

STATE LANDS ACT
(CHAPTER 314, SECTION 3)
STATE LANDS RULES

[15th July 1993]

Citation.

1. These Rules may be cited as the State Lands Rules.

Definitions.

2. In these Rules, unless the context otherwise requires —

"grant" includes a grant in fee simple;

"lease" does not include a tenancy for a term not exceeding 3 years.

Application to acquire or occupy State land.

3. Every application to acquire or occupy State land shall be made to the Collector of Land Revenue in such form or manner as may be prescribed.

State land to be alienated with approval of President.

4.—(1) Except as provided in paragraph (2), no State land shall be alienated without the approval of the President.

(2) The Commissioner of Lands may approve the alienation of land which is included in a State reserve, a reserve for any road or back lane or any other reserve which is no longer required by the Government as such reserve.

(3) Where there are two or more applications in respect of the same land, alienation of such land shall be made pursuant to a sale by public auction or after public invitation of tenders unless the Minister in his discretion otherwise decides.

Appointment of agents for disposal of State land

4A.—(1) The Minister may appoint in writing any statutory body to act as agent of the Government in the disposal of specified State land, and to manage such specified State land and grant any State title in connection with such disposal.

(2) A statutory body which has been appointed under paragraph (1) shall, in addition to the functions, duties and powers conferred on it by the written law under which it is established, have —

(a) the function and duty to act as agent of the Government in the disposal and management of the specified State land and the grant of State title in relation to such specified State land in accordance with the Act and any other written law; and

(b) such powers as may be incidental or necessary thereto.

(3) The Minister shall appoint a statutory body under paragraph (1) only after obtaining the concurrence of the Minister charged with the responsibility for the statutory body.

(4) In this rule, “specified State land” means any parcel of State land or any class of State land specified in the appointment of the statutory body to act as agent of the Government under paragraph (1).

GRANT OF LEASES

Execution of grant or lease of State land.

5. Every grant or lease of State land shall be executed under the public seal of Singapore, and such grant or lease shall be void and of no effect unless the said seal shall have been affixed to the instrument.

Special covenants and conditions.

6.—(1) In all cases in which State land is to be granted or leased on special covenants and conditions, the special covenants and conditions shall be endorsed on or inserted in the title and shall be signed and sealed by the grantee or lessee.

(2) Special covenants and conditions in relation to buildings on or to the use of alienated State land may be embodied in separate agreements.

Persons to whom State lands shall not be granted or leased.

7. No State land shall be granted or leased to —

(a) any person who is an undischarged bankrupt;

(b) any body corporate against which a winding-up order has been made and has not been stayed; or

(c) any person or body corporate against whom or which the Government has any claim by way of rents, fees, property tax or otherwise on account of land which has been cleared or occupied at any time by him or by his direction.

Declaration of trust.

8.—(1) Where State land is to be granted or leased on trust, the grantee or lessee thereof shall execute and register a declaration of trust at the time of the issue of the title.

(2) Where a title is to be issued in the names of two or more persons, the nature of their tenancy or interest shall be stated therein.

(3) Where a title is to be issued to a person as executor or administrator of a deceased person, he shall be so described in the title.

Deposit by applicant.

9. Except where the Collector of Land Revenue otherwise decides, no applicant shall be allowed to enter into occupation of the land applied for by him until he has deposited with the Collector of Land Revenue a sum sufficient to cover such sum as

premium (if any), rent, fees or other dues as the Collector of Land Revenue shall decide.

Title.

10. The title ordinarily to be issued shall be a lease for a term not exceeding 99 years, except that where land is not capable of independent development and is required for development with the applicant's adjacent land, the title to be issued may be the same as that of the applicant's land.

Publication of notice for public auctions or public tenders.

11.—(1) When the sale of State land by public auction or public tender has been authorised, the Collector of Land Revenue, or his agent authorised in that behalf, shall exhibit in his office and publish in the *Gazette* a notice of sale describing the land and stating —

(a) the place, date and time of the sale, in the case of a sale by public auction, or the closing date and time, in the case of a sale by public tender; and

(b) the conditions of the sale.

(2) An auctioneer may be appointed by the Collector of Land Revenue or his agent authorised in that behalf to conduct a public auction, and the costs thereof shall be recovered from the proceeds of sale or met from any available funds.

(3) A deposit of not less than 5% on the price bid or, where an upset price is demanded, 25% on the price bid shall be paid and the Collector of Land Revenue shall give a receipt for the same.

(4) The balance of the sale price and charges shall be paid within one month from the date of sale or within such further period as the Collector of Land Revenue may, on such terms and conditions as he considers fit, allow, failing which, the sale shall be void and of no effect and the amount deposited shall be forfeited to the Government.

Consideration for alienation of State land.

12.—(1) The consideration for the alienation of State land shall be a premium or an annual rent or both.

(2) The Minister may, in his discretion, permit the payment of the premium by instalments on such terms and conditions as he considers fit, having regard to the circumstances of each case.

(3) The Minister may, in any case in which he thinks fit, waive wholly or partly the payment of any annual rent for such period as he thinks fit.

Rents and payments.

13. All rents and other sums payable under the Act shall be payable in advance without demand on 1st January in each year.

Payments to Collector at Land Office.

14. Every sum payable under the Act shall be paid to the Collector of Land Revenue at the Land Office or at such other place as he may from time to time appoint.

Application under section 13 of Act.

15. Every application to the President to accept a surrender of any Crown grant, State grant, Crown lease or State lease under section 13 of the Act shall be in writing and shall be addressed to the Collector of Land Revenue.

