act 1920.

Interpretation

2. In this Act —

“lands” includes messuages, lands, tenements and hereditaments of any tenure;

“port” means any port or place declared to be a port under the Maritime and Port Authority of Singapore Act 1996, and

includes all such navigable rivers and channels leading thereto as are declared to be part thereof;

“works” means any of the works and things mentioned in section 4.

[7/96]

3. [Repealed by Act 16 of 2016]

Authority for Government to construct works and to reclaim foreshore or seabed

4.—(1) The Government may —

- (a) construct quays, wharves, jetties or other public works along or out from the foreshore of Singapore or in the seabed adjacent thereto;
- (b) dredge the seabed; and
- (c) erect buildings upon any areas of land reclaimed from the sea in accordance with subsection (2).

(2) The Government may, subject to the approval of Parliament, reclaim any part of the foreshore or seabed of Singapore:

Provided that where the part of foreshore or seabed to be reclaimed does not exceed 8 hectares or, if the whole of that part is within port limits, 4 hectares, the approval of Parliament shall not be required and the Minister may authorise such reclamation.

Declaration regarding reclaimed lands

5.—(1) The President may, by proclamation published in the *Gazette*, declare any lands formed by the reclamation of any part of the foreshore of Singapore, or any areas of land reclaimed from the sea to be State land, and thereupon that land shall immediately vest in the State freed and discharged from all public and private rights which may have existed or been claimed over the foreshore or the seabed before the same were so reclaimed.

(2) All land declared to be State land under this section shall be subject to the State Lands Act 1920.

Except as provided, no action to be brought in respect of any damage

6. Except as provided by this Act, no person shall be entitled to claim, and no action or proceeding shall be brought, against the Government to recover any compensation in respect of any lands or of any interest therein which have been injuriously affected by the execution of the works.

No right to compensation

7.—(1) There shall, subject to subsection (2), be no right to compensation in respect of any lands or of any interest therein which may be injuriously affected whether on account of loss of sea frontage or for any other reason by the execution of the works.

(2) Any person, whose property has been damaged by the execution of the works, may appeal to the Minister, whose decision shall be final.

(3) The Minister may, in his discretion, in the case of an appeal, after inquiry by an officer appointed by him for the purpose —

- (a) authorise the payment of such sum as he may determine; or
- (b) direct the execution by the appropriate authority of such repairs as are necessary in the circumstances.

Validation of former grants

8. Where any lease or grant was, before 25 January 1901, made by the Governor of any land being part of the foreshore or seabed within the territorial waters of Singapore, and before that date the land had been reclaimed or wharves, docks, landing stages or other works or buildings had been erected thereon, the lease or grant shall be deemed to be a valid conveyance and to have conveyed the foreshore or seabed, thereby expressed to be demised or granted, free and discharged from all public rights which had existed or been claimed over that foreshore or seabed before the making of the grant or lease.

Power to let foreshore and seabed in future

9.—(1) The President may make such leases of the foreshore and seabed in Singapore or in any tidal river or channel therein as are declared by the President not to create a substantial infringement of public rights.

(2) The term for which any such lease is granted shall not exceed 100 years except in special cases.

Preliminary procedure

(3) Before any such declaration is made by the President the substance of any such lease with a sufficient description of the property intended to be demised shall be published in the *Gazette*, together with a notice requiring all persons having objections to the granting of such a lease to send in their objections in writing to the Minister before the expiration of 3 weeks from the date of the publication in the *Gazette*, and all these objections shall be considered by the President.

Effect of leases under this Act. Covenants and provisos to be contained therein

(4) Every such lease shall specify the purposes for which the land is required and shall be deemed to convey to the lessee the foreshore or seabed, expressed to be thereby demised, free and discharged from all public rights and privileges which have existed or may be claimed in or over that foreshore and seabed so far as is necessary for carrying out those purposes and shall contain —

- (a) a proviso that in the event of the lessees, their executors, administrators and assigns or successors, as the case may be, failing at any time during the continuance of the term of the lease to use the demised land for the purposes so specified, then a Collector of Land Revenue or any officer authorised by him in writing may on behalf of the State re-enter on that land, foreshore or seabed, or on any portion thereof in the name of the whole and thereupon the same shall be forfeited to and vest in the State; and

Saving of rights of State

- (b) a reservation to the State of all mines and minerals under the demised lands and such covenants as to the working of those mines and minerals as the President in each case approves.

