



# THE STATUTES OF THE REPUBLIC OF SINGAPORE

## LAND TITLES (STRATA) ACT 1967

### 2020 REVISED EDITION

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# Land Titles (Strata) Act 1967

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An Act to facilitate the subdivision of land into strata and the collective sale of property, and the disposition of titles thereto and for purposes connected therewith.

[15 May 1968]

## PART 1

### PRELIMINARY

#### **Short title**

1. This Act is the Land Titles (Strata) Act 1967.

#### **Application**

2. Except as hereinafter provided, this Act applies only to registered land.

#### **Interpretation**

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

“accessory lot” means a lot intended for separate proprietorship and use with any other specified lot or lots for any purpose;

“assurance” includes any transfer, lease, charge, mortgage, transmission application or any other application for vesting made under this Act;

“Authority” means the Singapore Land Authority established under the Singapore Land Authority Act 2001;

“Board” means a Strata Titles Board constituted under the Building Maintenance and Strata Management Act 2004;

“building” includes —

(a) any building partially completed;

(b) where applicable, any building to be erected within a stratum shown or specified in any strata subdivision plan submitted to the relevant authority for approval;  
or

- (c) any building to be erected which is authorised for strata subdivision under a notification made by the Minister under section 21(6) of the Planning Act 1998;

“Commissioner” means the Commissioner of Buildings appointed under section 3 of the Building Maintenance and Strata Management Act 2004;

“common property”, subject to subsection (2), means —

- (a) in relation to any land and building comprised or to be comprised in a strata title plan, such part of the land and building —
  - (i) not comprised in any lot or proposed lot in that strata title plan; and
  - (ii) used or capable of being used or enjoyed by occupiers of 2 or more lots or proposed lots;
- (b) in relation to any other land and building, such part of the land and building —
  - (i) not comprised in any non-strata lot; and
  - (ii) used or capable of being used or enjoyed by occupiers of 2 or more non-strata lots within that land or building; or
- (c) in relation to any land and building mentioned in paragraph (a) or (b), any of the following whether or not comprised in a lot, proposed lot or non-strata lot:
  - (i) the pipes, wires, cables or ducts which are used, or capable of being used or enjoyed, by occupiers of 2 or more lots, proposed lots or non-strata lots (as the case may be) within that land or building, or are used or capable of being used for the servicing or enjoyment of the common property;
  - (ii) the cubic space enclosed by a structure enclosing pipes, wires, cables or ducts mentioned in sub-paragraph (i);

- (iii) any structural element of the building;
- (iv) the waterproof membrane attached to an external wall or a roof;

*Examples*

- (a) A foundation, load-bearing wall, column or beam, a shear core, strut, ground anchor, slab (not including any layer that is the underlayment or the flooring finishing), truss and common staircase.
- (b) An external wall, or a roof or façade of a building which is used or enjoyed, or capable of being used or enjoyed, by occupiers of 2 or more lots, proposed lots or non-strata lots.
- (c) A garden, sporting or recreational facility, car park or parking area for other vehicles, none of which are comprised in a lot, proposed lot or non-strata lot.
- (d) A central air-conditioning system and its appurtenances, and a fire sprinkler protection system and its appurtenances.
- (e) Any chute, pipe, wire, cable, duct or facility for the passage or provision of water, sewage, drainage, gas, oil, electricity, telephone, radio, television, garbage, heating or cooling systems, or any other similar services.

“company” includes —

- (a) any body of persons incorporated in or outside Singapore; and
- (b) an unincorporated society, association or other body which under the law of its place of origin may hold property in the name of the society, association or other body or in the name of its trustees, secretary or other officer duly appointed for that purpose;

“competent authority”, in relation to the development or subdivision of land, means the competent authority appointed under section 5 of the Planning Act 1998 in respect of the development or subdivision of land, as the case may be;

“council” has the meaning given by the Building Maintenance and Strata Management Act 2004;

- “flat” means a horizontal stratum of any building or part thereof, whether such stratum is on one or more levels or is partially or wholly below the surface of the ground, which is used or intended to be used as a complete and separate unit for the purpose of habitation or business or for any other purpose, and may be comprised in a lot, or in part of any subdivided building not shown in a registered strata title plan;
- “immediate family member” has the meaning given by the Building Maintenance and Strata Management Act 2004;
- “land” has the meaning given by the Land Titles Act 1993;
- “Land Titles Registry” means the Land Titles Registry of the Authority;
- “lot” means a stratum which is shown as a lot on a strata title plan, and includes a lot specified as an accessory lot on any such plan;
- “management corporation” means a management corporation constituted under this Act;
- “ordinary resolution” has the meaning given by the Building Maintenance and Strata Management Act 2004;
- “parcel” means the whole of the registered land having a Government survey lot number and comprised in a strata title plan;
- “planning permission” has the meaning given by the Planning Act 1998;
- “proposed lot” has the meaning given by the Building Maintenance and Strata Management Act 2004;
- “proprietor”, in relation to land comprised in a strata title plan, means the person who was the proprietor of that land immediately before the registration of the strata title application for that plan under section 9;
- “provisional lot” means a lot within which one or more buildings or parts of any building are to be erected or completed and is shown as a provisional lot in a strata title plan and in any other record maintained by the Registrar;

“registered land” means land which has been brought under the provisions of the Land Titles Act 1993, by being included in a folio of the land-register, and held by the registered proprietor for an estate in fee simple or perpetuity, or for a leasehold estate comprised in a Crown or State lease;

“registered lease” means a lease registered under the provisions of the Land Titles Act 1993;

“registered lessee”, in relation to any subdivided building not comprised in a strata title plan, means the registered proprietor of a leasehold estate in registered land comprising a flat which is shown in a plan annexed to a registered lease, having an unexpired term of not less than 21 years as at the date of the lodgment of an application by that registered proprietor for a subsidiary certificate of title;

“Registrar” means the Registrar of Titles appointed under the Land Titles Act 1993;

“relevant authority” means any one or more Government or statutory authorities empowered to approve plans for development or subdivision of any land or plans relating to the construction of any building under the Planning Act 1998 or under any other written law and includes the competent authority;

“schedule of strata units”, in relation to any land or building, means the schedule of strata units accepted by the Commissioner under section 11 of the Building Maintenance and Strata Management Act 2004 for that land or building;

“share value” has the meaning given by the Building Maintenance and Strata Management Act 2004;

“special resolution” has the meaning given by the Building Maintenance and Strata Management Act 2004;

“strata roll” has the meaning given by the Building Maintenance and Strata Management Act 2004;

“strata subdivision” includes a subdivision of land to comprise one or more strata units whether or not any strata unit is on the same level as any other strata unit;

“strata title plan” means a plan of registered land which —

- (a) is described in the title or heading thereto as a strata title plan;
- (b) shows the whole or any part of the land comprised therein as being divided into 2 or more strata, whether or not any stratum is divided into 2 or more lots; and
- (c) contains the particulars prescribed under the Boundaries and Survey Maps Act 1998,

and includes a strata title plan for redevelopment of any lot in a strata title plan registered under this Act;

“stratum” means any part of land consisting of a space of any shape below, on or above the surface of the land, or partly below and partly above the surface of the land, the dimensions of which are delineated;

“structural element” has the meaning given by section 2(1) of the Building Maintenance and Strata Management Act 2004;

“subdivided building” means —

- (a) any one or more buildings comprised in a strata subdivision plan approved by the relevant authority; or
- (b) any building or class of buildings authorised for strata subdivision under a notification made by the Minister under section 21(6) of the Planning Act 1998;

“subsidiary certificate of title” means the subsidiary certificate of title issued under section 122;

“subsidiary management corporation” has the meaning given by the Building Maintenance and Strata Management Act 2004;

“subsidiary proprietor” means —

- (a) the registered subsidiary proprietor for the time being of the entire estate in a lot including an estate for life, an estate in remainder or an estate in reversion; and
- (b) in relation to a lot where a lease has been granted, the registered subsidiary proprietor for the time being of a leasehold interest in a lot described in an instrument of lease whose unexpired term is not less than 21 years as from the date of lodgment of the instrument of lease for registration with the Registrar including such a lease registered prior to 1 December 1987;

“subsidiary strata certificate of title” means a subsidiary strata certificate of title issued under this Act;

“unanimous resolution” has the meaning given by the Building Maintenance and Strata Management Act 2004.

[35/2017]

(2) For the purposes of this Act —

- (a) all windows of a lot, proposed lot or non-strata lot that are located on any exterior wall of the lot, proposed lot or (as the case may be) non-strata lot, being either louvres, casement windows, sliding windows or windows with any movable part, are part of the lot, proposed lot or (as the case may be) non-strata lot and not common property; and
- (b) all other windows of a lot, proposed lot or non-strata lot that are located on any exterior wall of the lot, proposed lot or (as the case may be) non-strata lot are common property, unless otherwise described in a strata title plan.

### **Application of Land Titles Act 1993**

4. The Land Titles Act 1993 and any rules made under that Act, insofar as they are not inconsistent with the provisions of this Act or of any rules made under this Act, apply in all respects to land registered in any folio of the subsidiary strata land-register.

## PART 2

## SUBDIVISION AND SUBSIDIARY STRATA LAND-REGISTER

**Approval of subdivision under Planning Act 1998**

5. The provisions relating to the subdivision of land contained in the Planning Act 1998 and any rules made under that Act apply to the subdivision of any building or any lot.

**Authorisation of strata subdivision under notification made by Minister under Planning Act 1998**

5A.—(1) Where by reason of any notification made by the Minister under section 21(6) of the Planning Act 1998 —

- (a) the strata subdivision of any building or class of buildings as specified in that notification is authorised; and
- (b) the approval by the competent authority of a strata subdivision plan for that building or class of buildings is not required under the Planning Act 1998,

then for the purposes of this Act and any regulations made under this Act, where any thing or matter is required to be done in accordance with or to be ascertained from any strata subdivision plan approved or issued by the competent authority, such requirement is deemed to be complied with or satisfied if it is done in accordance with or ascertained from building plans approved by the relevant authority.

(2) For the purposes of subsection (1), the building plans approved by the relevant authority —

- (a) must be endorsed with a certificate by a surveyor who is registered under the Land Surveyors Act 1991 and has in force a practising certificate issued under that Act certifying that the boundaries of all the strata lots which the surveyor has delineated on the approved building plans have been endorsed by the proprietor of the development to be correct and in accordance with what was sold or agreed to be sold by the proprietor; and
- (b) must contain such other certifications and particulars as may be required by the Registrar or the Chief Surveyor.

## Dealings with subdivided building

6.—(1) Subject to this section and except in the case where under section 22 of the Land Titles Act 1993 the Registrar has directed that any building may be dealt with in parts under the provisions of the Registration of Deeds Act 1988, an assurance (except mortgages, charges, reconveyances or discharges of subsisting mortgages or charges, vesting orders issued by the General Division of the High Court and any assurance made pursuant to a power of sale conferred by any written law) disposing of any part of a subdivided building must not be registered under the Land Titles Act 1993 or the Registration of Deeds Act 1988.

[40/2019]

(1A) The Registrar or the Registrar of Deeds (as the case may be) has the power to refuse to register that assurance or, where the assurance has been registered in contravention of subsection (1), cancel that registration upon the discovery thereof.

(2) An assurance disposing of any part of a subdivided building may be lodged for registration under the provisions of this Act where —

- (a) a strata title application in the approved form for the issue of subsidiary strata certificates of title has been lodged with the Registrar;
- (b) a strata title plan has been lodged with and approved by the Chief Surveyor under the Boundaries and Survey Maps Act 1998; and
- (c) the Registrar has registered the strata title application lodged under paragraph (a) and has issued the subsidiary strata certificates of title applied for.

(3) This section does not apply to any building or class of buildings specified by the Minister by notification in the *Gazette*.

(4) Where a notification has been made under subsection (3), the Minister may at any time cancel the notification when the registered proprietor of the land on which the building is erected has, with the approval of the Minister, transferred all the estate and interest in such land to the lessees of the registered leasehold estate of the subdivided

parts of the building as tenants-in-common in accordance with the terms and conditions of the leases granted in respect of the subdivided parts of the building.

(5) Subject to sections 125, 125A, 126 and 127, this section does not apply to any building where, on 15 April 1976, a flat forming part of that building has been disposed of by the proprietor thereof by a lease registered under the Land Titles Act 1993 or the Registration of Deeds Act 1988, and the registered leasehold interest is vested in any person other than the proprietor.

[4/2021]

(6) In this section —

“assurance” includes any transaction to be registered under the Land Titles Act 1993;

“charge” includes a charge mentioned in section 21 of the Central Provident Fund Act 1953;

“Registrar of Deeds” means the Registrar of Deeds appointed under the Registration of Deeds Act 1988.

7. [Repealed by Act 47 of 2004]

### **Notification of planning condition on land-register, etc.**

8.—(1) Where planning permission has been granted by the competent authority for the development of any land subject to the condition that 30% of the floor area of any building in the development must be owned by a single person for a period of 10 years from the date of the latest temporary occupation licence issued before the grant of the certificate of fitness in respect of the development, the competent authority must notify the Registrar of the planning permission and file with the Registrar the plans delineating the specified flats in any building comprising the aforesaid 30% of the floor area.

(2) Where the Registrar has received the notice and plans mentioned in subsection (1) and the Registrar is satisfied that the plans adequately identify the flats comprised in the said 30% of the floor area of the development, the Registrar —

- (a) must enter the appropriate notification on the relevant folio of the land-register or subsidiary strata land-register; and
  - (b) has the power to refuse to register any instrument disposing of any interest in any flat in contravention of the condition mentioned in subsection (1) when the instrument is presented for registration.
- (3) Where the Registrar has discovered that any instrument has been lodged for registration or has been finally registered in contravention of the condition mentioned in subsection (1), the Registrar must serve a written notice on the person who appears in the records of the Registrar as the party claiming under the said instrument of the Registrar's intention to cancel the registration of the instrument and any instrument relating to the flats mentioned in subsection (1) and any relating entries in the records maintained by the Registrar.
- (4) On the expiration of the Registrar's notice under subsection (3), the Registrar must without giving any further notice cancel the registration of the instruments mentioned in subsection (3) and all entries relating thereto.
- (5) The registered proprietor may lodge an application with the Registrar in the approved form for the cancellation of any notification made by the Registrar in the land-register or subsidiary strata land-register under this section and the Registrar must cancel the notification if he or she is satisfied that the condition mentioned in subsection (1) has been fulfilled.

### **Registration of strata title application and strata title plan**

- 9.—**(1) A strata title application for a parcel must not be registered under this section unless —
- (a) it is in the approved form; and
  - (b) the strata title plan for that parcel has been lodged with and approved by the Chief Surveyor under the Boundaries and Survey Maps Act 1998.

- (2) Every strata title application must —
- (a) show the share values in whole numbers of each lot (except an accessory lot) and a number equal to the aggregate share value entitlement of all the lots comprised in the parcel; and
  - (b) contain such other particulars as may be prescribed or as the Registrar may specify.
- (3) The strata title plan is deemed to be registered under the provisions of this Act on the date that the strata title application is registered by the Registrar under subsection (1) and the strata title plan has been assigned a strata title plan serial number as notified in the land-register.
- (4) For the purposes of subsection (2)(a), where planning permission for the erection of the buildings comprising the lots has been granted on or after 15 April 1976, the share values shown on the strata title application must be those shown in the schedule of strata units filed with and accepted by the Commissioner.
- (5) No share value is to be allotted to an accessory lot.
- (6) In this section, “lot” includes a provisional lot.

### **Subsidiary strata land-register**

- 10.**—(1) The Registrar must —
- (a) prepare and maintain for the purposes of this Act a series of records to be called “the subsidiary strata land-register”; and
  - (b) issue for each lot shown on the strata title application a subsidiary strata certificate of title.
- (2) Upon registration of a strata title application, a subsidiary proprietor is deemed to be the proprietor of the subsidiary proprietor’s lot and share in the common property subject to the encumbrances (if any) registered or notified in the subsidiary strata land-register.
- (3) Subject to the provisions of this Act, any assurance or other dealing affecting a lot may be registered in the same manner and form

and, upon registration, has the same effect as a similar assurance or dealing registered under the provisions of the Land Titles Act 1993, and affecting part of registered land comprised in a subdivision plan submitted to the competent authority.

### **Constitution of management corporation, etc.**

**10A.**—(1) The subsidiary proprietors from time to time of all lots comprised in a strata title plan constitute, on the date of registration of the strata title application in respect of that strata title plan under this Act, the management corporation for that strata title plan.

(2) The subsidiary proprietors from time to time of the lots for whose exclusive benefit any limited common property is designated in a strata title plan, or in a comprehensive resolution filed with the Chief Surveyor under section 78(2)(b) of the Building Maintenance and Strata Management Act 2004 constitute, on the date of registration of the strata title application in respect of that strata title plan or such other instrument as required by the Registrar under this Act, the subsidiary management corporation for that limited common property.

(3) The Registrar may, upon payment of a prescribed fee, issue to a management corporation or a subsidiary management corporation a certificate stating that the management corporation or subsidiary management corporation (as the case may be) is a body corporate constituted on the day specified therein.

### **Share value not to be changed**

**11.**—(1) Except as otherwise expressly provided in this Act or the Building Maintenance and Strata Management Act 2004, the share value of any lot shown in the subsidiary strata land-register must not be altered in any manner on or after the date of registration of the strata title application comprising that lot.

(2) The Registrar may correct any entry in the subsidiary strata land-register in respect of the share value of a lot if he or she is satisfied that there is an error in the entry.

(3) The court may order the share value of a lot shown in the subsidiary strata land-register to be amended where the court is satisfied that the value was fraudulently assigned to the lot.

(4) Nothing in this section prohibits the alteration of the share value of a lot consequent upon the subdivision of that lot into 2 or more lots or the amalgamation of 2 or more lots.

### **Plan of redevelopment**

**12.—**(1) A subsidiary proprietor of a lot or of 2 or more lots who intends to subdivide that lot or amalgamate those lots may lodge a strata title application for redevelopment for registration with the Registrar after obtaining the relevant authority's approval.

(2) Where the subdivision of a lot or the amalgamation of 2 or more lots results in the creation of any additional or new common property, the subsidiary proprietor must obtain the approval of the management corporation before lodging the strata title application for redevelopment with the Registrar.

(3) A strata title application for redevelopment must not be accepted by the Registrar unless an amended schedule of strata units showing the proposed share values to be allotted to the lot or lots affected by the redevelopment has been filed with and accepted by the Commissioner.

(3A) In the proposed allotment of share values referred to in subsection (3) —

- (a) where a lot is subdivided, the aggregate share value of the proposed new lot or lots must be equal to the share value of the former lot; and
- (b) where 2 or more lots are amalgamated, the share value of the proposed new lot or lots must be equal to the aggregate share value of the former lots.

(4) The Registrar must not be concerned to inquire whether a subsidiary proprietor has obtained the approval of the relevant authority or the management corporation under subsection (1) or (2).

(5) A strata title application for redevelopment must not be registered unless —

- (a) it is in the approved form; and
- (b) the strata title plan for redevelopment has been lodged with and approved by the Chief Surveyor under the Boundaries and Survey Maps Act 1998.

(5A) The strata title plan for redevelopment is deemed to be registered under the provisions of this Act on the date that the strata title application for redevelopment is registered by the Registrar.

(6) On registration of the strata title application for redevelopment, parts of any lot which are capable of forming the common property as provided under this Act will form part of the common property, free from any encumbrances (except those created by statute and subsisting easements), in relation to all the lots comprised within the same parcel as described in the strata title plan first registered with the Registrar, without the need for a resolution made under section 25 directing the management corporation concerned to accept a transfer of such parts of a lot to form part of the common property.

(7) On registration of the strata title application for redevelopment, the Registrar must make the appropriate amendment and entry on the relevant folios of the land-register and subsidiary strata land-register comprising the lot or lots shown in the strata title plan for redevelopment.

(8) All other provisions of this Act relating to a strata title plan, a strata title application and a lot, so far as they are not inconsistent with the provisions of this section, apply to a strata title plan for redevelopment, a strata title application for redevelopment and any lot shown therein, respectively.

### **Common property**

**13.—**(1) On registration of the strata title application the Registrar must enter a memorial in the land-register on the volume and folio of the parcel to the effect that a subsidiary strata land-register has been created, and thereupon the common property is held by the subsidiary proprietors as tenants-in-common proportional to their respective share value and for the same term and tenure as their respective lots are held by them.

(2) The Registrar on issuing a subsidiary strata certificate of title for a lot must certify therein the subsidiary proprietor's share in the common property, but no subsidiary strata certificate of title is to be issued for the common property.

(3) Any share in the common property must not be disposed of except as appurtenant to the lot of the subsidiary proprietor and any assurance of a lot operates to assure the share in the common property appurtenant to that lot without any express mention in the assurance.

(4) The certificate of title comprising the parcel must be retained by the Registrar after the issue of the relevant subsidiary strata certificates of title.

(5) Where the subsidiary strata certificates of title were issued before 15 April 1976, the duplicate certificate of title comprising the parcel may be deposited with the Registrar.

### **Powers of mortgagees of flats brought under this Act**

**14.** Where all the flats in a development have been brought under this Act pursuant to section 50, 51 or 52, which were in force immediately prior to 1 December 1987, or pursuant to section 125, 125A, 126 or 127 or the repealed section 126A and subsidiary strata certificates of title have been issued for all the flats, the mortgagee whose mortgage was registered in respect of such a flat either under the Land Titles Act 1993 or the Registration of Deeds Act 1988 prior to the issue of a subsidiary strata certificate of title for the flat, is deemed —

- (a) to be the donee of an irrevocable power of attorney granted by the mortgagor in respect of the mortgagor's estate in the undivided share in the common property appurtenant to the lot comprising the mortgaged flat upon the issue of the subsidiary strata certificate of title; and
- (b) to have been vested with all rights and powers as if the mortgagee is the registered proprietor of the estate in the share of the common property appurtenant to the flat mortgaged by the subsidiary proprietor as and when the

mortgagee exercises the mortgagee's powers as mortgagee under the registered mortgage of the flat.

[4/2021]

### **Accessory lot**

**15.—**(1) An accessory lot or any share, estate or interest therein must not be dealt with independently of the lot to which the accessory lot has been made appurtenant as shown on the relevant registered strata title plan.

