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LAND TITLES (STRATA) ACT 1967

LAND TITLES (STRATA) ACT 1967 (AMENDMENT OF SECOND AND THIRD SCHEDULES) ORDER 2023

In exercise of the powers conferred by section 84A(14) of the Land Titles (Strata) Act 1967, the Minister for Law makes the following Order:

Citation and commencement

1. This Order is the Land Titles (Strata) Act 1967 (Amendment of Second and Third Schedules) Order 2023 and comes into operation on 1 July 2023.

Amendment of Second Schedule

2. In the Land Titles (Strata) Act 1967, in the Second Schedule —
- (a) in the Schedule reference, replace “9(1)” with “9(1)(b) and (1A)”;
 - (b) replace paragraph 1 with —

“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.

Application of Schedule

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

(c) after paragraph 2, insert —

“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.

(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.”;

(d) in paragraph 3(2), replace sub-paragraph (a) with —

“(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;”;

(e) in paragraph 3, after sub-paragraph (2), insert —

“(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) —

- (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.”;

(f) after paragraph 7, insert —

“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.”;

(g) after paragraph 11, insert —

“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.”; and

(h) replace paragraph 14 with —

“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 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.”.

Amendment of Third Schedule**3. In the Land Titles (Strata) Act 1967, in the Third Schedule —**

(a) after paragraph 7, insert —

“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.”;

(b) in paragraph 8, after sub-paragraph (3), insert —

“(4) A member of the collective sale committee 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.

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

(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.

(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).”; and

(c) in paragraph 9, replace sub-paragraph (1) with —

“(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.

(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.

(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.

(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.”.

Made on 21 June 2023.

LUKE GOH
*Permanent Secretary,
Ministry of Law,
Singapore.*

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