(5) For the purposes of this section, “minerals” includes corals, stone, clay, sand, gravel, and other natural deposits, brine, petroleum and any other mineral oil or relative hydrocarbon, and natural gas.

Power to grant temporary occupation licences of foreshore and seabed

10.—(1) It shall be lawful to grant licences for the temporary occupation for any period not exceeding one year of the foreshore and seabed in Singapore or in any tidal river or channel therein.

(2) The power to grant such licences shall be exercisable by the Commissioner of Lands or by a Collector of Land Revenue deputed by him in that behalf, and all such licences shall be in all respects subject, with the necessary verbal variations, to the rules applicable from time to time to licences granted under the provisions of the State Lands Act 1920 for the temporary occupation of State land:

Provided that no licence granted under this section shall be renewed if it is made to appear to the Minister that the licence creates a substantial infringement of public rights.

President may farm right of using beaches, etc.

11.—(1) The President may rent or farm, either in one or several lots by public sale or by public tender with such limitations and restrictions as to the charges to be made by the renter or farmer, as to the President seems fit, the use of the beaches and banks of the sea.

(2) Rents agreed to be paid under this section shall be recoverable as Government debts.

How farmer may recover rents

(3) If the right of using the beaches and banks of the sea is granted by the President to farm either for the whole of Singapore or for particular parts or places in Singapore, the farmer shall be entitled to recover payment from the tenant or person using the rights granted to the farmer in a suit by the farmer against that tenant or person for money payable by the defendant to the farmer for the use of the farmer's rights, describing the extent of the same as agreed on between the parties.

(4) No such farmer shall recover a larger sum than that specially agreed on between him and the tenant nor a larger sum than that permitted in the grant by the President to be charged by the farmer.

Saving as to foreshore rights

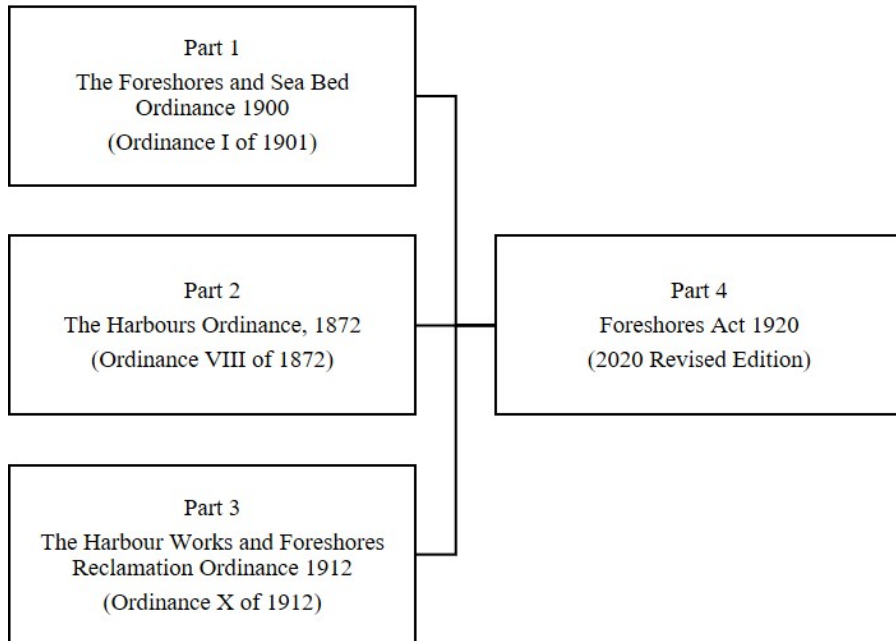
12. Nothing in this Act shall be deemed to be in derogation of any of the powers or rights of the Government in respect of the foreshore or territorial waters in Singapore, nor shall anything in this Act be deemed to affect any right or claim as between lessees and their sublessees or tenants between themselves.