(2) Any person who deals with any accessory lot or any share, estate or interest therein independently and not made as appurtenant to the lot which such accessory lot is shown on the relevant registered strata title plan as being appurtenant shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

(3) Any assurance made in contravention of subsection (1) must not be registered under this Act and any registration thereof is null and void and does not pass any estate or interest in the accessory lot.

(4) Where such assurance has been registered, the Registrar on discovery thereof must cancel the registration, and no person affected by the cancellation is entitled to any compensation from the assurance fund.

## PART 3

### RIGHTS AND OBLIGATIONS OF SUBSIDIARY PROPRIETOR

#### **Easement of support**

**16.—**(1) In respect of each lot there is implied —

- (a) in favour of the subsidiary proprietor of the lot, and as appurtenant thereto, an easement for the subjacent and lateral support thereof by the common property and by every lot capable of affording support; and
- (b) as against the subsidiary proprietor of the lot, and to which the lot is subject, an easement for the subjacent and lateral

support of the common property and to every other lot capable of enjoying support.

(2) The easement of support created by this section entitles the subsidiary proprietor of the dominant tenement to enter on the servient tenement to replace, renew or restore any support.

### **Easement of shelter**

**17.**—(1) Every subsidiary proprietor is entitled to have the subsidiary proprietor's lot sheltered by all other parts of the subdivided building that are capable of affording shelter.

(2) The right created by this section is an easement to which the aforesaid parts of the subdivided building are subject.

(3) The easement of shelter created by this section entitles the subsidiary proprietor of the dominant tenement to enter on the servient tenement to replace, renew or restore any shelter.

### **Easements for passage of water, sewerage, drainage and other services**

**18.** In respect of each lot there are implied —

- (a) in favour of the subsidiary proprietor of the lot, and as appurtenant thereto, easements for the passage or provision of water, sewerage, drainage, gas, electricity, garbage, artificially heated or cooled air and other services (including telephone, radio and television services) through or by means of any pipes, wires, cables or ducts to the extent to which those sewers, pipes, wires, cables or ducts are capable of being used in connection with the enjoyment of the lot; and
- (b) as against the subsidiary proprietor of the lot, and to which the lot is subject, easements for the passage or provision of water, sewerage, drainage, gas, electricity, garbage, artificially heated or cooled air and other services (including telephone, radio and television services) through or by means of any sewers, pipes, wires, cables or ducts, as appurtenant to the common property and also to every other lot capable of enjoying such easements.

**Easements for light, overhanging eaves and other projections**

**19.**—(1) In respect of each lot and the common property, there are implied in favour of the subsidiary proprietor of the dominant tenement and against the subsidiary proprietor of the servient tenement —

- (a) easement for uninterrupted access and use of light to or for any windows, doors or other apertures existing and enjoyed at the date of registration of the relevant strata title plan; and
- (b) the right to maintain and use overhanging eaves and other projections existing at the date of registration of the relevant strata title plan.

(2) There are implied as appurtenant to the common property and subservient to any lot affected —

- (a) an easement for the provision of any service through any installation in any lot; and
- (b) an easement for support by any lot capable of providing support.

(3) This section also extends to a lot for which a subsidiary strata certificate of title has been issued before 15 April 1976.

**Ancillary rights**

**20.** All ancillary rights and obligations reasonably necessary to make easements effective are implied whenever easements are created or implied by and under this Act.

**Waiver of registration of statutory easements**

**21.** The easements implied or created by this Act take effect and are enforceable without any memorial or notification on the folios of the subsidiary strata land-register and section 97(5) and (6) of the Land Titles Act 1993 does not apply to such easements.

**Creation of easements and restrictions**

**22.—**(1) This section applies where a management corporation has, in accordance with section 35(1) of the Building Maintenance and Strata Management Act 2004, passed a unanimous resolution to —

- (a) execute on the behalf of its subsidiary proprietors a grant of easement or a restrictive covenant burdening the parcel;
- (b) accept on their behalf a grant of easement or a restrictive covenant;
- (c) surrender on their behalf a grant of easement or a restrictive covenant burdening the parcel; or
- (d) accept on their behalf a surrender of a grant of easement or a restrictive covenant.

(2) The management corporation, if it is satisfied that the resolution was duly passed, and that all persons having registered interests in the parcel have consented in writing to the manner of creating those interests in respect of the registered land comprised in the proposed disposition, must execute the appropriate instrument and that instrument is valid and effective without any execution by any person having an interest in the parcel.

(2A) The receipt of the management corporation for any moneys payable to the management corporation under the instrument mentioned in subsection (2), is a sufficient discharge and exonerates the person taking under the instrument from seeing to the application or being answerable for any loss or misapplication of the moneys expressed to have been so received.

(3) Every instrument creating the easement or restrictive covenant lodged for registration must be endorsed with or accompanied by a certificate in the prescribed form under the seal of the management corporation that the resolution was duly passed and that all necessary consents were given, and the certificate in favour of a purchaser and the Registrar is conclusive evidence of the facts stated therein.

(4) The Registrar must register the instrument creating the easement or restrictive covenant by making the appropriate notification on the relevant folio of the land-register.

**Dispositions of common property**

**23.**—(1) This section applies where a management corporation has, in accordance with section 34(1) of the Building Maintenance and Strata Management Act 2004, passed a 90% resolution as defined under that Act —

- (a) to execute on the behalf of its subsidiary proprietors a transfer of any part of the common property (including a part of any building or any immovable property affixed to common property); or
- (b) to execute on their behalf a lease of or rent part of such common property.

(2) The management corporation, if it is satisfied that the resolution was duly passed, and that all persons (other than the subsidiary proprietors) having registered interests in the parcel have consented in writing to the release of those interests in respect of the registered land comprised in the proposed transfer or lease, and that the relevant authority has consented in writing to the proposed transfer or lease so far as it affects subdivision and amalgamation of the land comprised therein, must execute the appropriate instrument.

(2A) The instrument mentioned in subsection (2) is valid and effective without execution by any person having an interest in the common property, and the receipt of the management corporation for any moneys payable to the management corporation under the instrument is a sufficient discharge, and exonerates the purchaser from seeing to the application or being answerable for any loss or misapplication of the moneys expressed to have been so received.

(3) Every instrument of such transfer or lease lodged for registration must be endorsed with or accompanied by a certificate in the approved form under the seal of the management corporation that the resolution was duly passed and that all necessary consents were given, and the certificate in favour of the purchaser and the Registrar is conclusive evidence of the facts stated therein.

(4) Upon registration of the transfer by the Registrar, the part of the common property transferred is free from any encumbrances (except

those created by statute and subsisting easements not created or implied under this Act) and the Registrar must —

- (a) enter a memorial of the transfer on the folio of the land-register comprising the parcel;
- (b) amend the relevant folios of the land-register and subsidiary strata land-register in such manner as the Registrar may think fit so as to show thereon the part of the common property which has been transferred; and
- (c) issue to the transferee a certificate of title for the land transferred.

**Vesting of part of common property in Government for roads, streets, road reserves, road widening, drainage reserves or for any other public use as shown on plans approved by relevant authority**

**24.**—(1) Where any part of land comprised in the common property of a parcel has been demarcated in any plan approved by the relevant authority for roads, streets, road reserves, road widening and drainage reserves or for any other public use, that part of the common property as demarcated for any of the above purposes becomes vested in the Government upon the registration by the Registrar of an instrument of vesting in the approved form lodged by the public authority.

(2) The Registrar, if satisfied that the instrument of vesting relates to part of the common property as shown in the plan approved by the relevant authority for any of the purposes mentioned in subsection (1) and that the instrument has been duly executed and certified by the public authority, must, notwithstanding that any part of a building within one or more lots is erected on, over or under any part of such common property, register the instrument on the relevant folio of the land-register without production of the duplicate instrument.

(2A) Upon registration under subsection (2), the estate or interest in the part of the common property comprised in the instrument of vesting vests in the Government freed and discharged from all encumbrances and from any subsisting easements.

(3) On registration of the instrument of vesting, the Registrar must cancel the registration of any mortgage, charge or lease thereby overreached and make the appropriate notification on the relevant folio of the land-register comprising the common property.

(4) The land thereby vested in the Government ceases to be subject to the provisions of the Land Titles Act 1993 and the Registrar must enter an appropriate notification to that effect on the relevant folio of the land-register, and create a new folio for the balance of the common property which remains vested in the subsidiary proprietors.

### **Addition to common property**

**25.**—(1) This section applies where a management corporation has, in accordance with section 34(3) of the Building Maintenance and Strata Management Act 2004, passed a special resolution to accept —

- (a) a grant or transfer of any land (not being a lot within the parcel) which abuts the parcel, free from any encumbrances (except those created by statute and subsisting easements);
- (b) a grant or transfer of any lot, including the undivided share in the common property appurtenant to that lot, free from any encumbrances (except those created by statute and subsisting easements); or
- (c) a lease of land, not being a lot within the parcel, whether or not it abuts on the parcel,

for the purpose of creating additional common property.

(2) The transfer lodged for registration must contain a request to the Registrar that such land or part thereof, or the lot transferred (as the case may be), be included as part of the common property.

(3) Upon registration of the transfer, the Registrar must —

- (a) enter a memorial of the transfer on the folio of the land-register comprising the common property;
- (b) amend the relevant folios of the land-register and subsidiary strata land-register in such manner as the Registrar may think fit so as to show thereon the

transferred land or part thereof or the lot transferred as forming part of the common property; and

- (c) where a lot is transferred, amend the relevant folios of the subsidiary strata land-register to decrease the aggregate share value by a number equivalent to the share value of that lot.
- (4) Upon registration of the transfer by the Registrar —
- (a) the transferred land or the transferred lot (as the case may be) forms part of the common property and the provisions of this Act applicable to common property as varied by this section apply to the transferred land or lot;
  - (b) the subsidiary proprietors hold the common property (including the transferred land or lot) as tenants-in-common in accordance with their respective share values as determined under subsection (3); and
  - (c) without any further assurance the subsidiary proprietors hold the common property in the following manner:
    - (i) where the tenure of the transferred land is similar to that of the common property held by the subsidiary proprietors prior to the date of the registration of the transfer of such land — the subsidiary proprietors hold the common property (including the transferred land) for the same term and tenure as tenants-in-common in the manner as provided in paragraph (b);
    - (ii) where the tenure of the transferred land is not similar to that of the common property held by the subsidiary proprietors prior to the date of the registration of the transfer of such land — the subsidiary proprietors hold the entire term and tenure transferred to and accepted by the management corporation on behalf of the subsidiary proprietors as tenants-in-common in the manner as provided in paragraph (b);

- (iii) where a lot is transferred — the term and tenure of that lot which comprises the additional common property is to be held for the same term and tenure as that of the lots held by the subsidiary proprietors prior to the date of the registration of the transfer;
- (iv) if there is a subsisting registered mortgage, charge, lease or sub-lease or any other encumbrance on the lot of a subsidiary proprietor — the undivided share or shares in the transferred land or transferred lot forming the additional common property is or are to be held by the subsidiary proprietor of the said lot subject to the same mortgage, charge, lease or sub-lease or any other such subsisting encumbrance.

(5) Any reference to a transfer or transferred land in this section includes a lease of land mentioned in subsection (1)(c).

### **Amalgamation of whole of common property comprised in 2 or more parcels**

**26.—**(1) This section applies where 2 or more management corporations have, in accordance with section 34(5) of the Building Maintenance and Strata Management Act 2004, passed their respective special resolutions to amalgamate their respective common properties; and the relevant management corporation must execute an instrument of transfer.

(1A) Upon registration of the instrument of transfer, such common property is amalgamated and held in the shares proportionate to their respective share values subject to the same covenants, conditions and encumbrances, and for the same term and tenure then held by the subsidiary proprietors in respect of their respective lots prior to the date of the registration of the transfer by the Registrar.

(2) Such transfer must show the undivided proportionate shares to be held by each subsidiary proprietor named therein and must be executed by the relevant transferor management corporations.

(3) The procedure laid down in section 23(2), (2A), (3) and (4) applies, with the necessary modifications, to the transferor

management corporations and the subsidiary proprietors of the parcels to be amalgamated under this section.

(4) Upon the amalgamation of the common property pursuant to the registration of the transfer by the Registrar —

- (a) the transferor management corporations are amalgamated into a single management corporation (called in this section the transferee management corporation) which is to be responsible for all matters relating to the management of the subdivided buildings and the common property relating thereto;
- (b) all the members of the transferor management corporations are the members of the transferee management corporation;
- (c) all the members of the management councils of the transferor management corporations are, until a new management council is elected for the transferee management corporation, deemed to be the members of the management council of the transferee management corporation;
- (d) all the properties of the transferor management corporations are deemed to be transferred to and vested in, and all the liabilities of the transferor management corporations are transferred to and become the liabilities of, the transferee management corporation; and
- (e) all legal proceedings pending by or against the transferor management corporations may be continued by or against the transferee management corporation.

(5) In this section —

“liabilities” includes duties;

“properties” includes rights and powers of every description.

### **Court orders affecting common property**

**27.—**(1) Every instrument of transfer or acceptance of a transfer lodged for registration under section 36 of the Building Maintenance

and Strata Management Act 2004 must be accompanied by a certified true copy of the order of the court made under that section directing such transfer or acceptance of a transfer, and where the approval of the competent authority is required for any subdivision and amalgamation of any land or common property, a true copy of the approval given by the competent authority must be lodged with the instrument.

- (2) Upon the registration of the transfer by the Registrar —
- (a) in the case of a disposition of all or part of the common property — all subsidiary proprietors and other persons having registered interests in the common property are bound to accept the terms of the order of court and section 23(4) applies, with the necessary modifications, to the transfer;
  - (b) in the case of an addition to the common property — section 25(3) and (4) applies, with the necessary modifications, to the transfer; and
  - (c) in the case of the amalgamation of the common property of 2 or more management corporations — sections 23(4) and 26(2), (4) and (5) apply, with the necessary modifications, to the amalgamation.

### **Limitation Act 1959 not to extend to common property**

**28.** No action shall be brought by any person claiming title by adverse possession to the common property of a parcel or to any accessory lot or any part thereof created under this Act and the provisions of the Limitation Act 1959 relating to adverse possession shall not extend to such common property and accessory lot.

### **Unity of seisin not to affect easements, etc.**

**29.** Unity of seisin in 2 or more lots does not destroy easements or restrictions implied or created by this Part, but on the cessation of such unity they continue in full force and effect as if the seisin had never been united.

**Share values**

**30.**—(1) Each lot including a provisional lot (except an accessory lot) shown in a strata title plan has its share value determined as shown in the strata title application registered under section 9.

(1A) In the case of a strata title plan comprising land and buildings in respect of which planning permission has been granted on or after 15 April 1976, each lot shown in that plan has the share value as shown in the schedule of strata units filed with and accepted by the Commissioner under section 11 of the Building Maintenance and Strata Management Act 2004.

(2) The share value of a lot determines —

- (a) the voting rights of the subsidiary proprietors;
- (b) the quantum of the undivided share of each subsidiary proprietor in the common property; and
- (c) the amount of contributions levied by a management corporation on the subsidiary proprietors of all the lots in a subdivided building.

**Provisional lots**

**31.**—(1) An assurance of any provisional lot for which a subsidiary strata certificate of title is issued must not be registered under this Act and the Registrar must enter an appropriate caution on the relevant subsidiary strata certificate of title prohibiting any assurance of the provisional lot comprised therein from being registered.

(2) Where an assurance of any provisional lot has been registered, the registration does not pass any title or interest in the said provisional lot, and the Registrar must, on discovery of the registration, cancel the registration, and no person affected by such cancellation is entitled to any compensation from the assurance fund.

(3) The subsidiary proprietor of a provisional lot is required to lodge the relevant duplicate subsidiary strata certificate of title and an application with the Registrar for the cancellation of the Registrar's caution mentioned in subsection (1) immediately after the relevant authority has certified to the effect that all buildings within the

provisional lot have been completed to the satisfaction of the relevant authority.

(4) The Registrar, after receipt of the application lodged for cancellation of the Registrar's caution mentioned in subsection (1) and being satisfied that all buildings within the provisional lot have been completed to the satisfaction of the relevant authority, must cancel the caution endorsed on the subsidiary strata certificate of title and make the appropriate deletion of the word "provisional" wherever it appears as relating to that provisional lot in the records maintained by the Registrar, and thereupon that provisional lot constitutes a lot under this Act.

(5) Where the word "provisional" has been deleted by the Registrar under subsection (4), any part of the lot which is capable of forming part of the common property comprised within the same parcel as shown in the strata title plan which was first registered with the Registrar forms part of the common property in relation to all the lots comprised within the same parcel as described in the strata title plan registered with the Registrar without the need for a resolution made under section 25 directing the management corporation concerned to accept a transfer of such part of the lot to form part of the common property.

(6) Except as provided in subsections (1), (2) and (3), the provisions of this Act relating to a lot apply in all respects to a provisional lot.

(7) In this section, "assurance" does not include any mortgage or charge or any application for vesting made under this Act.

### **Restrictions on subsidiary proprietor's rights**

**32.** Any term or condition contained in a lease, granted in respect of a lot (whether created before, on or after 15 April 1976) creating a leasehold interest of a term of not less than 21 years computed as from the date of the lodgment of the lease with the Registrar, which seeks to deprive or deny the lessee under the lease of the lessee's rights to exercise the powers conferred upon the lessee by this Act as the subsidiary proprietor of the lot relating to the management of the subdivided building and the common property, has no effect.

**33. to 76.** [*Repealed by Act 47 of 2004*]

## PART 5

VARIATION OR TERMINATION OF  
STRATA SUBDIVISION SCHEME**Variation of strata subdivision scheme consequent upon  
damage to or destruction of subdivided building**

77.—(1) Where all of the land and buildings comprised in a strata title plan is the subject of a declaration under section 5 of the Land Acquisition Act 1966, or any building comprised in a strata title plan is damaged or destroyed —

- (a) any subsidiary proprietor of a lot in the subdivided building;
- (b) where such a lot is subject to a mortgage or charge — the mortgagee or chargee; or
- (c) the management corporation,

may make an application to the court for an order under subsection (4).

(2) Notice of an application under subsection (1) must be served, in accordance with the Rules of Court, on —

- (a) every person referred to in subsection (1), other than the applicant;
- (b) the Commissioner;
- (c) the Registrar;
- (d) any person having a reversionary estate or interest in a lot in the subdivided building concerned; and
- (e) such other persons as the court may direct.

(3) The applicant and any person referred to in subsection (2) (whether or not the person has been served with a notice of the application) are entitled to appear and be heard on the hearing of the application.

(4) The court may, on an application made under subsection (1) (except in relation to land and buildings that are the subject of a declaration under section 5 of the Land Acquisition Act 1966), make

an order to settle a scheme for the reinstatement or continued use of the subdivided building in whole or in part.

(5) An order made under subsection (4) takes effect on such day as may be specified in the order.

(6) Without limiting subsection (4), an order made under that subsection may include directions for or with respect to any one or more of the following matters:

- (a) the substitution for the existing schedule of strata units of a new schedule of strata units;
- (b) the reinstatement in whole or in part of the building;
- (c) the transfer or vesting of the interests of subsidiary proprietors of lots which have been wholly or partly destroyed to or in the management corporation free from mortgages and charges;
- (d) the application of any insurance moneys received by the management corporation in respect of the damage to or destruction of the subdivided building;
- (e) the payment of moneys to or by the management corporation or the subsidiary proprietors or any one or more of them;
- (f) any matter in respect of which it is, in the opinion of the court, just and equitable, in the circumstances of the case, to make provision in the order.

(7) An order made under subsection (4) has effect according to its tenor.

(8) Where the court is of the opinion that an order should not be made under subsection (4), it may, upon application made by any person entitled to appear and be heard on the hearing of the application made under subsection (1) or of its own motion, direct that the application be treated as an application for an order under section 78.

- (9) Where the court makes a direction under subsection (8) —
- (a) the application that is the subject of the direction is deemed to be made under section 78 by a person entitled to make the application; and
  - (b) the applicant under subsection (1), as well as any other person entitled to appear and be heard under section 78, is entitled to appear and be heard on the hearing of the application.
- (10) The court may vary any order made under subsection (4) on the application of any person entitled to appear and be heard on the hearing of the application for that order.

### **Termination of strata subdivision scheme by court**

**78.**—(1) An application to the court for an order for the termination of the strata subdivision of a subdivided building and the cancellation of the strata title plan registered under this Act may be made by —

- (a) any subsidiary proprietor of a lot in the subdivided building;
- (b) where such a lot is subject to a mortgage or a charge — the mortgagee or chargee; or
- (c) the management corporation.

(1A) The court on being satisfied that it is just and equitable that the strata subdivision of a subdivided building be terminated may make an order to that effect after having considered —

- (a) the scheme and intent of this Act;
- (b) the probability of unfairness to one or more subsidiary proprietors if termination of subdivision is not ordered; and
- (c) the rights and interests of the subsidiary proprietors as a whole.

(2) Notice of an application under subsection (1) must be served, in accordance with the Rules of Court, on —

- (a) every person referred to in subsection (1), other than the applicant;

- (b) the Commissioner;
  - (c) the Registrar;
  - (d) any person having a reversionary estate or interest in a lot in the subdivided building; and
  - (e) such other persons (including creditors of the management corporation) as the court may direct.
- (3) The applicant and any person referred to in subsection (2) (whether or not the person has been served with a notice of the application) are entitled to appear and be heard on the hearing of the application.
- (4) An order made under subsection (1) takes effect on such day as may be specified in the order.
- (5) An order made under subsection (1) must include directions for or with respect to the following matters:
- (a) the sale or disposition of any property of the management corporation;
  - (b) the discharge of the liabilities of the management corporation;
  - (c) the persons liable to contribute moneys required for the discharge of the liabilities of the management corporation and the proportionate liability of each such person;
  - (d) the distribution of the assets of the management corporation and the proportionate entitlement of each person under that distribution;
  - (e) the administration, powers, duties and functions of the management corporation;
  - (f) the voting power at meetings of the management corporation of persons referred to in paragraph (c) or (d);
  - (g) any matter in respect of which it is, in the opinion of the court, just and equitable, in the circumstances of the case, to make provision in the order; and

- (h) the winding up of the management corporation (including the appointment, powers, duties and functions of any person to carry out the winding up).
- (6) Upon an order under this section taking effect —
  - (a) the persons who, immediately before the order took effect, were subsidiary proprietors of the lots that are the subject of the strata title plan concerned, cease to be subsidiary proprietors of those lots and are entitled to the parcel as tenants-in-common in the shares proportional to their respective share values and for the same term and tenure as their respective lots were held by them prior to the date the order took effect;
  - (b) any subsisting encumbrance registered against any of the lots mentioned in paragraph (a) is an encumbrance on the share of the subsidiary proprietor concerned in the registered land comprising the parcel, and a memorial or notification of the encumbrance entered in the volume and folio of the land comprising the registered land must bear the same date as the date of registration of that encumbrance against the lot;
  - (c) all statutory easements implied under this Act cease to affect the registered land comprising the parcel or any part thereof; and
  - (d) the former subsidiary proprietors have the power to transfer their interests and estates in the parcel or any part thereof.
- (7) The provisions of an order made under this section have effect despite any provision of this Act, other than this section.
- (8) An order made under subsection (1) has effect according to its tenor.
- (9) Where the court is of the opinion that an order should not be made under subsection (1), it may, upon application made by any person entitled to appear and be heard on the hearing of the application made under subsection (1) or of its own motion, direct

that the application be treated as an application for an order under section 77.