LEGISLATIVE HISTORY

FORESHORES ACT 1920

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1 THE FORESHORES AND SEA BED ORDINANCE 1900 (ORDINANCE I OF 1901)

1. Ordinance I of 1901 — The Foreshores and Sea Bed Ordinance 1900

Bill	:	G.N. No. 1185/1900
First Reading	:	24 October 1900
Second Reading	:	30 October 1900
Notice of Amendments	:	8 January 1901
Third Reading	:	15 January 1901
Commencement	:	15 January 1901

**2. Ordinance XIII of 1902 — The Foreshores and Sea Bed Ordinance 1900
Amendment Ordinance 1902**

Bill	:	G.N. No. 581/1902
First Reading	:	6 May 1902
Second Reading	:	16 May 1902
Third Reading	:	13 June 1902
Commencement	:	13 June 1902

PART 2

THE HARBOURS ORDINANCE, 1872
(ORDINANCE VIII OF 1872)

3. Ordinance VIII of 1872 — The Harbours Ordinance, 1872

Bill	:	S.S.G.G. No. 23/1872
First Reading	:	4 June 1872
Second Reading	:	6 June 1872
Notice of Amendments	:	26 September 1872
Third Reading	:	26 September 1872
Commencement	:	26 September 1872

Note: This Ordinance ceased the application of the Indian Act No. XXII of 1855, and so much of section 3 of the Indian Act No. XLI of 1850 as allows or requires lists of passengers to be given by Masters of Vessels, at any time within twenty-four hours of the arrival of the vessel, to the Colony.

**4. Ordinance VIII of 1906 — The Harbours Ordinance 1872 Amendment
Ordinance 1906**

Bill	:	G.N. No. 1572/1906
First Reading	:	19 January 1906
Second Reading	:	9 February 1906
Notice of Amendments	:	16 February 1906
Third Reading	:	16 March 1906
Commencement	:	16 March 1906

5. Ordinance XXXII of 1910 — The Merchant Shipping Ordinance 1910
(Amendments made by section 3 read with the First Schedule to the above Ordinance)

Bill	:	G.N. No. 141/1909
First Reading	:	29 January 1909
Second Reading	:	2 April 1909
Notice of Amendments	:	9 December 1910
Third Reading	:	9 December 1910
Commencement	:	1 December 1912 (section 3 read with the First Schedule)

PART 3
THE HARBOUR WORKS AND FORESHORES
RECLAMATION ORDINANCE 1912
(ORDINANCE X OF 1912)

6. Ordinance X of 1912 — The Harbour Works and Foreshores Reclamation Ordinance 1912

Bill	:	G.N. No. 755/1912
First Reading	:	5 July 1912
Second Reading	:	12 July 1912
Notice of Amendments	:	30 August 1912
Third Reading	:	20 September 1912
Commencement	:	1 September 1913

PART 4
FORESHORES ACT 1920
(2020 REVISED EDITION)

7. 1920 Revised Edition — Ordinance No. 69 (Foreshores)

Operation	:	28 November 1921
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Note: This Revised Edition consolidated The Harbours Ordinance, 1872 (Ordinance VIII of 1872), The Foreshores and Sea Bed Ordinance 1900 (Ordinance I of 1901) and The Harbour Works and Foreshores Reclamation Ordinance 1912 (Ordinance X of 1912).

8. Ordinance 26 of 1921 — Statute Laws (Revised Edition) Operation Ordinance, 1921

(Amendments made by section 3(a) read with Schedule B to the above Ordinance)

Bill	:	G.N. No. 1854/1921
First and Second Readings	:	22 November 1921
Notice of Amendments	:	22 November 1921
Third Reading	:	22 November 1921
Commencement	:	28 November 1921 (section 3(a) read with Schedule B)

9. 1926 Revised Edition — Ordinance No. 69 (Foreshores)

Operation	:	1 August 1926
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10. Ordinance 9 of 1935 — Foreshores (Amendment) Ordinance, 1935

Bill	:	G.N. No. 2945/1934
First Reading	:	18 February 1935
Second Reading	:	15 April 1935
Notice of Amendments	:	15 April 1935
Third Reading	:	15 April 1935
Commencement	:	8 May 1935