(9A) Where the court makes a direction under subsection (9) —

- (a) the application that is the subject of the direction is deemed to be an application made under section 77 by a person entitled to make the application; and
- (b) the applicant under subsection (1), as well as any other person entitled to appear and be heard under section 77, is entitled to appear and be heard on the hearing of the application.

(10) The court may, from time to time, vary any order made under subsection (1) on the application of any person who was entitled to appear and be heard on the hearing of the application for that order.

(11) No application shall be made under this section where the only reason for the application by the subsidiary proprietors for the sale of all the lots and common property in a strata title plan is that they —

- (a) have not been able to satisfy the requirement under section 84A(1) or 84FA(2);
- (b) have been able to satisfy the requirement under section 84A(1) or 84FA(2) but have not made an application to a Board under section 84A(1) or 84FA(2); or
- (c) have been able to satisfy the requirement under section 84A(1) or 84FA(2) but their application for an order under section 84A or 84FA has been refused by a Board.

[2/2012]

### **Interchangeability of notices**

**79.** Any notice served under section 77 or 78 is, where it relates to an application which is required to be treated as an application under the other section, deemed to be a notice served under that other section.

**Consequences of making order under section 77 or 78**

**80.**—(1) Upon receipt of a certified copy of an order made under section 77 or 78, the Registrar must make appropriate entries in the subsidiary strata land-register of the effect of the order.

(2) Where, pursuant to the receipt of a certified copy of an order made under section 78, the Registrar has made entries in accordance with subsection (1), the Registrar must, as soon as practicable after making the entries, cancel each folio of the subsidiary strata land-register which evidences title to a lot that is the subject of the strata title plan.

**Termination of strata subdivision scheme by management corporation**

**81.**—(1) This section applies where a management corporation has, in accordance with section 84 of the Building Maintenance and Strata Management Act 2004, resolved to terminate the strata subdivision of the building.

(2) A management corporation must —

- (a) within 14 days after the passing of a resolution referred to in subsection (1), give notice of the resolution in one or more newspapers circulating in Singapore; and
- (b) within 30 days after the passing of the resolution, lodge an application with the Registrar to terminate the strata subdivision.

(3) If a management corporation fails to comply with subsection (2), the management corporation and every officer of the management corporation who is in default shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(4) Upon registration of an application under subsection (2)(b) to terminate the strata subdivision, the Registrar must cancel the relevant folios of the subsidiary strata land-register and enter a notification of the cancellation of the strata subdivision of the building and a memorial of the vesting of the parcel in the subsidiary

proprietors as tenants-in-common in the relevant folio of the land-register comprising the parcel.

(5) Upon the entry of that memorial —

- (a) each subsidiary proprietor ceases to be a subsidiary proprietor of the lot, and is entitled to the parcel as a tenant-in-common with the other subsidiary proprietors in the shares proportional to the subsidiary proprietor's share value and for the same term and tenure held by the subsidiary proprietor in respect of the subsidiary proprietor's lot;
- (b) any subsisting encumbrance registered against a lot is an encumbrance on the share of the subsidiary proprietor concerned in the registered land comprising the parcel, and a memorial or notification of the encumbrance entered in the volume and folio of the land-register comprising that registered land must bear the same date as the date of registration of that encumbrance against the lot; and
- (c) all statutory easements implied under this Act cease to affect the registered land comprising the parcel or any part thereof.

(6) The former subsidiary proprietors may by 90% resolution direct the management corporation to transfer the parcel or any part thereof.

(7) The management corporation, if it is satisfied that the resolution was duly passed and that all persons having registered interests in the parcel have consented in writing to the release of their respective interests in the registered land comprising the parcel or any part thereof, intended to be transferred, must execute the appropriate transfer.

(7A) The transfer under subsection (7) is valid and effective without execution by any person having a registered interest in the parcel, and the receipt of the management corporation for any moneys payable to the management corporation under the transfer is a sufficient discharge, and exonerates the person taking under the transfer from seeing to the application, or being answerable for any

loss or misapplication, of the moneys expressed to have been so received.

(8) A transfer under subsection (7) must not be accepted for registration unless accompanied by a certificate in the prescribed form under the seal of the management corporation that the resolution was duly passed and that all necessary consents were given, in favour of a purchaser of the parcel and in favour of the Registrar, and such a certificate is conclusive evidence of the facts stated therein.

(9) When registered land or any part thereof is transferred by a former subsidiary proprietor or the management corporation after an application under subsection (2)(b) to terminate the strata subdivision has been lodged with the Registrar —

- (a) the former subsidiary proprietor, if the transferor, must surrender to the Registrar the former subsidiary proprietor's duplicate subsidiary strata certificate of title relating to the former subsidiary proprietor's lot;
- (b) the management corporation, if it is transferring the land on behalf of all the former subsidiary proprietors, must surrender to the Registrar on behalf of all the former subsidiary proprietors their duplicate subsidiary strata certificates of title; and
- (c) the Registrar, on receipt of the duplicate subsidiary strata certificate or certificates of title comprising the lot or lots (as the case may be), must cancel the relevant folios of the subsidiary strata land-register, and the registration of the transfer is effected by the Registrar issuing a certificate of title for the undivided share in the registered land or for the whole of the registered land transferred to the transferee, as the case may be.

(10) Despite the termination of a strata subdivision under this section, the relevant record of the subsidiary strata land-register may be used in evidence as a record of matters relating to the subdivision before its termination so long as the management corporation continues in existence.

(11) Where a transfer of the parcel made under subsection (7) has been lodged with and registered by the Registrar, the management corporation continues in existence for the purpose of winding up its affairs.

(12) Until a liquidator has been appointed by the management corporation for the purpose of carrying out the winding up of the management corporation, the council of the management corporation must continue to perform the management corporation's business for the purpose of winding up its affairs.

(13) On a management corporation being wound up —

- (a) every former subsidiary proprietor is liable to contribute to the assets of the management corporation to an amount sufficient for the payment of its debts and liabilities and the costs, charges and expenses of the winding up; and
- (b) the assets of the management corporation (if any) must be distributed among the former subsidiary proprietors,

in the same proportion as the proportion of contributions for which the former subsidiary proprietors would have been liable in accordance with section 39(2) of the Building Maintenance and Strata Management Act 2004.

## **Liquidators**

**82.—**(1) Where a management corporation resolves that the strata subdivision of a building be terminated, it must immediately in general meeting appoint one or more liquidators for the purpose of winding up the affairs and distributing the assets of the management corporation and may fix the remuneration to be paid to the liquidator or liquidators, as the case may be.

(2) Where a liquidator has not been appointed for a management corporation under this section, the court may, on the application of a former subsidiary proprietor, a former mortgagee or a creditor of the management corporation, appoint a liquidator for the management corporation.

(3) On the appointment of a liquidator all the powers of the council of the management corporation cease and the liquidator has the power

to carry on the management corporation's business for the purpose of winding up its affairs.

(4) The management corporation may in general meeting convened by any former subsidiary proprietor by special resolution of which special notice has been given to all the former subsidiary proprietors, former mortgagees, the creditors and the liquidators, remove any liquidator but no such resolution is effective to remove a liquidator if the court on the application of the liquidator or a creditor or a former mortgagee has ordered that the liquidator be not removed.

(5) If a vacancy occurs by death, resignation, removal or otherwise in the office of a liquidator, the management corporation in general meeting must immediately fill the vacancy by the appointment of a liquidator and fix the remuneration to be paid to the liquidator, and for that purpose a general meeting may be convened by any former subsidiary proprietor or, if there were more liquidators than one, by the continuing liquidators.

(6) The meeting must be held in the manner provided by this Act or in such manner as is on application by any former subsidiary proprietor or by the continuing liquidators determined by the court.

(7) The court may, on the application of a former subsidiary proprietor, a former mortgagee or the liquidator and on being satisfied that the affairs of the management corporation have been wound up, make an order that the liquidator be released and that the management corporation be dissolved and on the expiry of 3 months of the lodging of the order with the Registrar and the Commissioner, the management corporation is dissolved.

(8) Despite subsection (7), the court may, on the application of the liquidator or of any other person who appears to the court to be interested, make an order deferring the date at which the dissolution of the management corporation is to take effect for such time as the court thinks fit.

(9) The person on whose application an order of the court under this section is made must, within 21 days after the making of the order, lodge with the Registrar and with the Commissioner a certified copy of the order, and if the person fails to do so the person shall be guilty

of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

### **Qualifications of liquidator**

**83.** A person must not be appointed as a liquidator of a management corporation unless the person is a licensed insolvency practitioner under the Insolvency, Restructuring and Dissolution Act 2018.

[40/2018]

### **Application to subsidiary management corporations**

**83A.** Sections 81, 82 and 83 apply, with the necessary modifications, where a subsidiary management corporation has resolved to terminate its limited common property, in accordance with section 84 of the Building Maintenance and Strata Management Act 2004.

### **Interpretation of sections 81 and 82**

**84.** In sections 81 and 82 —

“former mortgagee” means a person who, or a body which, immediately before the subdivision of a subdivided building is terminated under this Part, was the registered mortgagee of a lot, forming part of the subdivided building;

“former subsidiary proprietor” means a person who, or a body which, immediately before the subdivision of a subdivided building is terminated under this Part, was the subsidiary proprietor of a lot, forming part of the subdivided building.

## PART 5A

### COLLECTIVE SALE OF PROPERTY

#### **Application for collective sale of parcel by majority of subsidiary proprietors who have made conditional sale and purchase agreement**

**84A.—(1)** An application for an order for the sale of all the lots and common property in a strata title plan may be made by —

- (a) the subsidiary proprietors of the lots with not less than 90% of the share values and not less than 90% of the total area of all the lots (excluding the area of any accessory lot) as shown in the subsidiary strata certificates of title where less than 10 years have passed since the date of the issue of the latest temporary occupation permit on completion of any building (not being any common property) comprised in the strata title plan or, if no temporary occupation permit was issued, the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the strata title plan, whichever is the later; or
- (b) the subsidiary proprietors of the lots with not less than 80% of the share values and not less than 80% of the total area of all the lots (excluding the area of any accessory lot) as shown in the subsidiary strata certificates of title where 10 years or more have passed since the date of the issue of the latest temporary occupation permit on completion of any building (not being any common property) comprised in the strata title plan or, if no temporary occupation permit was issued, the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the strata title plan, whichever is the later,

who have agreed in writing to sell all the lots and common property in the strata title plan to a purchaser under a sale and purchase agreement which specifies the proposed method of distributing the sale proceeds to all the subsidiary proprietors (whether in cash or kind or both), subject to an order being made under subsection (6) or (7).

*[13/2010]*

(1A) For the purposes of a collective sale under this section and before the signing of the collective sale agreement by any subsidiary proprietor —

- (a) there must be constituted a collective sale committee to act jointly on behalf of the subsidiary proprietors of the lots whose members are elected by the subsidiary proprietors of the lots at a general meeting of the management

corporation convened in accordance with the Second Schedule; and

- (b) the Third Schedule has effect as respects the collective sale committee, its composition, constitution, members and proceedings.

(2) The subsidiary proprietors mentioned in subsection (1) must appoint not more than 3 persons from the collective sale committee mentioned in subsection (1A) to act jointly as their authorised representatives in connection with any application made under subsection (1).

(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
- (b) may be made to the General Division of 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.

*[13/2010; 40/2019]*

(2B) An application to the General Division of 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 14 days after a section 84A stop order is issued by a Board under subsection (6A)(b) in relation to the same sale.

*[13/2010; 40/2019]*

(3) Subject to subsection (7C), no application may be made to a Board under subsection (1) by the subsidiary proprietors mentioned in subsection (1) unless they have complied with the requirements specified in the First, Second and Third Schedules and have provided an undertaking to pay the costs of the Board under subsection (5).

*[13/2010]*

(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 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;
- (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.

[13/2010]

(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 General Division of 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 (4)(a) or (b) who filed an objection to the Board (but no others) may re-file the person's objection to the sale, stating the same grounds of objection, to the General Division of the High Court in the manner and within the time delimited by the Rules of Court.

[13/2010; 40/2019]

(5) The Board has power —

- (a) to mediate in any matter arising from an application made to it under subsection (1);
- (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;
- (b) to call for a valuation report or other report and to require the subsidiary proprietors mentioned in subsection (1) to pay for the costs; and

- (c) to impose such conditions as it may think fair and reasonable in approving an application made to it under subsection (1).

[13/2010]

(5A) Where an application is made under subsection (1) to the General Division of the High Court in the circumstances described in subsection (2A)(b), the General Division of the High Court, without prejudice to any other powers it may have under law, has power —

- (a) to summon any person whom the General Division of the High Court is of the view is connected or otherwise related to the sale which is the subject of the application, to attend before the General Division of the High 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;
- (b) to call for a valuation report or other report and to require the subsidiary proprietors mentioned 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.

[13/2010; 40/2019]

(6) Where an application has been made under subsection (1) to a Board and no objection has been filed under subsection (4), the Board must, subject to subsection (9), approve the application and order that the lots and common property in the strata title plan be sold.

[13/2010]

(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 must mediate matters that are in dispute between the objectors and the applicants to achieve a resolution of the dispute; and

(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,

whichever first occurs, one or more of those objections are not withdrawn, the Board must, subject to subsection (6B), order a discontinuance of all proceedings before it in connection with that application (called in this section a section 84A stop order).

[13/2010]

(6B) No section 84A stop order shall be made by a Board under subsection (6A)(b) with respect to an application made to it under subsection (1) unless —

- (a) the Board has, by notice served on every objector who filed an objection under subsection (4) in relation to that application and the authorised representatives of the applicants, informed the objector and authorised representatives of its intention to make a section 84A stop order; and
- (b) at the end of a period of 7 days after the notice under paragraph (a) is so served, one or more of those objections so filed are not withdrawn.

[13/2010]

(7) Where one or more objections have been filed under subsection (4A) in respect of an application under subsection (1) to the General Division of the High Court, the General Division of the High Court is to, subject to subsection (9), approve the application and order that all the lots and common property in the strata title plan be sold unless, having regard to the objections, the General Division of the High Court is satisfied that —

- (a) any objector, being a subsidiary proprietor, will incur a financial loss; or

- (b) the proceeds of sale for any lot to be received by any objector, being a subsidiary proprietor, mortgagee or chargee, are insufficient to redeem any mortgage or charge in respect of the lot.

[13/2010; 40/2019]

(7A) An order made under subsection (7) by the General Division of the High Court may, with the consent of the collective sale committee, include an order that the proceeds of sale for any lot to be received by an objector, being a subsidiary proprietor who has filed an objection under subsection (4A), be increased if the General Division of the High Court is satisfied that it would be just and equitable to do so.

[13/2010; 40/2019]

(7B) The total sum ordered by the General Division of the High Court for all the objectors under subsection (7A) is to be paid from the proceeds of sale of all the subsidiary proprietors and must not exceed the aggregate sum of 0.25% of the proceeds of sale for each lot or \$2,000 for each lot, whichever is the higher.

[13/2010; 40/2019]

(7C) A Board must not invalidate an application to the Board for an order under subsection (1) or section 84D(2), 84E(3) or 84FA(2) by reason only of non-compliance with any requirement in the First, Second or Third Schedule if the Board is satisfied that such non-compliance does not prejudice the interest of any person, and the Board may make such order as may be necessary to rectify the non-compliance and such order for costs.

- (8) For the purposes of subsection (7)(a), a subsidiary proprietor —
- (a) is taken to have incurred a financial loss if the proceeds of sale for the subsidiary proprietor's lot, after such deduction as the General Division of the High Court may allow (including all or any of the deductions specified in the Fourth Schedule), are less than the price the subsidiary proprietor paid for that lot;
  - (b) is not to be taken to have incurred a financial loss by reason only that the subsidiary proprietor's net gain from the sale of the subsidiary proprietor's lot will be less than the other subsidiary proprietors; and

- (c) is not to be taken to have incurred a financial loss by reason that the proceeds of sale for the subsidiary proprietor's lot, after such deduction as the General Division of the High Court may allow (including all or any of the deductions specified in the Fourth Schedule), are less than the price the subsidiary proprietor paid for that lot if the subsidiary proprietor had purchased the lot after a collective sale committee had signed a sale and purchase agreement to sell all the lots and common property to a purchaser.

*[13/2010; 40/2019]*

(9) The General Division of the High Court or a Board must not approve an application made under subsection (1) —

- (a) if the General Division of the High Court or Board (as the case may be) is satisfied that —

(i) the transaction is not in good faith after taking into account only the following factors:

(A) the sale price for the lots and the common property in the strata title plan;

(B) the method of distributing the proceeds of sale; and

(C) the relationship of the purchaser to any of the subsidiary proprietors; or

(ii) the sale and purchase agreement would require any subsidiary proprietor who has not agreed in writing to the sale to be a party to any arrangement for the development of the lots and the common property in the strata title plan; or

- (b) if the collective sale committee does not consent to any order made by the General Division of the High Court under subsection (7A).

*[13/2010; 40/2019]*

(10) Where no objection has been filed under subsection (4) to a Board or under subsection (4A) to the General Division of the High Court, the determination under subsection (9) is to be made by the General Division of the High Court or the Board on the basis of the

facts available to the General Division of the High Court or Board, as the case may be.

[13/2010; 40/2019]

(11) The General Division of the High Court or a Board may make all such other orders and give such directions as may be necessary or expedient to give effect to any order made under subsection (6) or (7) for the sale of all the lots and common property in a strata title plan, including but not limited to a direction apportioning all reasonable costs and expenses incurred in connection with the sale that is the subject of an order under subsection (6) or (7) to be borne by all or any subsidiary proprietors of the lots in the strata title plan, whether or not they are objectors.

[13/2010; 40/2019]

(11A) Any order or direction made by a Strata Titles Board before 15 July 2010 apportioning among all or any subsidiary proprietors of the lots in a strata title plan or development, whether or not they are objectors, all reasonable costs and expenses incurred in connection with a sale that is the subject of an order under subsection (6) or (7) is deemed to have been validly made in accordance with subsection (11) as if subsection (11) had been in force on that date.

[13/2010]

(12) The General Division of the High Court or a Board may, at any time it thinks fit, extend, vary, revoke or discharge any order made under this section, and may vary any term or condition upon or subject to which any such order has been made.

[13/2010; 40/2019]

(13) A notice sent by registered post under the First Schedule is deemed to be duly served on the person to whom it is addressed 2 days after the day on which the notice was posted, despite the fact that the letter may be returned by the post office as undelivered.

(14) The Minister may, by order in the *Gazette*, amend or add to the First, Second, Third and Fourth Schedules.

(14A) Where an application under subsection (1) relates to any land or housing estate to which the repealed section 126A or the repealed HUDC Housing Estates Act (Cap. 131, 1985 Revised Edition) applied immediately before 1 March 2021 —

- (a) any reference in subsection (1)(a) or (b) to the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the strata title plan is a reference to the date of completion of the construction of the last building (not being any common property) comprised in the strata title plan as certified by the relevant authority;
- (b) any reference in subsection (1)(a) or (b) to the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the strata title plan is a reference to the date of the issue of the certificate of fitness for any building (not being any common property) comprised in the strata title plan for land specified in the First Schedule to the repealed HUDC Housing Estates Act (Cap. 131, 1985 Revised Edition); and
- (c) a certificate purporting to be under the hand of an officer of the relevant authority specifying the date of completion of the construction of the last building (not being any common property) comprised in the strata title plan mentioned in paragraph (a) is, in the absence of proof to the contrary, and without further proof of the signature appended to the certificate, sufficient evidence of the matters specified therein.

[4/2021]

(15) In this section, “subsidiary proprietor” includes a successor in title.

### **Effect of order of General Division of High Court or Board**

**84B.**—(1) Where the General Division of the High Court or a Board has made an order under section 84A(6), (7) or (11) —

- (a) the order binds all the subsidiary proprietors of the lots in the strata title plan, their successors in title and assigns and any mortgagee, chargee or other person with an estate or interest in land;

- (b) the subsidiary proprietors of the lots must sell the lots and common property in accordance with the sale and purchase agreement; and
- (c) a lease affecting any of the lots in the strata title plan (other than a lease held by a subsidiary proprietor) determines, if there is no earlier agreed date, on the date on which vacant possession is to be given to the purchaser of the lots and common property.

[13/2010; 40/2019]

(2) Nothing in subsection (1)(c) prejudices the rights of any lessee of a subsidiary proprietor to compensation from the subsidiary proprietor.

(3) [*Deleted by Act 13 of 2010*]

(4) The subsidiary proprietors of the lots who have not agreed in writing to the sale under section 84A and any mortgagee, chargee or other person with an estate or interest in those lots must, for the purposes of the sale of the lots and common property, produce the subsidiary strata certificates of title for the lots to the person having conduct of the sale, the representatives appointed under section 84A(2) or to their solicitors.

### **Power of General Division of High Court or Board to appoint person to act for certain subsidiary proprietor**

**84C.**—(1) Where the General Division of the High Court or a Board has made an order under section 84A(6), (7) or (11), the General Division of the High Court or the president, deputy president or registrar of the Board (as the case may be) may, on application by the representatives of the subsidiary proprietors appointed under section 84A(2), appoint any person to deal with all matters in connection with the sale of any lot —

- (a) where the subsidiary proprietor of the lot has died and no personal representative has been appointed; or
- (b) in such other case as the General Division of the High Court or the president, deputy president or registrar of the Board (as the case may be) thinks fit.

[13/2010; 2/2012; 40/2019]

(2) The General Division of the High Court or the president, deputy president or registrar of the Board (as the case may be) may authorise the person appointed under subsection (1) to act for the subsidiary proprietor concerned in all aspects of the sale, including the redemption of mortgages and charges, the execution of the transfer, the receipt of moneys, the settlement of encumbrances on the lot, applying for a replacement subsidiary strata certificate of title, giving valid receipts thereof and as soon as practicable paying the remaining moneys into court under section 62 of the Trustees Act 1967.

*[13/2010; 40/2019]*

(3) The execution of any instrument in respect of any lot by the person appointed under subsection (1) has the same force and validity as if it had been executed by the subsidiary proprietor in whom the lot is vested.

(4) When the transfers of the lots in the strata title plan are lodged for registration under this Act, the authorised representatives or the solicitor acting for the subsidiary proprietors or the person appointed under subsection (1) must certify in such form as the Registrar may approve that the provisions of section 84A have been complied with; and the certificate in favour of the purchaser of the lots and common property and the Registrar is conclusive evidence of the facts stated therein.

**Application for collective sale of parcel not registered under this Act by majority of proprietors where proprietors of flats own land**

**84D.**—(1) This section applies where there are subsisting leases of flats in a development registered under the Registration of Deeds Act 1988 or the Land Titles Act 1993 and the proprietors of the flats own the land comprised in the development.

(2) An application for an order for the sale of all the flats and the land in a development to which this section applies may be made by —

- (a) the proprietors of the flats who own not less than 90% share of the land and not less than 90% of the total area of all the flats where less than 10 years have passed since the date of the issue of the latest temporary

occupation permit on completion of any building (not being any common property) comprised in the development or, if no temporary occupation permit was issued, the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the development, whichever is the later; or

- (b) the proprietors of the flats who own not less than 80% share of the land and not less than 80% of the total area of all the flats where 10 years or more have passed since the date of the issue of the latest temporary occupation permit on completion of any building (not being any common property) comprised in the development or, if no temporary occupation permit was issued, the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the development, whichever is the later,

who have agreed in writing to sell all the flats and the land in the development to a purchaser under a sale and purchase agreement which specifies the proposed method of distributing the sale proceeds to all the proprietors of the flats (whether in cash or kind or both), subject to an order being made under subsection (4) or (5).

[13/2010]

(2A) An application under subsection (2) for an order for the sale of all the flats and the land in a development to which this section applies —

- (a) must be made to a Board in the first instance; and
- (b) may be made to the General Division of the High Court thereafter if, and only if, a section 84D stop order is issued by the Board under subsection (4A)(b) with respect to the application to that Board in respect of the same sale.

[13/2010; 40/2019]

(2B) An application to the General Division of the High Court under subsection (2) for an order for the sale of all the flats and the land in a development to which this section applies must be made

within a period of 14 days after a section 84D stop order is issued by a Board under subsection (4A)(b) in relation to the same sale.

*[13/2010; 40/2019]*

(3) In the case of an application to a Board under subsection (2) for an order for the sale of all the flats and the land in a development to which this section applies, each of the following persons may file an objection to the sale, stating the grounds for the objection, within 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 proprietor of any flat in the development who has not agreed in writing to the sale;
- (b) a mortgagee, chargee or other person (other than a lessee) with an estate or interest in the flat and whose interest is notified on the land-register for that flat.

*[13/2010]*

(3A) Where a section 84D stop order is issued under subsection (4A)(b) in respect of an application to a Board under subsection (2) for an order for the sale of all the flats and the land in a development to which this section applies, and an application is made to the General Division of the High Court under subsection (2) for an order for the same sale of all the flats and the land in the same development, any person referred to in subsection (3)(a) or (b) who filed an objection to the Board (but no others) may re-file the person's objection to the sale, stating the same grounds of objection, to the General Division of the High Court in the manner and within the time delimited by the Rules of Court.

*[13/2010; 40/2019]*

(4) Where an application has been made to a Board under subsection (2) and no objection has been filed under subsection (3), the Board must, subject to subsection (7), approve the application and order that the flats and the land in the development be sold.

*[13/2010]*

(4A) Where an application is made under subsection (2) to a Board, and one or more objections have been filed under subsection (3) in relation to that application —

- (a) the Board must mediate matters that are in dispute between the objectors and the applicants to achieve a resolution of the dispute; and
- (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,

whichever first occurs, one or more of those objections are not withdrawn, the Board must, subject to subsection (4B), order a discontinuance of all proceedings before it in connection with that application (called in this section a section 84D stop order).

[13/2010]

(4B) A section 84D stop order must not be made by a Board under subsection (4A)(b) with respect to an application made to it under subsection (2) unless —

- (a) the Board has, by notice served on every objector who filed an objection under subsection (3) in relation to that application and the authorised representatives of the applicants, informed the objector and authorised representatives of its intention to make a section 84D stop order; and
- (b) at the end of a period of 7 days after the notice under paragraph (a) is so served, one or more of those objections so filed are not withdrawn.

[13/2010]

(5) Where one or more objections have been filed under subsection (3A) in respect of an application to the General Division of the High Court under subsection (2), the General Division of the High Court is to, subject to subsection (7), approve the

application and order that the flats and the land in the development be sold unless, having regard to the objections, the General Division of the High Court is satisfied that —

- (a) any objector, being a proprietor, will incur a financial loss;  
or
- (b) the proceeds of sale for any flat to be received by any objector, being a proprietor, mortgagee or chargee, are insufficient to redeem any mortgage or charge in respect of the flat.

*[13/2010; 40/2019]*

(5A) An order made under subsection (5) by the General Division of the High Court may, with the consent of the collective sale committee, include an order that the proceeds of sale for any flat to be received by an objector, being a proprietor who has filed an objection under subsection (3A), be increased if the General Division of the High Court is satisfied that it would be just and equitable to do so.

*[13/2010; 40/2019]*

(5B) The total sum ordered by the General Division of the High Court for all the objectors under subsection (5A) is to be paid from the proceeds of sale of all the proprietors and must not exceed the aggregate sum of 0.25% of the proceeds of sale for each flat or \$2,000 for each flat, whichever is the higher.

*[13/2010; 40/2019]*

- (6) For the purposes of subsection (5)(a), a proprietor —
  - (a) is taken to have incurred a financial loss if the proceeds of sale for the proprietor's flat, after any deduction allowed by the General Division of the High Court, are less than the price the proprietor paid for that flat;
  - (b) is not to be taken to have incurred a financial loss by reason only that the proprietor's net gain from the sale of the proprietor's flat will be less than the other proprietors.

*[13/2010; 40/2019]*

(7) The General Division of the High Court or a Board must not approve an application made under subsection (2) —

- (a) if the General Division of the High Court or Board (as the case may be) is satisfied that —

- (i) the transaction is not in good faith after taking into account only the following factors:
    - (A) the sale price for the flats and the land in the development;
    - (B) the method of distributing the proceeds of sale; and
    - (C) the relationship of the purchaser to any of the proprietors; or
  - (ii) the sale and purchase agreement would require any proprietor who has not agreed in writing to the sale to be a party to any arrangement for the development of the flats and the land in the development; or
- (b) if the collective sale committee does not consent to any order made by the General Division of the High Court under subsection (5A).

*[13/2010; 40/2019]*

(8) Where no objection has been filed under subsection (3) to a Board or under subsection (3A) to the General Division of the High Court, the determination under subsection (7) is to be made by the General Division of the High Court or the Board on the basis of the facts available to the General Division of the High Court or Board, as the case may be.

*[13/2010; 40/2019]*

(9) Sections 84A(1A), (2), (3), (5), (5A), (7C), (8)(a), (b) and (c), (11), (11A), (12) and (13), 84B and 84C and the Second and Third Schedules apply, with the necessary modifications, to any application or order made under this section.

*[13/2010; 2/2012]*

(9A) In the application of section 84A(1A) and the Second and Third Schedules to any development to which this section applies, any reference to a management corporation is to be read as a reference to the proprietors of the flats.

(10) In this section —

“development” means any parcel of land with one or more buildings where the parcel is owned by the proprietors of the flats;

“proprietor” includes a successor in title.

**Application for collective sale where proprietors of flats own leasehold tenure of at least 850 years or other tenure in flats not registered under this Act but do not own land**

**84E.**—(1) This section applies where there are subsisting leases of flats in a development registered under the Registration of Deeds Act 1988 or the Land Titles Act 1993 for a leasehold tenure of 850 years or more or for such other tenure as the Minister may, by notification in the *Gazette*, specify and where the proprietors of the flats do not own the land comprised in the development.

(2) The proprietors of 25% of the flats to which this section applies may apply to the Registrar for notional shares in the land to be assigned to each of the flats based on the method used by the Commissioner for the allocation of share values.

(3) An application for an order for the sale of all the flats and the land in a development to which this section applies may be made by —

- (a) the proprietors of the flats who own not less than 90% notional share of the land and not less than 90% of the total area of all the flats where less than 10 years have passed since the date of the issue of the latest temporary occupation permit on completion of any building (not being any common property) comprised in the development or, if no temporary occupation permit was issued, the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the development, whichever is the later; or
- (b) the proprietors of the flats who own not less than 80% of notional share of the land and not less than 80% of the total

area of all the flats where 10 years or more have passed since the date of the issue of the latest temporary occupation permit on completion of any building (not being any common property) comprised in the development or, if no temporary occupation permit was issued, the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the development, whichever is the later,

who have agreed in writing to sell all the flats in the development to a purchaser under a sale and purchase agreement which specifies the proposed method of distributing the sale proceeds to all the proprietors of the flats (whether in cash or kind or both), subject to an order being made under subsection (6) or (7).

*[13/2010]*

(3A) An application under subsection (3) for an order for the sale of all the flats and the land in a development to which this section applies —

- (a) must be made to a Board in the first instance; and
- (b) may be made to the General Division of the High Court thereafter if, and only if, a section 84E 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.

*[13/2010; 40/2019]*

(3B) An application to the General Division of the High Court under subsection (3) for an order for the sale of all the flats and the land in a development to which this section applies must be made within 14 days after a section 84E stop order is issued by a Board under subsection (6A)(b) in relation to the same sale.

*[13/2010; 40/2019]*

(4) The proprietors of the flats mentioned in subsection (3) must also serve a copy of the notice to be served pursuant to the First Schedule on the proprietor of the land and every mortgagee, chargee or other person with an estate or interest in the land and whose interest is notified on the land-register for that land.

(5) In the case of an application to a Board under subsection (3) for an order for the sale of all the flats and the land in a development to which this section applies, each of the following persons may file an objection to the sale, stating the grounds of objection, within 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 proprietor of any flat in the development who has not agreed in writing to the sale;
- (b) a mortgagee, chargee or other person (other than a lessee) with an estate or interest in the flat and whose interest is notified on the land-register for that flat.

*[13/2010]*

(5A) Where a section 84E stop order is issued under subsection (6A)(b) in respect of an application to a Board under subsection (3) for an order for the sale of all the flats and the land in a development to which this section applies, and an application is made to the General Division of the High Court under subsection (3) for an order for the same sale of all the flats and the land in the same development, any person referred to in subsection (5)(a) or (b) who filed an objection to the Board (but no others) may re-file the person's objection to the sale, stating the same grounds of objection, to the General Division of the High Court in the manner and within the time delimited by the Rules of Court.

*[13/2010; 40/2019]*

(6) Where an application has been made to a Board under subsection (3) and no objection has been filed under subsection (5), the Board must, subject to subsection (9), approve the application and order that the flats and the land in the development be sold.

*[13/2010]*

(6A) Where an application is made under subsection (3) to a Board, and one or more objections have been filed under subsection (5) in relation to that application —

- (a) the Board must mediate matters that are in dispute between the objectors and the applicants to achieve a resolution of the dispute; and
- (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,

whichever first occurs, one or more of those objections are not withdrawn, the Board must, subject to subsection (6B), order a discontinuance of all proceedings before it in connection with that application (called in this section a section 84E stop order).

[13/2010]

(6B) A section 84E stop order must not be made by a Board under subsection (6A)(b) with respect to an application made to it under subsection (3) unless —

- (a) the Board has, by notice served on every objector who filed an objection under subsection (5) in relation to that application and the authorised representatives of the applicants, informed the objector and authorised representatives of its intention to make a section 84E stop order; and
- (b) at the end of a period of 7 days after the notice under paragraph (a) is so served, one or more of those objections so filed are not withdrawn.

[13/2010]

(7) Where one or more objections have been filed under subsection (5A) in respect of an application to the General Division of the High Court under subsection (3), the General Division of the High Court must, subject to subsection (9), approve the application and order that all the flats and the land in the development be sold unless, having regard to the objections, the General Division of the High Court is satisfied that —

- (a) any objector, being a proprietor, will incur a financial loss;  
or
- (b) the proceeds of sale for any flat to be received by any objector, being a proprietor, mortgagee or chargee, are insufficient to redeem any mortgage or charge in respect of the flat.

*[13/2010; 40/2019]*

(7A) An order made under subsection (7) by the General Division of the High Court may, with the consent of the collective sale committee, include an order that the proceeds of sale for any flat to be received by an objector, being a proprietor who has filed an objection under subsection (5), be increased if the General Division of the High Court is satisfied that it would be just and equitable to do so.

*[13/2010; 40/2019]*

(7B) The total sum ordered by the General Division of the High Court for all the objectors under subsection (7A) is to be paid from the proceeds of sale of all the proprietors and must not exceed the aggregate sum of 0.25% of the proceeds of sale for each flat or \$2,000 for each flat, whichever is the higher.

*[13/2010; 40/2019]*

(8) For the purposes of subsection (7)(a), a proprietor —

- (a) is taken to have incurred a financial loss if the proceeds of sale for the proprietor's flat, after any deduction allowed by the General Division of the High Court, are less than the price the proprietor paid for that flat;
- (b) is not to be taken to have incurred a financial loss by reason only that the proprietor's net gain from the sale of the proprietor's flat will be less than the other proprietors.

*[13/2010; 40/2019]*

(9) The General Division of the High Court or a Board must not approve an application made under subsection (3) —

- (a) if the General Division of the High Court or Board (as the case may be) is satisfied that —
  - (i) the transaction is not in good faith after taking into account only the following factors:

- (A) the sale price for the flats and the land in the development;
  - (B) the method of distributing the proceeds of sale; and
  - (C) the relationship of the purchaser to any of the proprietors; or
- (ii) the sale and purchase agreement would require any proprietor who has not agreed in writing to the sale to be a party to any arrangement for the development of the flats and the land in the development; or
- (b) if the collective sale committee does not consent to any order made by the General Division of the High Court under subsection (7A).

*[13/2010; 40/2019]*

(10) Where no objection has been filed under subsection (5) to a Board or under subsection (5A) to the General Division of the High Court, the determination under subsection (9) is to be made by the General Division of the High Court or the Board on the basis of the facts available to the General Division of the High Court or Board, as the case may be.

*[13/2010; 40/2019]*

(11) Where the General Division of the High Court or a Board (as the case may be) has made an order for the sale of the flats and the land, the proprietor of the land is deemed to have transferred that proprietor's estate and interest in the land to the purchaser without consideration upon the registration by the Registrar of the transfers of all the flats (except the flats deemed to be owned by the proprietor under subsection (14)) in the development and the Registrar must enter a notification of the vesting of the land in the purchaser on the land-register.

*[13/2010; 40/2019]*

(12) The proprietors of the flats who have not agreed in writing to the sale, the proprietor of the land, a mortgagee, chargee or other person with an estate or interest in land, where applicable, must produce the title deeds for the flats or the land to the person having

conduct of the sale, the representatives appointed under section 84A(2) or to their solicitors.

(13) If the title deeds for the flats or the land are not produced under subsection (12), the person having conduct of the sale is not required to produce to the purchaser any title deed other than a certified true copy of the title deed or a subsidiary certificate of title.

(14) Where the proprietor of the land in a development mentioned in subsection (1) has granted leases for some but not all the flats in the development, that proprietor is deemed to be the proprietor of the flats which are still owned by that proprietor.

(14A) Upon registration by the Registrar of the transfers of all the flats (except the flats deemed to be owned by the proprietor under subsection (14)) in the development —

- (a) the proprietor of the land is deemed to have transferred that proprietor's estate and interest in the flats which are still owned by that proprietor to the purchaser; and
- (b) the Registrar must enter a notification of the vesting of those flats in the purchaser on the land-register.

(14B) The Registrar may dispense with production of the certificate of title for the land for the purposes of subsections (11) and (14A).

(15) Sections 84A(1A), (2), (3), (5), (5A), (7C), (8)(a), (b) and (c), (11), (11A), (12) and (13), 84B and 84C and the Second and Third Schedules apply, with the necessary modifications, to any application or order made under this section.

*[13/2010; 2/2012]*

(15A) In the application of section 84A(1A) and the Second and Third Schedules to any development to which this section applies, any reference to a management corporation is to be read as a reference to the proprietors of the flats.

(16) In this section —

“development” means any parcel of land with one or more buildings;

“proprietor” includes a successor in title.

**Collective sale by all proprietors of flats who own leasehold tenure of at least 850 years or other tenure in flats not registered under this Act but do not own land**

**84F.**—(1) This section applies where there are subsisting leases of flats registered under the Registration of Deeds Act 1988 or the Land Titles Act 1993 for a leasehold tenure of 850 years or more or for such other tenure as the Minister may, by notification in the *Gazette*, specify and where the proprietors of the flats do not own the land comprised in the development.

(2) Where the proprietors of all the flats in a development to which this section applies agree in writing under a sale and purchase agreement to sell all their flats to a purchaser (whether in cash or kind or both), they must serve a notice on the proprietor of the land and every mortgagee, chargee or other person with an estate or interest in the land and whose interest is notified on the land-register at least 21 days before the date of the first transfer of any such flat informing them of the transfer under subsection (4).

(3) Notice under subsection (2) must be given by —

- (a) advertising the proposed sale in such local newspapers in the 4 official languages as approved by the Registrar;
- (b) serving the notice on the proprietor of the land and every mortgagee, chargee or other person with an estate or interest in the land and whose interest is notified on the land-register by registered post; and
- (c) affixing a copy of the notice in the 4 official languages to a conspicuous part of each building in the development.

(4) The proprietor of the land mentioned in subsection (2) is deemed to have transferred that proprietor's estate and interest in the land to the purchaser without consideration upon the registration by the Registrar of the transfers of all the flats in the development and the Registrar must enter a notification of the vesting of the land in the purchaser on the land-register.

(5) A notice sent by registered post under this section to a proprietor of the land, that proprietor's mortgagee, chargee or other person with an estate or interest in the land and whose interest is notified on the

land-register at its last registered address in the case of a company registered under the Companies Act 1967 or otherwise at its last recorded address at the Land Titles Registry or the Registry of Deeds (as the case may be) is deemed to be duly served on the person to whom it is addressed 2 days after the day on which the notice was posted, despite the fact that the letter may be returned by the post office as undelivered.

(6) When the transfers of the flats to which this section applies are lodged for registration with the Registrar, the solicitors acting for the proprietors of the flats must certify in such form as the Registrar may determine that the provisions of this section have been complied with, and the certificate in favour of the purchaser and the Registrar is conclusive evidence of the facts stated therein.

(7) Section 84E(12), (13), (14B) and (16) applies, with the necessary modifications, to a development to which this section applies.

**Application for collective sale of parcel by majority of subsidiary proprietors who own registered leasehold tenure of at least 850 years or other tenure**

**84FA.**—(1) This section applies where there are subsisting leases registered under the Land Titles Act 1993 of all or some of the lots in a strata title plan for a leasehold tenure of 850 years or more or for such other tenure as the Minister may, by notification in the *Gazette*, specify.

(2) An application for an order for the sale of all the lots and common property in a strata title plan to which this section applies may be made by —

- (a) the subsidiary proprietors of the lots with not less than 90% of the share values and not less than 90% of the total area of all the lots (excluding the area of any accessory lot) as shown in the subsidiary strata certificates of title where less than 10 years have passed since the date of the issue of the latest temporary occupation permit on completion of any building (not being any common property) comprised in the strata title plan or, if no temporary occupation permit

was issued, the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the strata title plan, whichever is the later; or

- (b) the subsidiary proprietors of the lots with not less than 80% of the share values and not less than 80% of the total area of all the lots (excluding the area of any accessory lot) as shown in the subsidiary strata certificates of title where 10 years or more have passed since the date of the issue of the latest temporary occupation permit on completion of any building (not being any common property) comprised in the strata title plan or, if no temporary occupation permit was issued, the date of the issue of the latest certificate of statutory completion for any building (not being any common property) comprised in the strata title plan, whichever is the later,

who have agreed in writing to sell all the lots and common property in the strata title plan to a purchaser under a sale and purchase agreement which specifies the proposed method of distributing the sale proceeds to all the subsidiary proprietors (whether in cash or kind or both), subject to an order being made under subsection (5) or (6).  
[13/2010]

(2A) An application under subsection (2) for an order for the sale of all the lots and common property in a strata title plan to which this section applies —

- (a) must be made to a Board in the first instance; and
- (b) may be made to the General Division of the High Court thereafter if, and only if, a section 84FA stop order is issued by the Board under subsection (5A)(b) with respect to the application to that Board in respect of the same sale.

[13/2010; 40/2019]

(2B) An application to the General Division of the High Court under subsection (2) for an order for the sale of all the lots and common property in a development to which this section applies must be made within 14 days after a section 84FA stop order is issued by a Board under subsection (5A)(b) in relation to the same sale.

[13/2010; 40/2019]

(3) The subsidiary proprietors of the lots mentioned in subsection (2) must also serve on the subsidiary proprietor in reversion of the leasehold estate and every mortgagee, chargee or other person with an estate or interest in land and whose interest is notified on the subsidiary strata land-register for the lots, a copy of all notices to be served pursuant to the First Schedule.

(4) In the case of an application to a Board under subsection (2) for an order for the sale of all the lots and the common property in a strata title plan to which this section applies, each of the following persons may file an objection to the sale, stating the grounds of objection, within 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;
- (b) a mortgagee, chargee or other person (other than a lessee) with an estate or interest in the land and whose interest is notified on the subsidiary strata land-register for that lot.