11. 1936 Revised Edition — Foreshores Ordinance (Chapter 122)

Operation	:	1 September 1936
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12. Ordinance 30 of 1953 — Foreshores (Amendment) Ordinance, 1953

Bill	:	20/1953
First Reading	:	15 September 1953
Second and Third Readings	:	20 October 1953
Commencement	:	3 November 1953

13. Ordinance 37 of 1952 — Law Revision (Penalties Amendment) Ordinance, 1952

(Amendments made by section 2 read with item 36 of the Schedule to the above Ordinance)

Bill	:	32/1952
First Reading	:	16 September 1952

Second and Third Readings : 14 October 1952
 Commencement : 30 April 1955 (section 2 read with
 item 36 of the Schedule)

**14. G.N. No. S 265/1955 — Singapore Colony Order in Council, 1955
 (Consequential Provisions) (Miscellaneous)
 Order, 1955**

Commencement : 17 September 1955

**15. G.N. No. S 33/1956 — Singapore Colony Order in Council, 1956
 (Consequential Provisions) (Miscellaneous)
 Order, 1956**

Commencement : 4 February 1956

16. 1955 Revised Edition — Foreshores Ordinance (Chapter 246)

Operation : 1 July 1956

**17. G.N. No. S 223/1959 — Singapore Constitution (Modification of Laws)
 Order, 1959**

Commencement : 3 June 1959

**18. Ordinance 62 of 1959 — State Advocate General (Transfer of Powers)
 Ordinance, 1959**

(Amendments made by section 5 read with the Schedule to the above
 Ordinance)

Bill : 22/1959

First Reading : 13 August 1959

Second and Third Readings : 2 September 1959

Commencement : 11 September 1959 (section 5 read
 with the Schedule)

**19. G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of
 Laws) (No. 4) Order, 1959**

Commencement : 20 November 1959

**20. G.N. No. S (N.S.) 179/1959 — Singapore Constitution (Modification of
 Laws) (No. 5) Order, 1959**

Commencement : 20 November 1959

21. G.N. Sp. No. S 47/1963 — State Laws (Modification) (No. 3) Order, 1963

Commencement : 16 September 1963

22. Ordinance 2 of 1964 — Foreshores (Amendment) Ordinance, 1964

Bill	:	Information not available
First, Second and Third Readings	:	10 June 1964
Commencement	:	26 June 1964

23. 1970 Revised Edition — Foreshores Act (Chapter 270)

Operation	:	31 August 1971
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24. Act 28 of 1974 — Foreshores (Amendment) Act, 1974

Bill	:	18/1974
First Reading	:	28 August 1974
Second and Third Readings	:	23 October 1974
Commencement	:	21 December 1974

25. G.N. No. S 17/1975 — Metrication Order, 1975

Commencement	:	31 January 1975
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26. 1985 Revised Edition — Foreshores Act (Chapter 113)

Operation	:	30 March 1987
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27. Act 7 of 1996 — Maritime and Port Authority of Singapore Act 1996
(Amendments made by section 121(4) read with item (5) of the Fourth Schedule to the above Act)

Bill	:	46/1995
First Reading	:	5 December 1995
Second and Third Readings	:	18 January 1996
Commencement	:	2 February 1996 (section 121(4) read with item (5) of the Fourth Schedule)

28. Act 6 of 1997 — Port of Singapore Authority (Dissolution) Act 1997
(Amendments made by section 15(1) of the above Act)

Bill	:	5/1997
First Reading	:	11 July 1997
Second and Third Readings	:	25 August 1997
Commencement	:	1 October 1997 (section 15(1))

29. Act 4 of 1999 — Building and Construction Authority Act 1999
(Amendments made by section 37 read with item (2) of the Schedule to the above Act)

Bill	:	51/1998
First Reading	:	23 November 1998
Second and Third Readings	:	20 January 1999
Commencement	:	1 April 1999 (section 37 read with item (2) of the Schedule)

30. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016
(Amendments made by section 8 of the above Act)

Bill	:	15/2016
First Reading	:	14 April 2016
Second and Third Readings	:	9 May 2016
Commencement	:	10 June 2016 (section 8)

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number