*[13/2010]*

(4A) Where a section 84FA stop order is issued under subsection (5A)(b) in respect of an application to a Board under subsection (2) for an order for the sale of all the lots and the common property in a strata title plan to which this section applies, and an application is made to the General Division of the High Court under subsection (2) for an order for the same sale of all the lots and the common property in the same strata title plan, any person referred to in subsection (4)(a) or (b) who filed an objection to the Board (but no others) may re-file the person's objection to the sale, stating the same grounds of objection, to the General Division of the High Court in the manner and within the time delimited by the Rules of Court.

*[13/2010; 40/2019]*

(5) Where an application has been made to a Board under subsection (2) and no objection has been filed under subsection (4), the Board must, subject to subsection (9), approve

the application and order that the lots and common property in the strata title plan be sold.

[13/2010]

(5A) Where an application is made under subsection (2) to a Board, and one or more objections have been filed under subsection (4) in relation to that application —

- (a) the Board must mediate matters that are in dispute between the objectors and the applicants to achieve a resolution of the dispute; and
- (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 resolution of the dispute but has nevertheless failed to resolve the dispute,

whichever first occurs, one or more of those objections are not withdrawn, the Board must, subject to subsection (5B), order a discontinuance of all proceedings before it in connection with that application (called in this section a section 84FA stop order).

[13/2010]

(5B) A section 84FA stop order must not be made by a Board under subsection (5A)(b) with respect to an application made to it under subsection (2) unless —

- (a) the Board has, by notice served on every objector who filed an objection under subsection (4) in relation to that application and the authorised representatives of the applicants, informed the objector and authorised representatives of its intention to make a section 84FA stop order; and
- (b) at the end of a period of 7 days after the notice under paragraph (a) is so served, one or more of those objections so filed are not withdrawn.

[13/2010]

(6) Where one or more objections have been filed under subsection (4A) in respect of an application to the General Division of the High Court under subsection (2), the General Division of the High Court must, subject to subsection (9), approve the application and order that the lots and common property be sold unless, having regard to the objections, the General Division of the High Court is satisfied that —

- (a) any objector, being a subsidiary proprietor, will incur a financial loss; or
- (b) the proceeds of sale for any lot to be received by any objector, being a subsidiary proprietor, mortgagee or chargee, are insufficient to redeem any mortgage or charge in respect of the lot.

*[13/2010; 40/2019]*

(7) An order made under subsection (6) by the General Division of the High Court may, with the consent of the collective sale committee, include an order that the proceeds of sale for any lot to be received by an objector, being a subsidiary proprietor who has filed an objection under subsection (4A), be increased if the General Division of the High Court is satisfied that it would be just and equitable to do so.

*[13/2010; 40/2019]*

(8) The total sum ordered by the General Division of the High Court for all the objectors under subsection (7) is to be paid from the proceeds of sale of all the subsidiary proprietors and must not exceed the aggregate sum of 0.25% of the proceeds of sale for each lot or \$2,000 for each lot, whichever is the higher.

*[13/2010; 40/2019]*

(9) The General Division of the High Court or a Board must not approve an application made under subsection (2) —

- (a) if the General Division of the High Court or Board (as the case may be) is satisfied that —
  - (i) the transaction is not in good faith after taking into account only the following factors:
    - (A) the sale price for the lots and the common property in the strata title plan;

- (B) the method of distributing the proceeds of sale; and
  - (C) the relationship of the purchaser to any of the subsidiary proprietors; or
- (ii) the sale and purchase agreement would require any subsidiary proprietor who has not agreed in writing to the sale to be a party to any arrangement for the development of the lots and the common property in the strata title plan; or
- (b) if the collective sale committee does not consent to any order made by the General Division of the High Court under subsection (7).

*[13/2010; 40/2019]*

(10) Where no objection has been filed under subsection (4) to a Board or under subsection (4A) to the General Division of the High Court, the determination under subsection (9) is to be made by the General Division of the High Court or the Board on the basis of the facts available to the General Division of the High Court or Board, as the case may be.

*[13/2010; 40/2019]*

(11) Where the General Division of the High Court or a Board (as the case may be) has made an order for the sale of the lots and the common property in the strata title plan —

- (a) the subsidiary proprietor in reversion of the leasehold estate is deemed to have transferred that subsidiary proprietor's estate and interest in the lots to the purchaser without consideration upon the registration by the Registrar of the transfers of all the lots (except the lots still owned by the subsidiary proprietor in reversion under subsection (14)) in the strata title plan; and
- (b) the Registrar must enter a notification of the vesting of the reversionary interest in the purchaser on the subsidiary strata land-register and cancel the registration of any mortgage, charge or lease notified on the subsidiary strata land-register.

*[13/2010; 2/2012; 40/2019]*

(12) The subsidiary proprietors of the lots who have not agreed in writing to the sale, the subsidiary proprietor in reversion and any mortgagee, chargee or other person with an estate or interest in those lots, where applicable, must produce the subsidiary strata certificates of title for the lots to the person having conduct of the sale, the representatives appointed under section 84A(2) or to their solicitors.

(13) If the subsidiary strata certificates of title for the lots are not produced under subsection (12), the person having conduct of the sale is not required to produce to the purchaser any subsidiary strata certificate of title other than a certified true copy thereof.

(14) Where the subsidiary proprietor in reversion has granted leases for some but not all the lots in the strata title plan, that subsidiary proprietor is deemed to have transferred that subsidiary proprietor's estate and interest in the lots still owned by that subsidiary proprietor to the purchaser upon registration by the Registrar of the transfers of the other lots in the strata title plan and the Registrar must enter a notification of the vesting of the lots in the purchaser on the subsidiary strata land-register and cancel the registration of any mortgage, charge or lease notified on the subsidiary strata land-register.

*[2/2012]*

(15) The Registrar may dispense with production of the subsidiary strata certificates of title for the lots still owned by the subsidiary proprietor in reversion for the purposes of subsections (11) and (14).

(16) Sections 84A(1A), (2), (3), (5), (5A), (7C), (8)(a), (b) and (c), (11), (11A), (12) and (13), 84B and 84C and the Second and Third Schedules apply, with the necessary modifications, to any application or order made under this section.

*[13/2010; 2/2012]*

(17) In this section —

“subsidiary proprietor” includes a successor in title;

“subsidiary proprietor in reversion” means the lessor of the registered lease under subsection (1) and includes a successor in title.

**Collective sale by all subsidiary proprietors who own registered leasehold tenure of at least 850 years or other tenure**

**84FB.**—(1) This section applies where there are subsisting leases registered under the Land Titles Act 1993 of all or some of the lots in a strata title plan for a leasehold tenure of 850 years or more or for such other tenure as the Minister may, by notification in the *Gazette*, specify.

(2) Where the subsidiary proprietors of all the lots in the strata title plan to which this section applies agree in writing under a sale and purchase agreement to sell all their lots and common property to a purchaser (whether in cash or kind or both), they must serve a notice on the subsidiary proprietor in reversion of the leasehold estate and every mortgagee, chargee or other person with an estate or interest in land and whose interest is notified on the land-register at least 21 days before the date of the first transfer of any such lot informing them of the transfer under subsection (4).

(3) Notice under subsection (2) must be given by —

- (a) advertising the proposed sale in such local newspapers in the 4 official languages as approved by the Registrar;
- (b) serving the notice on the subsidiary proprietor in reversion of the leasehold estate and every mortgagee, chargee or other person with an estate or interest in land and whose interest is notified on the land-register by registered post; and
- (c) affixing a copy of the notice in the 4 official languages to a conspicuous part of each building in the development.

(4) The subsidiary proprietor in reversion of the leasehold estate mentioned in subsection (2) is deemed to have transferred that subsidiary proprietor's estate and interest in the lots to the purchaser without consideration upon the registration by the Registrar of the transfers of all the lots in the strata title plan and the Registrar must enter a notification of the vesting of the land in the purchaser on the land-register.

(5) A notice sent by registered post under this section to the subsidiary proprietor in reversion of the leasehold estate, that

subsidiary proprietor's mortgagee, chargee or other person with an estate or interest in land and whose interest is notified on the land-register at its last registered address in the case of a company registered under the Companies Act 1967 or otherwise at its last recorded address at the Land Titles Registry is deemed to be duly served on the person to whom it is addressed 2 days after the day on which the notice was posted, despite the fact that the letter may be returned by the post office as undelivered.

(6) When the transfers of the lots to which this section applies are lodged for registration with the Registrar, the solicitors acting for the subsidiary proprietors of the lots must certify in such form as the Registrar may determine that the provisions of this section have been complied with, and the certificate in favour of the purchaser and the Registrar is conclusive evidence of the facts stated therein.

(7) Section 84FA(12), (13), (15) and (17) applies, with the necessary modifications, to all the lots in a strata title plan to which this section applies.

### **Application of Building Maintenance and Strata Management Act 2004**

**84G.** Part 6 of the Building Maintenance and Strata Management Act 2004 and any regulations made under that Act apply in respect of applications under this Part with the necessary modifications.

**85. to 114.** [*Repealed by Act 47 of 2004*]

## PART 7

### GENERAL

#### **Other rights and remedies not affected by this Act**

**115.** Nothing in this Act affects or takes away any rights or remedies that a subsidiary proprietor or mortgagee of a lot or a management corporation may have in relation to any lot or the common property apart from this Act.

**116.** [*Repealed by Act 47 of 2004*]

**117.** [*Repealed by Act 47 of 2004*]

**118.** [*Repealed by Act 47 of 2004*]**Service of documents on management corporation, subsidiary proprietors and others**

**119.**—(1) A summons or other legal process may be served on a management corporation by leaving it with the chairperson or secretary of the management corporation or of the council or with any member of the council.

(2) A document other than a document referred to in subsection (1) may be served on a management corporation —

(a) by leaving it with any person referred to in subsection (1) or in the receptacle provided by the management corporation under section 28 of the Building Maintenance and Strata Management Act 2004; or

(b) by sending it, by registered post, to the management corporation at its address recorded on the folio of the land-register comprising the common property.

(3) Subject to the provisions of this Act, a notice or other document required or authorised by this Act or the by-laws to be served by a management corporation, a council or the secretary of a council on a proprietor, subsidiary proprietor, lessee, mortgagee or occupier of a lot may be served —

(a) by leaving it —

(i) where the person to be served is an occupier of the lot — at the address of the lot; or

(ii) where an address for the service of notices on the person to be served is recorded in the strata roll — at the address so recorded;

(b) by sending it, by registered post, to the person to be served, where an address for the service of notices on that person is recorded in the strata roll, at the address so recorded and, if that notice or document is not returned through the post office as undelivered, that service is deemed to have been made at the time at which the registered letter would in the ordinary course be delivered; or

(c) in the case of a subsidiary proprietor, by affixing the notice on the front door of the subsidiary proprietor's lot.

(4) Section 60A of the Land Titles Act 1993 applies to the service of documents on a management corporation and a subsidiary proprietor.

(5) This section does not apply to notices served in proceedings in the court.

**120.** [*Repealed by Act 47 of 2004*]

### **Legal proceedings**

**121.**—(1) Every application to the court under this Act must be by originating application.

*[Act 25 of 2021 wef 01/04/2021]*

(2) Where this Act provides for any sum to be recovered by any person or authority from any other person or authority, the sum may be recovered by an action for a debt in any court of competent jurisdiction.

## PART 8

### ISSUE OF SUBSIDIARY CERTIFICATES OF TITLE FOR FLATS UNDER OTHER SCHEMES AND ISSUE OF SUBSIDIARY STRATA CERTIFICATES OF TITLE

#### **Issue of subsidiary certificate of title to registered lessee**

**122.**—(1) A registered lessee may by an application in the approved form apply to the Registrar for the issue of a subsidiary certificate of title in respect of the registered leasehold estate to the registered lessee's flat.

(2) The registered lessee must at the time of making the application surrender the registered lessee's duplicate lease to the Registrar.

(3) Upon the issue of a subsidiary certificate of title, the Registrar must enter a memorial in the volume and folio of the land-register of the registered land on or over which the flat is erected to the effect that a subsidiary certificate of title has been issued to the registered lessee for the registered leasehold estate.

(4) The subsidiary certificate of title must be in the approved form and upon its issue any assurance or other dealing affecting the leasehold estate comprised therein is subject to the Land Titles Act 1993.

### **Flats sold by Housing and Development Board**

**123.**—(1) The restriction imposed by section 6(1) on an assurance disposing of any part of a subdivided building does not apply to any assurance disposing of any interest in any flat in a subdivided building erected on registered land where the interest in the flat is held under a lease from the Housing and Development Board constituted under the Housing and Development Act 1959.

(2) Where a strata title application for a parcel is lodged by the Housing and Development Board with and duly registered by the Registrar, the provisions of this Act relating to a strata title plan and a subsidiary proprietor and section 10A and Part 5 and this Part and the Building Maintenance and Strata Management Act 2004 apply to each and every subdivided building comprised in the registered strata title plan for that parcel.

### **Flats sold by Jurong Town Corporation**

**124.**—(1) The restriction imposed by section 6(1) on an assurance disposing of any part of a subdivided building does not apply to any assurance disposing of any interest in any flat in any subdivided building erected on registered land where the interest in the flat is held under a lease from the Jurong Town Corporation constituted under the Jurong Town Corporation Act 1968.

(2) Where a strata title application for a parcel is lodged by the Jurong Town Corporation with and duly registered by the Registrar, the provisions of this Act relating to a strata title plan and a subsidiary proprietor and section 10A and Part 5 and this Part and the Building Maintenance and Strata Management Act 2004 apply to each and every subdivided building comprised in the registered strata title plan for that parcel.

**Subsidiary strata certificates of title for flats with registered leases under Registration of Deeds Act 1988**

**125.**—(1) Where there are 3 or more flats in a building and subsisting leases for those flats have been registered under the Registration of Deeds Act 1988, the proprietor of the land together with the proprietors of those flats who altogether own not less than 25% of the total number of flats in the building may lodge with the Registrar a strata title application in the approved form —

- (a) to have the land brought under the Land Titles Act 1993; and
- (b) for the issue of subsidiary strata certificates of title for all those flats.

(2) A strata title application submitted to the Registrar under subsection (1) —

- (a) must be accompanied by a transfer of the proprietor's estate and interest in the land to the proprietors of all the flats in that building as tenants-in-common in the shares according to the ratio of one share to each flat, except that where the flats are of different sizes, the share in the land allotted to the proprietor of each flat has the value determined by the Registrar based on the methods used by the Commissioner for the allocation of share values under the Building Maintenance and Strata Management Act 2004; and
- (b) must not be registered unless the strata title plan has been lodged with and approved by the Chief Surveyor under the Boundaries and Survey Maps Act 1998.

(3) The Registrar may, upon acceptance of the application, dispense with the production of the leases of the flats.

(4) Before issuing subsidiary strata certificates of title in favour of the proprietors of the flats as shown in the records of the Registry of Deeds, the Registrar must —

- (a) require a notice in the form approved by him or her to be inserted once in one or more daily newspapers to the effect

that the Registrar will issue the subsidiary strata certificates of title under this section to the proprietors of the flats as shown in the records maintained at the Registry of Deeds after the expiration of 6 weeks from the date of publication of the notice if no valid objection is received by the Land Titles Registry; and

- (b) send by registered post a copy of the notice mentioned in paragraph (a) to the proprietors of all the flats at the addresses shown in the transfer mentioned in subsection (2).

(5) Despite subsections (1) to (4), the Registrar may, in order to relieve any case of extreme hardship, in his or her discretion, issue any subsidiary strata certificate of title in favour of a purchaser of a flat whose assignment of the leasehold estate of the flat has been duly stamped and lodged with the Registrar of Deeds, notwithstanding that the name of the purchaser was not shown in the transfer lodged under subsection (2).

(6) Where the proprietors of the flats who altogether own not less than 25% of the total number of the flats as shown in the records of the Registry of Deeds as at the date of transfer mentioned in subsection (2) have agreed in writing to accept the transfer of the estate and interest of the proprietor of the land, all the proprietors of the flats within the same development and all the respective successors in title or assigns are deemed to have accepted the transfer of the proprietor's estate and interest in the land and to have given consent to the application for the issue of the subsidiary strata certificates of title by the Registrar and the acceptance of the transfer of the proprietor's estate and interest in the land.

(7) The proprietor of the land must deposit with the Registrar the title deeds in that proprietor's possession relating to the land and the Registrar may, after inspection of the title deeds, create a folio of the land-register by issuing a certificate of title for the land on which the flats are erected.

(8) Where the Registrar is satisfied with the evidence of title and that all the necessary documents are in order, the Registrar may issue

subsidiary strata certificates of title for the flats after the publication of the notice mentioned in subsection (4).

(9) The Registrar may, under subsections (7) and (8), issue the certificate of title and the subsidiary strata certificates of title qualified as to their title or their boundaries and dimensions, and sections 25 and 165 of the Land Titles Act 1993 apply, with the necessary modifications, to such certificate of title and subsidiary strata certificates of title.

(10) Upon the registration of the strata title application, the management corporation of the parcel of land must reimburse the person or persons who incurred any expenditure for the purpose of —

- (a) bringing the land under the Land Titles Act 1993;
- (b) applying for the issue of subsidiary strata certificates of title for all those flats comprised in a building or buildings erected on the parcel;
- (c) lodging the transfer under subsection (2);
- (d) the preparation of the strata title plan for the parcel;
- (e) the publication of the notices mentioned in subsection (4)(a); and
- (f) issuing notices to the proprietors of the flats under subsection (4)(b).

(11) It is the duty of the management corporation to determine the amount of contributions payable by the subsidiary proprietors of the lots in the subdivided building concerned to its management fund to meet the expenditure mentioned in subsection (10) and any contributions so levied by the management corporation are deemed to be contributions levied under section 39(3) of the Building Maintenance and Strata Management Act 2004.

(12) For the purposes of this section, where the registered proprietor of the land on which the building is erected has granted leases for some but not all of the flats in the building, that registered proprietor is deemed a proprietor of the flats which are still owned by that registered proprietor.

**Subsidiary strata certificates of title for flats where proprietors own leasehold estate of at least 999 years or other estate**

**125A.**—(1) Where the subsisting leases of the flats registered under the Registration of Deeds Act 1988 or the Land Titles Act 1993 are for a leasehold estate of 999 years or more or for such other estate as the Minister may, by notification in the *Gazette*, specify and where the proprietors of those flats who altogether own not less than 25% of the total number of flats in the development have agreed to have the land brought under the Land Titles Act 1993 and for the issue of subsidiary strata certificates of title for all the flats, the proprietor of the land is deemed to have agreed to the transfer of the land without consideration to the proprietors of the flats in the shares as specified in section 125(2)(a) or 126(1) or (2), as the case may be.

(2) The proprietors of the flats mentioned in subsection (1) must serve a notice on the proprietor of the land and the subsisting mortgagees, chargees or other persons with an estate or interest in land who appear as such in the records of the Land Titles Registry or the Registry of Deeds (as the case may be) at least one month before the date of the strata title application is filed with the Registrar, informing them of the transfer under subsection (1).

(3) Section 125 or 126 (as the case may be), except the provisions relating to the transfer of the land by the registered proprietors, continues to apply to the proprietors of the flats mentioned in subsection (1).

(4) Upon registration of the strata title application for the development and the issue of subsidiary strata certificates of title for the flats in the development, the estate and interest of the registered proprietor in the land vests in the subsidiary proprietors.

**Issue of subsidiary strata certificates of title for flats with subsisting leases registered under Land Titles Act 1993**

**126.**—(1) Where there are subsisting leases of flats registered under the Land Titles Act 1993, the registered proprietors of the flats who altogether own not less than 25% of the total number of flats comprised in the development together with the registered proprietor of the land on which the said development is erected may lodge with

the Registrar a transfer of the estate and interest of the registered proprietor of the land to all the registered proprietors of the flats as tenants-in-common in the shares according to the ratio of one share to each flat together with a strata title application in the approved form.

(2) Where the flats in the development are of different sizes, the shares in the land to be allotted to the registered proprietor of each flat are the values determined by the Registrar based on the methods used by the Commissioner for the allocation of share values under the Building Maintenance and Strata Management Act 2004.

(3) A strata title application submitted under subsection (1) must not be registered unless the strata title plan has been lodged with and approved by the Chief Surveyor under the Boundaries and Survey Maps Act 1998.

(4) The Registrar may, upon being satisfied that the transfer and the strata title application are in order —

- (a) register all the registered proprietors of the flats as the proprietors of the registered land as tenants-in-common;
- (b) issue the subsidiary strata certificates of title according to the strata title application; and
- (c) dispense with the production of the duplicate leases of the flats.

(5) Where the registered proprietors of the flats who altogether own not less than 25% of the total number of flats comprised in the development have agreed in writing to accept the transfer of all the estate and interest of the registered proprietor in the land on which the development is erected, all the remaining registered proprietors of the flats in the same development are deemed to have accepted the transfer and deemed to have applied for the issue of subsidiary strata certificates of title for the flats.

(6) Before issuing subsidiary strata certificates of title in favour of the registered proprietors of the flats as shown in the records of the Land Titles Registry, the Registrar must —

- (a) require a notice in the form approved by him or her to be inserted once in one or more daily newspapers to the effect

that the Registrar will issue the subsidiary strata certificates of title under this section to the registered proprietors of the flats as shown in the records maintained at the Land Titles Registry after the expiration of 6 weeks from the date of publication of the notice if no valid objection is received by the Registrar; and

- (b) send by registered post a copy of the notice mentioned in paragraph (a) to the registered proprietors of all the flats at the addresses shown in the records of the Land Titles Registry or in the transfer lodged under subsection (1) where the addresses differ from that shown in the records of the Land Titles Registry.

(7) Despite subsections (1), (2) and (3), the Registrar may, in order to relieve any case of extreme hardship, issue any subsidiary strata certificate of title in favour of a purchaser of a flat whose transfer of the leasehold estate of the flats has been duly stamped and lodged with him or her, notwithstanding that the name of the purchaser was not shown in the transfer lodged under subsection (1).

(8) The Registrar may, under subsection (4), issue the subsidiary strata certificates of title qualified as to their title or their boundaries and dimensions, and sections 25 and 165 of the Land Titles Act 1993 apply, with the necessary modifications, to such subsidiary strata certificates of title.

(9) Upon the registration of the strata title application, the management corporation of the parcel of land must reimburse the person or persons who incurred any expenditure for the purpose of —

- (a) applying for the issue of subsidiary strata certificates of title for all those flats comprised in the development erected on the parcel;
- (b) lodging the transfer under subsection (1);
- (c) the preparation of the strata title plan for the parcel;
- (d) the publication of the notices mentioned in subsection (6)(a); and

- (e) issuing notices to the proprietors of the flats under subsection (6)(b).

(10) It is the duty of the management corporation to determine the amount of contributions payable by the subsidiary proprietors of the lots in the subdivided building concerned to its management fund to meet the expenditure mentioned in subsection (9) and any contributions so levied by the management corporation are deemed to be contributions levied under section 39(3) of the Building Maintenance and Strata Management Act 2004.

(11) For the purposes of this section, where the registered proprietor of the land on which the development is erected has granted leases for some of but not all the flats in the development, that registered proprietor is deemed the registered proprietor of the flats which are still owned by that registered proprietor.

**126A.** [*Repealed by Act 4 of 2021*]

**126B.** [*Repealed by Act 4 of 2021*]

**Issue of subsidiary strata certificates of title for flats with subsisting leases registered under Registration of Deeds Act 1988 where land is vested in flat owners as tenants-in-common**

**127.—**(1) Where there are subsisting leases of flats registered under the provisions of the Registration of Deeds Act 1988 and the registered estate or interest in the land on which the flats are erected is vested, subject to the provisions of the Land Titles Act 1993, in the lessees of the flats as tenants-in-common in the shares shown in the land-register, the registered lessees of those flats who altogether own not less than 25% of the total number of those flats may lodge with the Registrar a strata title application in the approved form.

(2) A strata title application submitted under subsection (1) must not be registered unless the strata title plan has been lodged with and approved by the Chief Surveyor under the Boundaries and Survey Maps Act 1998.

(3) The Registrar may, upon acceptance of the application, dispense with the production of the leases of the flats.

(4) Before issuing subsidiary strata certificates of title in favour of the registered lessees of the flats as shown in the records of the Registry of Deeds or the Land Titles Registry, the Registrar must —

- (a) require a notice in the form approved by him or her to be inserted once in one or more daily newspapers to the effect that the Registrar will issue the subsidiary strata certificates of title under this section to the registered lessees of the flats as shown in the records maintained at the Registry of Deeds or the Land Titles Registry after the expiration of 6 weeks from the date of publication of the notice if no valid objection is received by the Land Titles Registry; and
- (b) send by registered post a copy of the notice mentioned in paragraph (a) to the registered lessees of all the flats at the addresses shown in the records of the Registry of Deeds or the Land Titles Registry.

(5) Where the Registrar is satisfied that all the necessary documents are in order, the Registrar may issue subsidiary strata certificates of title for the flats after the publication of the notice mentioned in subsection (4).

(6) Any subsidiary strata certificate of title issued by the Registrar under subsection (5) may be qualified as to its title or its boundaries and dimensions, and sections 25 and 165 of the Land Titles Act 1993 apply, with the necessary modifications, to such subsidiary strata certificate of title.

(7) Upon the registration of the strata title application, the management corporation of the parcel of land must reimburse the person or persons who incurred any expenditure for the purpose of —

- (a) applying for the issue of subsidiary strata certificates of title for all those flats comprised in a building or buildings erected on the parcel;
- (b) the preparation of the strata title plan for the parcel;
- (c) the publication of the notices mentioned in subsection (4)(a); and

- (d) issuing notices to the registered lessees of the flats under subsection (4)(b).

(8) It is the duty of the management corporation to determine the amount of contributions payable by the subsidiary proprietors of the lots in the subdivided building concerned to its management fund to meet the expenditure mentioned in subsection (7) and any contributions so levied by the management corporation are deemed to be contributions levied under section 39(3) of the Building Maintenance and Strata Management Act 2004.

### **Effect of issue of qualified certificate of title and of subsidiary strata certificates of title**

**128.**—(1) Upon the issue of a qualified certificate of title for the land under section 125, the provisions of the Land Titles Act 1993 relating to a qualified certificate of title apply to the land comprised therein.

(2) Upon the issue of the subsidiary strata certificates of title for the flats under section 125, 125A, 126 or 127 or the repealed section 126A, all the provisions of the leases of the flats registered under the provisions of the Registration of Deeds Act 1988 and the Land Titles Act 1993 cease to apply to the flats except in respect of any terms, covenants and conditions which were subsisting prior to the date of the issue of the subsidiary strata certificates of title insofar as they relate to any obligations which have yet to be fulfilled or any cause of action which had arisen as between the registered proprietors of the flats themselves and as between the registered proprietors of the flats and the registered proprietors of the land on which the flats are erected.

[4/2021]

**129.** [*Repealed by Act 38 of 2002*]

## PART 9

## MISCELLANEOUS

**Regulations**

**130.**—(1) Subject to section 131, the Authority, with the approval of the Minister, may make regulations not inconsistent with this Act for giving effect to the provisions of this Act.

(2) Without limiting subsection (1), the Authority, with the approval of the Minister, may make regulations with respect to —

- (a) the fees to be paid in respect of lodgment and registration of plans and documents under this Act;
- (b) any matter which by this Act is required or permitted to be prescribed or is necessary or convenient to be prescribed for carrying out or giving effect to any provision of this Act.

**Regulations made by, and fees to be paid to, Authority**

**131.**—(1) The Authority may make regulations on any of the following matters:

- (a) the preparation of plans and documents for the purposes of this Act;
- (b) the lodgment and registration of plans under this Act.

(2) All prescribed fees collected under or in connection with any service provided by the Registrar under this Act must be paid into the funds of the Authority.

## FIRST SCHEDULE

Sections 84A(3), (4), (7C), (13) and  
(14), 84D(3), 84E(4) and (5) and  
84FA(3) and (4)

## REQUIREMENTS UNDER SECTION 84A, 84D, 84E OR 84FA

1. Before making an application to a Board, the subsidiary proprietors mentioned in section 84A(1) or 84FA(2) or the proprietors of flats mentioned in section 84D(2) or 84E(3) (as the case may be) must —

FIRST SCHEDULE — *continued*

- (a) execute within the permitted time but in no case more than 12 months before the date the application is made, a collective sale agreement in writing among themselves (whether or not with other subsidiary proprietors or proprietors) agreeing to agree to collectively sell —
- (i) in the case of an application under section 84A or 84FA — all the lots and common property in a strata title plan; or
  - (ii) in the case of an application under section 84D or 84E — all the flats and the land in a development to which section 84D or 84E (as the case may be) applies;
- (b) affix to a conspicuous part of each building comprised in the strata title plan or the development to which section 84D or 84E applies (as the case may be) a notice in the 4 official languages specifying —
- (i) the number of lots and number of subsidiary proprietors or the number of flats and number of proprietors (as the case may be) who, immediately before the date of the notice, have signed the collective sale agreement; and
  - (ii) the proportion (in percentage) that the total share value and the total area of the lots as shown in the subsidiary strata certificates of title of such subsidiary proprietors' lots bear to the total share value and total area of all lots comprised in that strata title plan, or the total share or total notional share of the land and total area of the flats of such proprietors bear to the total share or notional share of all proprietors and total area of all the flats in that land and the development concerned, as the case may be,

within 4 weeks after the start of the permitted time and thereafter at intervals of not more than 4 weeks from the date of the last notice under this sub-paragraph;
- (c) ensure that the notice in sub-paragraph (b) does not include any subsidiary proprietor who has served or is entitled to serve a notice of rescission under paragraph 6 and that the notice in that sub-paragraph is certified by the advocate and solicitor appointed by the collective sale committee or in accordance with paragraph 7(1)(a) in the Third Schedule, whichever is applicable, to be accurate;
- (d) advertise in the 4 official languages the particulars of the proposed application in such local newspapers as approved by the Board;
- (e) serve notice of the proposed application on all the subsidiary proprietors of all the lots and common property in the strata title

FIRST SCHEDULE — *continued*

plan concerned and (if applicable) on the subsidiary proprietors in reversion of the leasehold estate in the lots, or on all the proprietors of all flats in the development concerned (as the case may be) by letter by registered post notifying every one of them of the proposed application accompanied by a copy each of the following documents, and stating that copies of the documents may also be obtained from the marketing agent or the collective sale committee:

- (i) the collective sale agreement mentioned in sub-paragraph (a);
  - (ii) the sale and purchase agreement which is to be the subject of the application to the Board;
  - (iii) a statutory declaration made by the purchaser under the sale and purchase agreement on the nature of the purchaser's relationship (if any) or, if the purchaser is a body corporate, the nature of the relationship of every one of its directors (if any), to any subsidiary proprietor of any lot comprised in that strata title plan or any proprietor of any flat in the development, as the case may be;
  - (iv) the advertisement mentioned in sub-paragraph (d);
  - (v) a valuation report from an independent valuer on the value of the development as at the date of the close of the public tender or auction; and
  - (vi) a report by an independent valuer on the proposed method of distributing the proceeds of the sale due under the sale and purchase agreement;
- (f) give further notice of the proposed application by post addressed to each lot in the strata title plan concerned or each flat in the development concerned (as the case may be) or by placing a copy of the notice in the respective mail boxes for each such lot or flat; and
- (g) [*Deleted by Act 13 of 2010*]
- (h) affix a copy of the notice mentioned in sub-paragraph (e), without the enclosed documents, in the 4 official languages to a conspicuous part of each building comprised in the strata title plan or the development, as the case may be.

2.—(1) For the purposes of this Schedule —

- (a) the permitted time in relation to a collective sale agreement executed or to be executed by subsidiary proprietors or proprietors mentioned in section 84A(1), 84D(2), 84E(3) or 84FA(2), means a period —

FIRST SCHEDULE — *continued*

- (i) starting from the date the first subsidiary proprietor or proprietor, or that subsidiary proprietor's or proprietor's duly appointed attorney, as the case may be, signs the collective sale agreement; and
- (ii) ending not more than 12 months after the date the first subsidiary proprietor or proprietor, or that subsidiary proprietor's or proprietor's duly appointed attorney, as the case may be, signs the collective sale agreement; and

(b) the collective sale agreement is regarded as executed notwithstanding that it is executed on separate copies thereof and at different times.

(2) To avoid doubt, it is declared that any reference in sub-paragraph (1)(a) to the first subsidiary proprietor or proprietor who signs the collective sale agreement does not include a reference to a subsidiary proprietor who rescinds the subsidiary proprietor's agreement to be party thereto in accordance with paragraphs 6 and 7.

3. The collective sale committee must provide a preface to the collective sale agreement stating the clause numbers and page numbers in which the following information are found:

- (a) the reserve price for the development;
- (b) the apportionment method for the proceeds of sale;
- (c) the fees payable to the advocate and solicitor, marketing agent and other person involved in handling the collective sale;
- (d) the amount of the compensation fund, if any;
- (e) the person entitled to any interest derived from moneys held by any stakeholder; and
- (f) the date of delivery of vacant possession of the lot or flat.

4. The collective sale agreement must be signed by the subsidiary proprietor, and, if signed in Singapore, in the presence of an advocate and solicitor who has a valid practising certificate appointed by the collective sale committee or in accordance with paragraph 7(1)(a) in the Third Schedule, whichever is applicable.

5. The collective sale agreement must be accompanied by a notice, in the prescribed form, that may be used by the subsidiary proprietor to rescind the subsidiary proprietor's agreement to be a party to the collective sale agreement.

6.—(1) A subsidiary proprietor may rescind the subsidiary proprietor's agreement to be a party to the collective sale agreement by serving a notice of rescission referred to in paragraph 5 within the cooling-off period which is a period of 5 days (excluding any day which is a Saturday, Sunday or public

FIRST SCHEDULE — *continued*

holiday) after the day on which the collective sale agreement was signed by the subsidiary proprietor.

(2) To avoid doubt, it is declared that —

- (a) a subsidiary proprietor or proprietor who signs a collective sale agreement remains entitled to rescind the subsidiary proprietor's or proprietor's agreement to be a party thereto in accordance with sub-paragraph (1) even after the permitted time (as defined by paragraph 2) for the collective sale agreement has expired; and
- (b) any such subsidiary proprietor or proprietor who so rescinds the subsidiary proprietor's or proprietor's agreement to be a party to a collective sale agreement after the permitted time for the collective sale agreement has expired is, for the purposes of paragraph 1, not to be regarded as having executed the collective sale agreement within the permitted time.

7. The notice of rescission must be signed by the subsidiary proprietor and must be served personally on the advocate and solicitor appointed by the collective sale committee or in accordance with paragraph 7(1)(a) in the Third Schedule, whichever is applicable, before 5 p.m. on the last day of the cooling-off period.

8. A subsidiary proprietor is not entitled to serve a notice of rescission more than once for the same collective sale agreement.

9. The advertisement referred to in paragraph 1(d) must include —

- (a) information on the development;
- (b) brief details of the sale proposal; and
- (c) the place at which the affected parties can inspect documents for the collective sale.

10. The notice mentioned in paragraph 1(e) to be served by registered post must be served on the affected parties —

- (a) where the party is a subsidiary proprietor of a lot in the strata title plan — at the address as shown on the strata roll;
- (b) where the party is a proprietor of a flat or land — at the last recorded address at the Land Titles Registry or Registry of Deeds;
- (c) where the party is a mortgagee, chargee or other person with an estate and interest in the lot or flat whose interest is notified on the land-register or a subsidiary proprietor in reversion of the leasehold estate in a lot, that subsidiary proprietor's mortgagee, chargee or other person with an estate or interest in the lot and whose interest is notified

FIRST SCHEDULE — *continued*

on the subsidiary strata land-register — at the address on the strata roll or last recorded address at the Land Titles Registry or Registry of Deeds (as the case may be) provided that where such mortgagee, chargee, subsidiary proprietor in reversion or other person has an estate or interest in more than one lot or flat whose interest is notified on the land-register or subsidiary strata land-register, a single notice referring to the affected lots or flats and their respective subsidiary proprietors or proprietors suffices; and

- (d) where the party is a management corporation — at its address recorded on the folio of the land-register comprising the common property.

11. An application to a Board must be made by the subsidiary proprietors mentioned in section 84A(1) or 84FA(2) or the proprietors mentioned in section 84D(2) or 84E(3) within 14 days of the publication of the advertisement referred to in paragraph 1(d), enclosing —

- (a) the documents specified in paragraph 1(e);
- (b) a statutory declaration made by the representatives appointed under section 84A(2) or their solicitors stating —
- (i) the date the permitted time for the collective sale agreement started;
  - (ii) the date on which the collective sale agreement mentioned in paragraph 1(a) was last executed by any subsidiary proprietor or proprietor mentioned in section 84A(1), 84D(2), 84E(3) or 84FA(2), as the case may be;
  - (iii) the date or dates on which the notice or notices mentioned in paragraph 1(b) were affixed; and
  - (iv) that sub-paragraphs (c), (d), (e) and (h) of paragraph 1 have been complied with;
- (c) a list of the names of the subsidiary proprietors or proprietors who have not agreed in writing to the sale, their mortgagees, chargees, the subsidiary proprietors in reversion of the leasehold estate in the lots and other persons (other than lessees) with an estate or interest in the lots or flats whose interests are notified on the land-register or subsidiary strata land-register; and
- (d) such other document as the Board may require.

12. The Board must, within 5 days of the filing of an objection, serve a copy of it by registered post on the representatives appointed under section 84A(2) and their solicitors, if any.

FIRST SCHEDULE — *continued*

13. The subsidiary proprietors mentioned in section 84A(1) or 84FA(2) or the proprietors mentioned in section 84D(2) or 84E(3) must, after making an application to the Board, cause a notification of the application being made to be registered under this Act, the Land Titles Act 1993 or the Registration of Deeds Act 1988, as the case may be.

14. The subsidiary proprietors or proprietors mentioned in paragraph 13 must —

- (a) if an order for sale is granted by the General Division of the High Court or a Board (as the case may be) under section 84A, 84D, 84E or 84FA — register the order of the General Division of the High Court or Board in accordance with this Act, the Land Titles Act 1993 or the Registration of Deeds Act 1988, as the case may be;
- (b) if the order for sale is not granted by a Board and no application is made to the General Division of the High Court within the time delimited by section 84A(2B), 84D(2B), 84E(3B) or 84FA(2B) — apply to cancel the notification registered under paragraph 13; or
- (c) if the order for sale is not granted by the General Division of the High Court — apply to cancel the notification registered under paragraph 13.

15. In this Schedule, “affected parties” means —

- (a) the subsidiary proprietors mentioned in section 84A(1) or 84FA(2) or the proprietors mentioned in section 84D(2) or 84E(3);
- (b) the subsidiary proprietors of the lots or the proprietors of the flats who have not agreed in writing to the sale, and any mortgagee, chargee and other person (other than a lessee) with an estate or interest in the lot or flat whose interest is notified on the land-register;
- (c) the proprietor of the land under section 84E, that proprietor’s mortgagee, chargee or other person with an estate or interest in the land whose interest is notified on the land-register;
- (d) the subsidiary proprietor in reversion of the leasehold estate in the lots under section 84FA, that subsidiary proprietor’s mortgagee, chargee or other person with an estate or interest in the lots and whose interest is notified on the subsidiary strata land-register; and
- (e) the management corporation, where applicable.

*[13/2010; 40/2019; S 365/2010; S 111/2011]*

## SECOND SCHEDULE

Sections 84A(1A)(a), (3), (7C) and (14), 84D(9) and (9A), 84E(15) and (15A) and 84FA(16) and paragraphs 1(1), 7(1), 9(1)(b) and (1A) and 12(1)(a) of Third Schedule

### GENERAL MEETINGS FOR PURPOSES OF COLLECTIVE SALE

#### **Definitions**

1.—(1) In this Schedule —

“electronic means” means electronic communication, video conferencing, tele-conferencing or other electronic means;

“virtual meeting technology” means any technology that allows a person to participate in a meeting without being physically present at the place of meeting.

(2) In this Schedule, where a general meeting convened by a management corporation for the purposes of a collective sale is held (whether wholly or partly) using virtual meeting technology, a person who attends the meeting using virtual meeting technology is to be treated as being present if the person —

- (a) is able to participate in the proceedings of the meeting using the virtual meeting technology provided to the person;
- (b) is verified as attending the meeting in the manner specified in sub-paragraph (a) by —
  - (i) in the case of a general meeting of a management corporation — the secretary of the council of the management corporation or a person appointed by the council to verify the quorum; or
  - (ii) in the case of a general meeting of the proprietors of flats in a development to which section 84D or 84E applies — a person appointed by the proprietors of the flats to verify the quorum; and
- (c) is acknowledged by electronic means by the chairperson of the meeting as attending the meeting.

*[S 444/2023 wef 01/07/2023]*

#### **Application of Schedule**

1A. This Schedule applies only to any general meeting convened by a management corporation for the purposes of a collective sale.

*[S 444/2023 wef 01/07/2023]*

SECOND SCHEDULE — *continued***Convening of general meeting on requisition**

2.—(1) Subject to sub-paragraph (1A), the council of a management corporation must, on receipt by the secretary thereof of a requisition for a general meeting signed by —

- (a) one or more persons entitled to vote in respect of one or more lots, the share value or the total share value of which is at least 20% of the aggregate share value of all the lots whose subsidiary proprietors comprise the management corporation; or
- (b) not less than 25% of the total number of subsidiary proprietors of the lots whose subsidiary proprietors comprise the management corporation,

immediately proceed to convene a general meeting of the management corporation to be held as soon as practicable but in any case not later than 6 weeks after the receipt by the secretary of the requisition.

(1A) If a relevant event happens, the council of the management corporation must not, on receipt by the secretary thereof of another requisition for a general meeting, proceed to convene another general meeting of the management corporation for the purposes of constituting a collective sale committee unless —

- (a) 2 or more years have elapsed since the happening of the relevant event; or
- (b) the requisition is signed —
  - (i) in the case of the first requisition after the happening of the relevant event — by at least 50% of the total number of subsidiary proprietors of lots that comprise the management corporation or by one or more persons entitled to vote in respect of one or more lots, the share value or the total share value of which is at least 50% of the aggregate value of all the lots whose subsidiary proprietors comprise the management corporation; and
  - (ii) in the case of the second or subsequent requisition after the happening of the relevant event — by at least 80% of the total number of subsidiary proprietors of lots that comprise the management corporation or by one or more persons entitled to vote in respect of one or more lots, the share value or the total share value of which is at least 80% of the aggregate value of all the lots whose subsidiary proprietors comprise the management corporation.

SECOND SCHEDULE — *continued*

(2) Subject to sub-paragraph (2A), in the case of land in a development to which section 84D applies, any general meeting must be convened by —

- (a) the proprietors of the flats who own not less than 20% share of the land; or
- (b) not less than 25% of the total number of proprietors of the flats.

(2A) If a relevant event happens, the proprietors of flats in a development to which section 84D applies must not proceed to convene another general meeting for the purposes of constituting a collective sale committee unless —

- (a) 2 or more years have elapsed since the happening of the relevant event; or
- (b) the requisition for the meeting is made —
  - (i) in the case of the first requisition after the happening of the relevant event — by proprietors of flats in the development who own not less than 50% share of the land or by not less than 50% of the total number of proprietors of such flats; and
  - (ii) in the case of the second or subsequent requisition after the happening of the relevant event — by proprietors of flats in the development who own not less than 80% share of the land or by not less than 80% of the total number of proprietors of such flats.

(3) Subject to sub-paragraph (3A), in the case of land in a development to which section 84E applies, any general meeting must be convened by —

- (a) the proprietors of the flats who own not less than 20% notional share of the land; or
- (b) not less than 25% of the total number of proprietors of the flats.

(3A) If a relevant event happens, the proprietors of flats in a development to which section 84E applies must not proceed to convene another general meeting for the purposes of constituting a collective sale committee unless —

- (a) 2 or more years have elapsed since the happening of the relevant event; or
- (b) the requisition for the meeting is made —
  - (i) in the case of the first requisition after the happening of the relevant event — by proprietors of flats in that development who own not less than 50% notional share of the land or by not less than 50% of the total number of proprietors of such flats; and

SECOND SCHEDULE — *continued*

- (ii) in the case of the second or subsequent requisition after the happening of the relevant event — by proprietors of flats in that development who own not less than 80% notional share of the land or by not less than 80% of the total number of proprietors of such flats.

(4) The requisition must state the objects of the meeting and must be signed by the requisitionists and deposited at the registered address of the management corporation, and may consist of several documents in like form each signed by one or more requisitionists.

(5) If the council does not within 14 days after the date of the deposit of the requisition made by requisitionists referred to in sub-paragraph (1) or (1A)(b) (as the case may be) proceed to convene a meeting, the requisitionists, or any one of them representing more than 50% of the total voting rights of all of them, may themselves, in the same manner as nearly as possible as that in which meetings are to be convened by the council, convene a meeting, but any meeting so convened must not be held after the expiration of 3 months from that date.

(6) Any reasonable expenses incurred by the requisitionists by reason of the failure of the council to convene a meeting must be paid to the requisitionists by the management corporation.

(7) In the case of land in a development to which section 84D or 84E applies, the general meeting may be convened by the proprietors mentioned in sub-paragraph (2), (2A), (3) or (3A) (as the case may be) in the same manner as nearly as possible as that in which meetings are to be convened.

(8) For the purposes of sub-paragraphs (1A), (2A) and (3A), a relevant event occurs when —

- (a) no quorum of proprietors is present at a general meeting to constitute a collective sale committee —
  - (i) of a management corporation under sub-paragraph (1) convened on or after 15 July 2010;
  - (ii) of proprietors of flats in a development to which section 84D applies under sub-paragraph (2) convened on or after 15 July 2010; or
  - (iii) of proprietors of flats in a development to which section 84E applies under sub-paragraph (3) convened on or after 15 July 2010;
- (b) the motion for the constitution of a collective sale committee, notice of which was given in accordance with paragraph 3, is defeated at the general meeting mentioned in sub-paragraph (a)(i), (ii) or (iii);

SECOND SCHEDULE — *continued*

- (c) the collective sale agreement executed among the subsidiary proprietors that comprise the management corporation, or the collective sale agreement executed among the proprietors of flats mentioned in section 84D(2) or 84E(3), as the case may be, expires at any time on or after 15 July 2010;
- (d) the collective sale committee constituted for the purposes of a collective sale of all lots and the common property in a strata title plan to which section 84A or 84FA applies, or a collective sale of all the flats and land in a development to which section 84D or 84E applies, as the case may be, is dissolved at any time on or after 15 July 2010 by virtue of the operation of paragraph 12(2) of the Third Schedule; or
- (e) every member of a collective sale committee constituted for the purposes of a collective sale mentioned in sub-paragraph (d) is removed from office on or after 15 July 2010 and no other collective sale committee is constituted in replacement for the purposes of the same collective sale.

**Method of holding meetings**

2A.—(1) Except as provided in sub-paragraph (2), a general meeting may be held —

- (a) at a physical place;
- (b) at a physical place and using virtual meeting technology; or
- (c) using virtual meeting technology only.

(2) Despite sub-paragraph (1) —

- (a) a general meeting must not be held using virtual meeting technology only, unless all of the members who wish to participate at the meeting have access to the virtual meeting technology needed to participate in the meeting; and
- (b) a general meeting must not be held using virtual meeting technology only, if the management corporation has resolved —
  - (i) that the meeting must be held at a physical place or at a physical place and using virtual meeting technology; or
  - (ii) that each general meeting must be held at a physical place or at a physical place and using virtual meeting technology.

SECOND SCHEDULE — *continued*

(3) Despite sub-paragraph (1), a general meeting of which notice has been served before 1 July 2023 must not be held using virtual meeting technology only unless the management corporation has so resolved.

*[S 444/2023 wef 01/07/2023]*

**Notice of general meetings**

3.—(1) A notice of a general meeting of a management corporation must be served on each subsidiary proprietor who is a member thereof and on the first mortgagee of a lot, as ascertained from the strata roll, at least 14 days before the meeting.

(2) Every notice for a general meeting must —

(a) specify all of the following:

(i) whether the meeting will be held —

(A) at a physical place;

(B) at a physical place and using virtual meeting technology;  
or

(C) using virtual meeting technology only;

(ii) where the meeting will be held at a physical place or at a physical place and using virtual meeting technology — the location of the physical place;

(iii) the day and hour of the meeting;

*[S 444/2023 wef 01/07/2023]*

(b) include each proposed resolution to be considered at the meeting;

(c) specify any other business to be transacted at the meeting; and

(d) inform each person to whom the notice is addressed that the person may vote in respect of each proposed resolution and, where relevant, on election of members of the collective sale committee —

(i) in the case of a subsidiary proprietor of a lot subject to a first mortgage shown on the strata roll, only if the mortgagee fails or neglects to exercise the voting power conferred upon the mortgagee by this Schedule; and

(ii) either in person or by proxy at the meeting.

(2A) Where a general meeting is to be held (whether wholly or partly) using virtual meeting technology, every notice for the general meeting, in addition to complying with sub-paragraph (2) —

SECOND SCHEDULE — *continued*

- (a) must describe the means by which the general meeting can be electronically accessed using the virtual meeting technology (including the online location, if the general meeting is to be held at an online location); and
- (b) must state how each person to whom the notice is addressed may vote by electronic means.

[S 444/2023 wef 01/07/2023]

- (3) A motion must not be submitted at a general meeting unless —
  - (a) notice of the motion has been given in accordance with this paragraph; or
  - (b) the motion is a motion to amend a motion of which notice has been so given.
- (4) A motion for the constitution of a collective sale committee and its powers, duties or functions is to be decided by ordinary resolution passed at the general meeting.
- (5) In the case of land in a development to which section 84D or 84E applies, a notice of a general meeting of the proprietors of the flats must be served on each proprietor by registered post at his last recorded address at the Land Titles Registry or the Registry of Deeds and placing a copy of the notice under the main door of every flat in the development.

**Persons entitled to vote at general meetings**

4.—(1) A person is entitled to vote in respect of any lot on any proposal submitted at a general meeting of a management corporation or on any election of members of the collective sale committee only if the person is the subsidiary proprietor or a mortgagee in possession or a receiver of that lot as shown on the strata roll.

(2) Despite any other provision of this paragraph, a first mortgagee, as shown on the strata roll, of a lot is entitled to vote in respect of that lot on any proposal submitted at a general meeting of a management corporation or on any election of members of the collective sale committee and, if that mortgagee votes on that proposal, any vote cast by the subsidiary proprietor of that lot on the proposal must not be counted.

(3) The vote of co-proprietors or co-mortgagees may be cast by any of them in person or by a proxy and if both joint subsidiary proprietors or co-mortgagees are present at a meeting of the management corporation, the vote of the senior who casts a vote, whether in person or by a proxy, must be accepted to the exclusion of the votes of the others; and for this purpose, seniority is determined by the order in which the names stand in the strata roll.

SECOND SCHEDULE — *continued*

(4) In the case of land in a development to which section 84D or 84E applies, the seniority is determined by the order in which the names appear in the records at the Land Titles Registry or the Registry of Deeds.

(5) Only the subsidiary proprietor entitled to the first of 2 or more successive estates in a lot is, subject to this Schedule, entitled to cast a vote on any proposal submitted at a general meeting of a management corporation or on any election of members of the collective sale committee.

(6) A subsidiary proprietor who is the trustee of a lot is, subject to this Schedule, entitled to cast a vote on any proposal submitted at a general meeting of a management corporation or on any election of members of the collective sale committee and the persons beneficially interested in the trust are not entitled to cast such a vote.

(7) The voting rights conferred by this paragraph are subject to section 65(9) and (10) of the Building Maintenance and Strata Management Act 2004.

**Quorum**

5.—(1) No business is to be transacted at any general meeting of a management corporation unless a quorum of subsidiary proprietors is present.

(2) A quorum is formed at any general meeting of a management corporation constituted in respect of a strata title plan when the number of subsidiary proprietors who own at least 30% of the aggregate share value for all lots comprised in that strata title plan are present at the meeting, either in person or by proxy.

(3) In the case of land in a development to which section 84D or 84E applies, the quorum is formed at any general meeting of the proprietors of the flats when the number of proprietors who own at least 30% of the share or notional share in land, as the case may be, are present at the meeting, either in person or by proxy.

(4) If at the end of 60 minutes after the time appointed for holding a general meeting of a management corporation mentioned in sub-paragraph (2) or the proprietors of flats mentioned in sub-paragraph (3), no quorum as specified in sub-paragraph (2) or (3) (as the case may be) is present, that general meeting immediately stands dissolved.

**Motions out of order**

6. At a general meeting of a management corporation, its chairperson may rule that a motion submitted at the meeting is out of order if he or she considers that the motion, if carried, would conflict with this Act or would otherwise be unlawful or unenforceable.

SECOND SCHEDULE — *continued***Method of casting vote**

7. Except as provided in paragraph 4(3), a vote on a motion submitted at a general meeting of a management corporation or on any election of members of the collective sale committee may be cast by the person entitled to vote, either personally or by the person's duly appointed proxy.

**Voting by electronic means**

7A. A person entitled to vote at a general meeting of a management corporation may vote by electronic means only if all the following are satisfied:

- (a) the electronic voting system used is capable of accurately counting all votes cast for and against any proposal submitted at the meeting;
- (b) the electronic voting system used is capable of providing records from which the operation of the electronic voting system may be audited and for verification of the accuracy of the recording and counting of votes;
- (c) the chairperson must, during the meeting, declare the result of the voting by electronic means on any proposal submitted at the meeting.

*[S 444/2023 wef 01/07/2023]*

**Chairperson to preside**

8. The chairperson of the management corporation presides at any general meeting of the management corporation at which he or she is present and, in his or her absence from any such meeting, the persons present at that meeting and entitled to vote on motions submitted at that meeting may elect one of their number to preside at that meeting and the person so elected is, while he or she is so presiding, deemed to be the chairperson of the management corporation.

**List of names of persons entitled to vote**

9. The secretary of the management corporation must put up a list of the names of the persons who are entitled to vote at a general meeting on the notice board maintained on the common property at least 48 hours before the general meeting.

**Counting of votes on motion**

10.—(1) A motion submitted at a general meeting of a management corporation must be decided only according to the value, ascertained in accordance with sub-paragraphs (2) and (3), of the votes cast for and against the motion, whether personally or by proxy.

(2) Subject to sub-paragraph (3), for the purposes of sub-paragraph (1), the value of a vote cast on a motion submitted at a general meeting of a management

SECOND SCHEDULE — *continued*

corporation by a person entitled to vote in respect of a lot is equal to the share value of that lot.

(3) For the purposes of sub-paragraph (1), the value of the vote cast by a subsidiary proprietor of a proposed lot is 25% of the value that, but for this sub-paragraph, the subsidiary proprietor's vote would have under sub-paragraph (2), ignoring any fraction.

(4) A poll must be taken in such manner as the chairperson thinks fit.

**Chairperson's declaration of vote**

11. The declaration of the chairperson of the result of the voting on any proposal submitted at a general meeting of the management corporation is conclusive.

**Minutes of general meeting**

11A.—(1) The management corporation must keep or cause to be kept minutes of every general meeting of a management corporation.

(2) The minutes mentioned in sub-paragraph (1) must contain the following information:

- (a) the date, time and place of the meeting;
- (b) the names of the subsidiary proprietors present at the meeting;
- (c) the names of the subsidiary proprietors who have appointed proxies;
- (d) the names of the proxies present at the meeting;
- (e) the result of the votes on every motion submitted at the meeting;
- (f) the text of every resolution passed at the meeting.

(3) In addition to sub-paragraph (2), if the general meeting was held using virtual meeting technology (whether wholly or partly), the minutes must —

- (a) state that fact;
- (b) state the virtual meeting technology used; and
- (c) in respect of each person who was present at the general meeting using virtual meeting technology, state the fact that the person was present using virtual meeting technology.

(4) Where a general meeting was held wholly using virtual meeting technology, the requirement that the minutes of the meeting must specify the place for the meeting under sub-paragraph (2)(a) does not apply.

*[S 444/2023 wef 01/07/2023]*

SECOND SCHEDULE — *continued*

**Company may appoint representative to attend meetings**

12. A company which is a subsidiary proprietor may under the seal of the company or the hand of its director or any duly authorised attorney appoint such person as it thinks fit to act as its representative either at a particular meeting or at all meetings of the management corporation, and a person so authorised is, in accordance with his or her authority or until his or her authority is revoked by the company, entitled to exercise the same powers on behalf of the company as the company could exercise if it were an individual.

**Instrument of proxy**

13.—(1) An instrument appointing a proxy must be in writing —

- (a) under the hand of the person appointing the proxy or of the person’s attorney duly authorised in writing; or
- (b) if the person appointing the proxy is a company, either under the seal or under the hand of an officer or its attorney duly authorised.

(2) Where it is desired to afford subsidiary proprietors an opportunity of voting for or against a resolution, the instrument appointing a proxy must be in the following form:

\*I/We, ..... of being \*a member/members of the abovenamed management corporation, appoint ....., of ....., as \*my/our proxy to attend at the [annual or extraordinary (as the case may be)] general meeting of the management corporation or subsidiary management corporation, to be held on ..... 20 ....., and at any adjournment of the meeting and to vote for \*me/us on \*my/our behalf in the following manner:

Resolution	For	Against	Abstain
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Notes:

1. A subsidiary proprietor may direct the subsidiary proprietor’s proxy to vote on the resolution by ticking the desired box (in favour of/against the resolution or abstain from voting) in the above table. An abstain vote will not be counted in the calculation of votes.

2. If the subsidiary proprietor does not indicate the subsidiary proprietor’s voting preference in the above table, the proxy may vote or abstain from voting at the proxy’s discretion, in relation to any matter which is put before the meeting

SECOND SCHEDULE — *continued*

(including any resolution to adjourn the meeting or to amend any resolution proposed at the meeting).

3. This instrument appointing a proxy is void if \*I am/we are present at the meeting.

Signed on ..... 20 .....

.....

Signature(s) of subsidiary proprietor(s)

.....

Signature(s) of proxy

\*delete whichever is inapplicable

(3) The instrument appointing a proxy is deemed to confer authority to demand or join in demanding a poll.

(4) The instrument appointing a proxy is void if the person appointing the proxy is present at the meeting.

(5) An appointed proxy can only represent a person or persons appointing the proxy —

(a) being a proprietor or proprietors, in the case of land in a development to which section 84D or 84E applies, of the higher of the following:

(i) 2 or fewer flats;

(ii) a number of flats not exceeding 2% of the total number of flats in the development (rounded down to the nearest whole number); and

(b) in any other case, being a subsidiary proprietor or subsidiary proprietors of the higher of the following:

(i) 2 or fewer lots;

(ii) a number of lots not exceeding 2% of the total number of lots in the development (rounded down to the nearest whole number).

(6) In the event an appointed proxy represents more than the maximum permitted in sub-paragraph (5), the additional instrument of proxy held is void.

### **Submission of instrument of proxy**

14.—(1) The instrument appointing a proxy and the power of attorney or other authority (if any) under which the instrument is signed, or a notarially certified

SECOND SCHEDULE — *continued*

copy of that power or authority, must, within the time specified in sub-paragraph (2) —

(a) be deposited —

(i) at the registered address of the management corporation; or

(ii) at any other place in Singapore that is specified for that purpose in the notice convening the meeting; or

(b) be sent by electronic mail to an electronic mail address of the management corporation as is specified for that purpose in the notice convening the meeting or fixing the adjourned meeting.

(2) The time mentioned in sub-paragraph (1) is the following:

(a) in the case of a poll, at least 48 hours before the time appointed for the taking of the poll;

(b) in any other case, at least 48 hours before the time for holding the meeting or adjourned meeting at which the person named in the instrument proposes to vote.

(3) An instrument of proxy that is not submitted in accordance with sub-paragraph (1) is not to be treated as valid.

*[S 444/2023 wef 01/07/2023]*

**Powers of proxies**

15.—(1) A proxy need not be a subsidiary proprietor.

(2) Subject to sub-paragraph (3), a person duly appointed as a proxy —

(a) if entitled to vote otherwise than as a proxy, may also vote in the person's own right; and

(b) if appointed as proxy for more than one person, may vote separately as a proxy in each case.

(3) A proxy cannot exercise a vote in relation to a matter if the person who appointed the proxy is exercising personally a power to vote on the matter.

**Authority not to be revoked by death of principal, etc.**

16. A vote given in accordance with the terms of an instrument of proxy or attorney is valid despite the previous death or mental disorder of the principal or revocation of the instrument or of the authority under which the instrument was executed, or the transfer of the share in respect of which the instrument is given, if no notification in writing of such death, mental disorder, revocation or transfer as aforesaid has been received by the management corporation at its registered

SECOND SCHEDULE — *continued*

address or such other place in Singapore mentioned in paragraph 14 before the commencement of the meeting or adjourned meeting at which the instrument is used.

[13/2010; S 365/2010; S 24/2021]

[S 444/2023 wef 01/07/2023]

## THIRD SCHEDULE

Sections 84A(1A)(b), (3), (7C) and  
(14), 84D(9) and (9A), 84E(15) and  
(15A) and 84FA(16)

COMPOSITION, CONSTITUTION AND PROCEEDINGS OF  
COLLECTIVE SALE COMMITTEE**Members of collective sale committee**

1.—(1) Subject to sub-paragraph (2), a collective sale committee comprises such number of persons as may be determined in a general meeting convened in accordance with the Second Schedule, but in no case less than 3 members or more than 14 members who are natural persons.

(2) Despite sub-paragraph (1), where the number of subsidiary proprietors of the lots in a strata title plan is not more than 3, the collective sale committee must consist of each subsidiary proprietor (if any) who is a natural person or the subsidiary proprietor's nominee, together with the nominee of each subsidiary proprietor (if any) which is a company.

(3) A person is not eligible for election as a member of a collective sale committee unless he or she is an individual of at least 21 years of age and who —

- (a) is a subsidiary proprietor of a lot;
- (b) is nominated for election by a subsidiary proprietor of a lot which is a company; or
- (c) is not a subsidiary proprietor but is a member of the immediate family of a subsidiary proprietor and is nominated for election by that subsidiary proprietor.

(4) Despite sub-paragraph (3), the following persons are also not eligible for election as a member of the collective sale committee:

- (a) an individual who is a joint subsidiary proprietor of a lot with another subsidiary proprietor, if that other subsidiary proprietor is also a candidate at that election or has nominated another person for that election; and

THIRD SCHEDULE — *continued*

- (b) an individual who is nominated for election by a subsidiary proprietor who owns 2 or more lots, if that subsidiary proprietor together with any of that subsidiary proprietor's nominees —
- (i) nominated at the same election; or
  - (ii) elected to the collective sale committee at the same or other election,

or such of that subsidiary proprietor's nominees, exceed the threshold number for that subsidiary proprietor determined in accordance with sub-paragraph (6).

(5) Despite sub-paragraph (3) and without prejudice to sub-paragraph (4) —

- (a) an undischarged bankrupt; or
- (b) a subsidiary proprietor of a lot whose contributions and other moneys levied or recoverable by the management corporation under the Building Maintenance and Strata Management Act 2004 in respect of that lot are in arrears,

is eligible for election as a member of a collective sale committee if, and only if, his or her status referred to in sub-paragraph (a) or (b) is declared in writing, whether by himself or herself or by another, at the time of his or her nomination.

(6) For the purposes of determining the eligibility of any subsidiary proprietor's nominee for election as a member of a collective sale committee under sub-paragraph (4)(b), the threshold number for that subsidiary proprietor is —

- (a) the number of collective sale committee members that is proportional to the subsidiary proprietor's share value, ignoring any fraction; or
- (b) 49% of the number of collective sale committee members determined under sub-paragraph (1), ignoring any fraction,

whichever number is the lower.

**Disclosure of conflict of interests**

2.—(1) If a person standing for election as a member of a collective sale committee is aware of any conflict of interest or potential conflict of interest (if any) with his or her duties or interests as a member of the collective sale committee (should he or she be elected) arising from —

- (a) his or her holding of any office;
- (b) his or her interest in any contract, whether alone or together with any of his or her associates;

THIRD SCHEDULE — *continued*

- (c) his or her possession or ownership of any lot or common property that may be the subject of the collective sale, whether alone or together with any of his or her associates;
- (d) any direct or indirect relationship the person or any associate of the person has with any property developer, property consultant, marketing agent or legal firm;
- (e) the holding of any office by any of his or her associates;
- (f) his or her associate's interest in a contract; or
- (g) his or her associate's possession or ownership of any lot or common property that may be the subject of the collective sale,

the person must, before his or her election, declare at the general meeting convened for such election, the nature and extent of all such conflicts of interest or potential conflicts of interest.

(2) The election of any person who fails to comply with sub-paragraph (1) is void.

(3) If a member of a collective sale committee becomes aware of any conflict of interest or potential conflict of interest (if any) with his or her duties or interests as a member of the collective sale committee arising from —

- (a) his or her holding of any office;
- (b) his or her interest in any contract, whether alone or together with any of his or her associates;
- (c) his or her possession or ownership of any lot or common property that may be the subject of the collective sale, whether alone or together with any of his or her associates;
- (d) any direct or indirect relationship the member or any associate of the member has with any property developer, property consultant, marketing agent or legal firm;
- (e) the holding of any office by any of his or her associates;
- (f) his or her associate's interest in a contract; or
- (g) his or her associate's possession or ownership of any lot or common property that may be the subject of the collective sale,

the member must, within the relevant period, declare in writing to the chairperson of the collective sale committee, the nature and extent of all such conflicts of interest or potential conflicts of interest.

THIRD SCHEDULE — *continued*

(4) The collective sale committee whose member has made any such declaration under sub-paragraph (3) must, within 7 days after the making of the declaration, give notice of the making of the declaration by causing a copy of the declaration to be affixed to a conspicuous part of each building comprised in the strata title plan or development, as the case may be.

(5) For the purposes of sub-paragraph (3), “relevant period” means —

- (a) in the case of a person who, on 15 July 2010, is a member of a collective sale committee — a period of 30 days after that date; or
- (b) in any other case — 7 days after becoming aware of all conflicts of interest or potential conflicts of interest (if any) with his or her duties or interests as a member of the collective sale committee arising from the circumstances described in sub-paragraph (3).

(6) For the purposes of sub-paragraphs (1) and (3), a person (*A*) is an associate of another person (*B*) if —

- (a) *A* is the spouse or a parent, remoter lineal ancestor or step-parent or a son, daughter, remoter issue, stepson or stepdaughter or a brother or sister, of *B*;
- (b) *A* is a person who is accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *B* or, where *B* is a corporation, of the directors of *B*;
- (c) *B* is a person who is accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *A* or, where *A* is a corporation, of the directors of *A*;
- (d) *A* is a person with whom *B* has an agreement or arrangement, whether oral or in writing and whether express or implied, to act together with respect to the acquisition, holding or disposal of shares or other interests in, or with respect to the exercise of their voting power in relation to, any property developer, property consultant, marketing agent or legal firm;
- (e) *A* is a corporation in which *B*, alone or together with other associates of *B* as described in sub-paragraphs (b) and (c), is in a position to control not less than 5% of the voting power in *A*.

**Appointment of chairperson**

3. The chairperson of the collective sale committee must be appointed from among its members.

THIRD SCHEDULE — *continued***Tenure of office of member**

4. A member of the collective sale committee holds office for the duration of the collective sale agreement until —

- (a) the collective sale committee is dissolved; or
- (b) he or she vacates office under paragraph 5.

**Vacation of office of member of collective sale committee**

5. A person who is a member of a collective sale committee vacates his or her office as such a member —

- (a) if the person was a subsidiary proprietor at the time of his or her election and ceases to be a subsidiary proprietor;
- (b) if the person was the nominee of a subsidiary proprietor and the subsidiary proprietor who nominated him or her —
  - (i) ceases to be a subsidiary proprietor; or
  - (ii) notifies the collective sale committee in writing that the person's office as a member of the collective sale committee is vacated;
- (c) upon the receipt by the collective sale committee from the person of a notice in writing of the person's resignation;
- (d) where the person is a member under paragraph 1(2) and the number of subsidiary proprietors increases to more than 3, upon the election of the members of the collective sale committee at a general meeting convened after that increase;
- (e) if the person is removed from office at a general meeting;
- (ea) if the person is removed from office by the collective sale committee in accordance with paragraph 8 on the ground that an application to a Board has been made under section 84A or 84FA during his or her tenure as a member and the person is a subsidiary proprietor, or a nominee of a subsidiary proprietor, who has not executed the collective sale agreement to which the application relates;
- (f) if the person dies;
- (g) if the person becomes a mentally disordered person within the meaning of the repealed Mental Disorders and Treatment Act (Cap. 178, 1985 Revised Edition); or
- (h) if the person is convicted, on or after 4 October 2007, by a court in Singapore or elsewhere of an offence involving fraud or dishonesty.

THIRD SCHEDULE — *continued***Chairperson to preside at meetings**

6. The chairperson of a collective sale committee presides at all meetings of the collective sale committee at which he or she is present and, if he or she is absent from any such meeting, the members of the collective sale committee present at that meeting must appoint one of their number to preside at that meeting during the absence of the chairperson.

**General meetings convened by collective sale committee**

7.—(1) The collective sale committee must convene one or more general meetings of the management corporation in accordance with the Second Schedule for the following purposes:

- (a) to appoint any advocate and solicitor, any property consultant or marketing agent in connection with a collective sale where the collective sale committee is not already authorised at a general meeting to make such appointments;
- (b) to approve the apportionment of sale proceeds;
- (c) to approve the terms and conditions of the collective sale agreement.
- (d) [*Deleted by Act 13 of 2010*]
- (e) [*Deleted by Act 13 of 2010*]
- (f) [*Deleted by Act 13 of 2010*]
- (g) [*Deleted by Act 13 of 2010*]

(2) The meeting for any of the purposes in sub-paragraph (1)(a), (b) and (c) must be convened before any subsidiary proprietor signs the collective sale agreement.

(3) After the subsidiary proprietors mentioned in section 84A(1) or 84FA(2) have signed a collective sale agreement but before the launch for sale mentioned in paragraph 11, the collective sale committee must convene a meeting of subsidiary proprietors, of which at least 7 days' notice is given —

- (a) to give an update on the total number of subsidiary proprietors who, immediately before the date of the meeting, have signed the collective sale agreement; and
- (b) to provide information on the sale proposal and the sale process.

(4) As soon as practicable after the close of the public tender or public auction mentioned in paragraph 11 or, where applicable, after the collective sale committee has entered into a private contract under that paragraph, the collective sale committee must convene a meeting of subsidiary proprietors, of which at least 7 days' notice is given —

THIRD SCHEDULE — *continued*

- (a) to provide information on the number of offers received for the collective sale and the respective prices so offered; and
- (b) to provide information on the terms and conditions of the sale and purchase agreement.

**Convening, holding or conducting meetings of collective sale committee**

7A.—(1) Except as provided in sub-paragraph (2), a meeting of a collective sale committee may be convened, held or conducted —

- (a) at a physical place;
- (b) at a physical place and using virtual meeting technology; or
- (c) using virtual meeting technology only.

(2) Despite sub-paragraph (1), a meeting of a collective sale committee must not be convened, held or conducted using virtual meeting technology only, unless all of the members who wish to participate at the meeting have access to the virtual meeting technology needed to participate in the meeting.

(3) In this paragraph, “virtual meeting technology” means any technology that allows a person to participate in a meeting without being physically present at the place of meeting.

*[S 444/2023 wef 01/07/2023]*

**Meetings of collective sale committee**

8.—(1) At any meeting of a collective sale committee, a quorum consists of the majority of the members of the collective sale committee except that where a management corporation for a strata title plan has only 2 subsidiary proprietors, the presence of the member who owns more than 50% of the aggregate share value of all the lots comprised in the strata title plan is the quorum required to convene the meeting of the collective sale committee.

(2) A decision of the majority of members of the collective sale committee present and voting at any meeting of the collective sale committee is a decision of the collective sale committee except that where a management corporation for a strata title plan has only 2 subsidiary proprietors, the decision of the member who owns more than 50% of the aggregate share value of all the lots comprised in the strata title plan is the decision of the collective sale committee.

(3) A collective sale committee must cause a record of its decisions and minutes of its meetings to be kept.

(4) A member of the collective sale committee may vote by electronic means only if all the following are satisfied:

THIRD SCHEDULE — *continued*

- (a) the electronic voting system used is capable of accurately counting all votes cast for and against any proposal submitted at the meeting;
- (b) the electronic voting system used is capable of providing records from which the operation of the electronic voting system may be audited and for verification of the accuracy of the recording and counting of votes.

*[S 444/2023 wef 01/07/2023]*

(5) A collective sale committee must cause a record of its decisions and minutes of its meetings to be kept.

*[S 444/2023 wef 01/07/2023]*

(6) For the purposes of this paragraph, where a meeting of a collective sale committee is convened, held or conducted (whether wholly or partly) using virtual meeting technology, a member of the collective sale committee who attends the meeting using virtual meeting technology is to be treated as being present if the member —

- (a) is able to participate in the proceedings of the meeting using the virtual meeting technology provided to the person;
- (b) is verified by the secretary of the collective sale committee or a person appointed by the collective sale committee to verify the quorum as attending the meeting in the manner specified in sub-paragraph (a); and
- (c) is acknowledged by electronic means by the chairperson of the meeting as attending the meeting.

*[S 444/2023 wef 01/07/2023]*

(7) In this paragraph —

“electronic means” means electronic communication, video conferencing, tele-conferencing or other electronic means;

“virtual meeting technology” has the meaning given by paragraph 7A(3).

*[S 444/2023 wef 01/07/2023]*

**Keeping of records**

9.—(1) The collective sale committee must —

- (a) keep minutes of its proceedings; and
- (b) cause minutes of general meetings convened in accordance with the Second Schedule to be kept.

*[S 444/2023 wef 01/07/2023]*

THIRD SCHEDULE — *continued*

(1A) The minutes of every general meeting convened in accordance with the Second Schedule mentioned in sub-paragraph (1)(b) must contain the following information:

- (a) the date, time and place of the meeting;
- (b) the names of the subsidiary proprietors present at the meeting;
- (c) the names of the subsidiary proprietors who have appointed proxies;
- (d) the names of the proxies present at the meeting;
- (e) the result of the votes on every motion submitted at the meeting;
- (f) the text of every resolution passed at the meeting.

*[S 444/2023 wef 01/07/2023]*

(1B) In addition to sub-paragraph (1A), if the general meeting was held using virtual meeting technology (whether wholly or partly), the minutes must —

- (a) state that fact;
- (b) state the virtual meeting technology used; and
- (c) in respect of each person who was present at the general meeting using virtual meeting technology, state the fact that the person was present using virtual meeting technology.

*[S 444/2023 wef 01/07/2023]*

(1C) Where a general meeting was held wholly using virtual meeting technology, the requirement that the minutes of the meeting must specify the place for the meeting under sub-paragraph (1A)(a) does not apply.

*[S 444/2023 wef 01/07/2023]*

(2) If the management corporation is required by its by-laws to maintain a notice board, the collective sale committee must cause a copy of the minutes of a meeting of the collective sale committee to be displayed on the notice board within 7 days after the meeting.

(3) A copy of any minutes mentioned in sub-paragraph (2) must be kept displayed on the notice board for not less than 14 days.

(4) If there is no notice board, the collective sale committee must give each subsidiary proprietor a copy of the minutes mentioned in sub-paragraph (2) within the period specified in that sub-paragraph.

(5) The collective sale committee must —

- (a) ensure that proper books of account are kept in respect of all sums of money received and expended for the purposes of a collective sale specifying the matters in relation to which the receipts and expenditure take place; and

THIRD SCHEDULE — *continued*

- (b) on the application of a subsidiary proprietor or mortgagee of a lot (or any person authorised in writing by the subsidiary proprietor or mortgagee), make the books of account available for inspection at all reasonable times.

**Acts of collective sale committee valid despite vacancy, etc.**

10. Any act or proceeding of a collective sale committee done in good faith is, despite that at the time when the act or proceeding was done, taken or commenced there was —

- (a) a vacancy in the office of a member of the collective sale committee; or  
(b) any defect in the appointment or any disqualification of any such member,

as valid as if the vacancy, defect or disqualification did not exist and the collective sale committee were fully and properly constituted.

**Collective sale by public tender or auction**

11.—(1) The collective sale of all lots and common property in a strata title plan must be launched for sale only by way of public tender or public auction.

(2) A valuation report by an independent valuer on the value of the development as at the date of the close of the public tender or public auction must be obtained by the collective sale committee on the date of the close of the public tender or public auction.

(3) Despite sub-paragraph (1), the collective sale committee may, within 10 weeks from the close of the public tender or public auction, enter into a private contract with a purchaser for the sale of all the lots and common property in a strata title plan.

**Termination of collective sale committee**

12.—(1) A collective sale committee may be dissolved —

- (a) by ordinary resolution at a general meeting of the management corporation convened in accordance with the Second Schedule; or  
(b) upon the termination or expiry of the collective sale agreement.

(2) A collective sale committee that is constituted for the purposes of a collective sale of all lots and the common property in a strata title plan to which section 84A or 84FA applies, or a collective sale of all the flats and land in a development to which section 84D or 84E applies, must be dissolved if —

THIRD SCHEDULE — *continued*

- (a) in the case of such a committee that is constituted before 15 July 2010 — at the end of 12 months after that date; or
- (b) in any other case — at the end of 12 months after the committee is constituted,

there is no collective sale agreement for that collective sale or no subsidiary proprietor or proprietor (as the case may be) has executed a collective sale agreement for that collective sale.

*[13/2010; S 365/2010]*

## FOURTH SCHEDULE

Section 84A(8)(a) and (c) and (14)

DEDUCTIONS ALLOWABLE BY BOARD OR  
GENERAL DIVISION OF HIGH COURT

1. Stamp duty paid or payable on the sale, purchase, or sale and purchase (as the case may be) of the lot or flat.
2. Legal fees paid in relation to the purchase of the lot or flat.
3. Costs related to the privatisation of any designated land as defined in the repealed section 126A.
4. Costs incurred pursuant to the collective sale which are to be shared by all subsidiary proprietors or proprietors as provided under the collective sale agreement.

*[40/2019; 4/2021; S 365/2010; S 680/2013]*

## LEGISLATIVE HISTORY

### LAND TITLES (STRATA) ACT 1967

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

#### **1. Act 41 of 1967 — Land Titles (Strata) Act, 1967**

Bill	:	60/1966
First Reading	:	21 December 1966
Second Reading	:	27 February 1967
Select Committee Report	:	Parl. 12 of 1967
Third Reading	:	21 December 1967
Commencement	:	15 May 1968

#### **2. Act 37 of 1970 — Land Titles (Amendment) Act, 1970** (Amendments made by section 22 of the above Act)

Bill	:	32/1970
First Reading	:	22 July 1970
Second Reading	:	2 September 1970
Notice of Amendments	:	2 September 1970
Third Reading	:	2 September 1970
Commencement	:	1 December 1970 (section 22)

#### **3. 1970 Revised Edition — Land Titles (Strata) Act (Chapter 277)**

Operation	:	31 August 1971
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#### **4. Act 4 of 1976 — Land Titles (Strata) (Amendment) Act, 1976**

Bill	:	32/1975
First Reading	:	29 July 1975
Second Reading	:	19 August 1975
Select Committee Report	:	Parl. 1 of 1976
Third Reading	:	1 March 1976
Commencement	:	15 April 1976

#### **5. 1976 Reprint — The Land Titles (Strata) Act (Chapter 277)**

Reprint	:	10 September 1976
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- 6. Act 23 of 1982 — Land Titles (Strata) (Amendment) Act, 1982**
- Bill : 13/1982
- First Reading : 27 July 1982
- Second and Third Readings : 31 August 1982
- Commencement : 15 October 1982
- 7. 1985 Revised Edition — Land Titles (Strata) Act (Chapter 158)**
- Operation : 30 March 1987
- 8. Act 16 of 1987 — Land Titles (Strata) (Amendment) Act 1987**
- Bill : 10/1986
- First Reading : 5 May 1986
- Second Reading : 29 July 1986
- Select Committee Report : Parl. 10 of 1987
- Third Reading : 28 July 1987
- Commencement : 1 December 1987
- 9. 1988 Revised Edition — Land Titles (Strata) Act (Chapter 158)**
- Operation : 30 April 1988
- 10. G.N. No. S 143/1989 — Revised Edition of the Laws (Rectification) (No. 2) Order 1989**
- Operation : 30 April 1988
- 11. Act 24 of 1991 — Land Surveyors Act 1991**  
(Amendments made by section 52(1) read with item (1) of the Schedule to the above Act)
- Bill : 11/1991
- First Reading : 27 February 1991
- Second Reading : 22 March 1991
- Select Committee Report : Parl. 3 of 1991
- Third Reading : 28 June 1991
- Commencement : 30 August 1991 (section 52(1) read with item (1) of the Schedule)
- 12. Act 27 of 1995 — Land Titles (Strata) (Amendment) Act 1995**
- Bill : 22/1995

First Reading	:	25 May 1995
Second and Third Readings	:	7 July 1995
Commencement	:	4 August 1995

**13. G.N. No. S 92/1997 — Revised Edition of the Laws (Rectification) Order 1997**

Operation	:	30 April 1988
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**14. Act 3 of 1998 — Planning Act 1998**

(Amendments made by section 65 read with item (7) of the Second Schedule to the above Act)

Bill	:	18/1997
First Reading	:	19 November 1997
Second Reading	:	14 January 1998
Notice of Amendments	:	14 January 1998
Third Reading	:	14 January 1998
Commencement	:	1 April 1998 (section 65 read with item (7) of the Second Schedule)

**15. Act 21 of 1999 — Land Titles (Strata) (Amendment) Act 1999**

Bill	:	28/1998
First Reading	:	29 June 1998
Second Reading	:	31 July 1998
Select Committee Report	:	Parl. 2 of 1999
Third Reading	:	4 May 1999
Commencement	:	11 October 1999

**16. 1999 Revised Edition — Land Titles (Strata) Act (Chapter 158)**

Operation	:	30 December 1999
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**17. Act 17 of 2001 — Singapore Land Authority Act 2001**

(Amendments made by section 38(1) read with item (11) of the Fourth Schedule to the above Act)

Bill	:	17/2001
First Reading	:	5 March 2001
Second and Third Readings	:	19 April 2001

Commencement : 1 June 2001 (section 38(1) read with item (11) of the Fourth Schedule)

**18. Act 38 of 2002 — Stamp Duties (Amendment) Act 2002**

(Amendments made by section 11 read with item (4) of the Schedule to the above Act)

Bill : 40/2002  
 First Reading : 31 October 2002  
 Second and Third Readings : 25 November 2002  
 Commencement : 1 January 2003 (section 11 read with item (4) of the Schedule)

**19. Act 30 of 2003 — Planning (Amendment) Act 2003**

(Amendments made by section 20 read with item (3) of the Schedule to the above Act)

Bill : 27/2003  
 First Reading : 16 October 2003  
 Second and Third Readings : 11 November 2003  
 Commencement : 10 December 2003 (section 20 read with item (3) of the Schedule)

**20. G.N. No. S 243/2004 — Land Titles (Strata) Act (Amendment of Fourth Schedule) Order 2004**

Commencement : 1 May 2004

**21. Act 7 of 2004 — Fire Safety (Amendment) Act 2004**

(Amendments made by section 28 read with item (1) of the Schedule to the above Act)

Bill : 5/2004  
 First Reading : 5 January 2004  
 Second and Third Readings : 6 February 2004  
 Commencement : 16 February 2005 (section 28 read with item (1) of the Schedule)

**22. Act 37 of 2004 — Land Surveyors (Amendment) Act 2004**

(Amendments made by section 17 read with item (3) of the Schedule to the above Act)

Bill : 36/2004  
 First Reading : 1 September 2004

Second and Third Readings	:	21 September 2004
Commencement	:	31 March 2005 (section 17 read with item (3) of the Schedule)

**23. Act 47 of 2004 — Building Maintenance and Strata Management Act 2004**

(Amendments made by section 138(1) read with the Third Schedule to the above Act)

Bill	:	6/2004
First Reading	:	6 February 2004
Second Reading	:	19 April 2004
Select Committee Report	:	Parl. 5 of 2004
Third Reading	:	19 October 2004
Commencement	:	1 April 2005 (section 138(1) read with the Third Schedule, except item (5) in the Third Schedule)

**24. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005**  
(Amendments made by section 17 of the above Act)

Bill	:	30/2005
First Reading	:	17 October 2005
Second and Third Readings	:	21 November 2005
Commencement	:	1 January 2006 (section 17 except section 17(e) to (j))

**25. Act 46 of 2007 — Land Titles (Strata) (Amendment) Act 2007**

Bill	:	32/2007
First Reading	:	27 August 2007
Second and Third Readings	:	20 September 2007
Commencement	:	4 October 2007

**26. Act 30 of 2008 — Statutes (Miscellaneous Amendments) (No. 2) Act 2008**  
(Amendments made by section 9 of the above Act)

Bill	:	27/2008
First Reading	:	15 September 2008
Second and Third Readings	:	17 November 2008
Commencement	:	17 December 2008 (section 9)

**27. 2009 Revised Edition — Land Titles (Strata) Act (Chapter 158)**

Operation : 31 July 2009

**28. Act 13 of 2010 — Land Titles (Strata) (Amendment) Act 2010**

Bill : 9/2010

First Reading : 26 April 2010

Second and Third Readings : 18 May 2010

Commencement : 15 July 2010

**29. G.N. No. S 365/2010 — Land Titles (Strata) Act (Amendment of Schedules) Order 2010**

Commencement : 16 July 2010

**30. G.N. No. S 111/2011 — Land Titles (Strata) Act (Amendment of First Schedule) Order 2011**

Commencement : 2 March 2011

**31. Act 2 of 2012 — Statutes (Miscellaneous Amendments) Act 2012**  
(Amendments made by section 24 of the above Act)

Bill : 22/2011

First Reading : 21 November 2011

Second Reading : 18 January 2012

Notice of Amendments : 18 January 2012

Third Reading : 18 January 2012

Commencement : 1 March 2012 (section 24)

**32. G.N. No. S 680/2013 — Land Titles (Strata) Act (Amendment of Fourth Schedule) Order 2013**

Commencement : 7 November 2013

**33. Act 35 of 2017 — Building Maintenance and Strata Management (Amendment) Act 2017**

(Amendments made by section 62 of the above Act)

Bill : 29/2017

First Reading : 1 August 2017

Second and Third Readings : 11 September 2017

Commencement : 1 February 2019 (section 62)

**34. Act 40 of 2018 — Insolvency, Restructuring and Dissolution Act 2018**  
(Amendments made by section 486 of the above Act)

Bill	:	32/2018
First Reading	:	10 September 2018
Second and Third Readings	:	1 October 2018
Commencement	:	30 July 2020 (section 486)

**35. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019**  
(Amendments made by section 28(1) read with item 83 of the Schedule to the above Act)

Bill	:	32/2019
First Reading	:	7 October 2019
Second Reading	:	5 November 2019
Notice of Amendments	:	5 November 2019
Third Reading	:	5 November 2019
Commencement	:	2 January 2021 (section 28(1) read with item 83 of the Schedule)

**36. G.N. No. S 24/2021 — Land Titles (Strata) Act (Amendment of Second Schedule) Order 2021**

Commencement	:	18 January 2021
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**37. Act 4 of 2021 — Statute Law Reform Act 2021**  
(Amendments made by section 22(6) of the above Act)

Bill	:	45/2020
First Reading	:	3 November 2020
Second and Third Readings	:	5 January 2021
Commencement	:	1 March 2021 (section 22(6))

**38. 2020 Revised Edition — Land Titles (Strata) Act 1967**

Operation	:	31 December 2021
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**39. Act 25 of 2021 — Courts (Civil and Criminal Justice) Reform Act 2021**  
(Amendments made by Part 7 of the above Act)

Bill	:	18/2021
First Reading	:	26 July 2021
Second and Third Readings	:	14 September 2021

Commencement : 1 April 2022

**40. G.N. No. S 444/2023 — Land Titles (Strata) Act 1967 (Amendment of  
Second and Third Schedules) Order 2023**

Date of commencement : 1 July 2023

Abbreviations

(updated on 29 August 2022)

G.N.	Gazette Notification
G.N. Sp.	Gazette Notification (Special Supplement)
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian)
M.	Malaya/Malaysia (including Federated Malay States, Malayan Union, Federation of Malaya and Federation of Malaysia)
Parl.	Parliament
S	Subsidiary Legislation
S.I.	Statutory Instrument (United Kingdom)
S (N.S.)	Subsidiary Legislation (New Series)
S.S.G.G.	Straits Settlements Government Gazette
S.S.G.G. (E)	Straits Settlements Government Gazette (Extraordinary)