Deed of surrender.

16. Where the instrument of title to be surrendered is a grant issued under the Act, the State Lands Ordinance or the Crown Lands Ordinance 1886, and is produced by the person named therein as the grantee, the Collector of Land Revenue shall call upon the grantee to prepare a deed of surrender, a transfer instrument or such other document as the Collector of Land Revenue may require and shall accept the same when it has been executed by the grantee, and on payment of the statutory charges shall prepare new grants of the land in parcels.

Ord. 2/1886.

Grants or leases issued before 1st March 1886 produced by person other than grantee.

17. Where the instrument of the title to be surrendered is a grant or lease issued before 1st March 1886, or is a grant issued under the Act, the State Lands Ordinance or the Crown Lands Ordinance 1886, and produced by some person other than the person named therein as the grantee thereof, the applicant shall, if required by the Collector of Land Revenue to do so, lodge with the Collector of Land Revenue an abstract of his title verified by statutory declaration, and shall also deposit with the Collector of Land Revenue a sum sufficient to cover the costs and fees payable in respect of the investigation of title.

New grants or leases.

18. The instrument of title to be issued in lieu of a surrendered grant or lease shall be a grant or lease under the Act and such grant or lease shall, unless otherwise sanctioned by the Collector of Land Revenue, be made out in the name of the person who executed the surrender.

LICENCES AND TENANCIES

Temporary occupation licences and tenancy agreements.

19.—(1) The Collector of Land Revenue may issue licences or enter into tenancy agreements for the occupation of State land for temporary purposes.

(2) Every licence or tenancy agreement referred to in paragraph (1) shall be subject to such terms and conditions as the Collector of Land Revenue considers fit to impose.

Duration of licence.

20.—(1) Every licence shall be issued for a period not exceeding 3 years and may, at the discretion of the Collector of Land Revenue, be renewed upon its expiry for a period not exceeding 3 years upon any one renewal.

(2) No licence issued under these Rules shall create or be deemed to create a tenancy in favour of the licensee or give the licensee as against the Government the exclusive right to the occupation of the land described therein.

Duration of tenancy.

21. Every tenancy under these Rules shall be for a term not exceeding 3 years and may, at the discretion of the Collector of Land Revenue, be renewed upon its expiration for a period not exceeding 3 years upon any one renewal.

Form of licence or tenancy agreement.

22. Every licence or tenancy agreement shall —

(a) be substantially in a form approved by the Commissioner of Lands; and

(b) specify the period for which the licensee or tenant may occupy the State land in respect of which the licence is issued or the tenancy agreement is entered into, as the case may be, and the fees, rents and other charges to be paid therefor.

Fees, rent and other charges to be paid.

23. No licence shall be issued or renewed and no tenancy shall be granted or renewed unless the fees, rent and other charges therefor have been paid by the person seeking the issue or grant or renewal of the licence or the tenancy, as the case may be.

Payment of licence fees or rent by instalments.

24. The Collector of Land Revenue may, in his discretion, permit the payment of licence fees or rent by instalments on such terms and conditions as he considers fit, having regard to the circumstances of each case.

Application for licence or tenancy agreement by auction or tender.

25. The Commissioner of Lands may, in his discretion, invite applications for licences or tenancies by way of auctions or tenders.

Conditions of licence and tenancy.

26.—(1) Every licence or tenancy shall be subject to the following conditions unless expressly excluded in the licence or tenancy agreement by the Collector of Land Revenue:

(a) the Collector of Land Revenue and any officer authorised by him in writing may at any time enter the land for the purposes of inspection or for any other purpose;

(b) the licence or tenancy shall not be transferred or assigned in any manner whatsoever without the written consent of the Collector of Land Revenue;

(c) the licence or tenancy agreement shall be produced on demand to any Collector or Deputy Collector of Land Revenue or any officer authorised by the Collector;

(d) the licence or tenancy shall cease and be determined on the death of the licensee or the tenant or if the licensee or the tenant is a body corporate, upon the dissolution of the body corporate;

(e) the licensee or tenant shall not let or sublet to any other person or persons the land in respect of which the licence has been issued or the tenancy agreement has been entered into except with the written consent of the Collector of Land Revenue;

(f) the licensee or tenant shall comply with all reasonable requirements of any Government department or any local authority constituted under any written law for the time being in force;

(g) no structure shall be erected on the land except with the prior written permission of the Collector of Land Revenue;

(h) no permanent building shall be constructed on the land occupied under the licence or tenancy except with the prior written permission of the Collector of Land Revenue;

(i) the licensee or tenant shall not cause or allow any sign or advertisement hoarding or the like to be fixed to or erected upon the land except with the prior written permission of the Collector of Land Revenue; and

(j) the licensee or tenant shall indemnify and keep the Government indemnified against all claims, costs, proceedings or actions whatsoever arising out of or in connection with any damage to property or injury to life arising from the use or occupation of the State land.

(2) The Collector of Land Revenue may in any case impose such other conditions as he thinks fit which shall be attached to or endorsed on the licence or stipulated in the tenancy agreement.

Deposit to ensure compliance with conditions.

27. The Collector of Land Revenue may require a licensee or tenant to lodge such deposit as the Collector may determine to ensure compliance with the conditions of the licence or the tenancy agreement.

Transfer of licence and assignment of tenancy agreement.

28. The Collector of Land Revenue may, in his discretion, permit the transfer of a licence or the assignment of a tenancy agreement on payment of a fee and on such terms and conditions as he thinks fit.

Cancellation or revocation of licence and termination of tenancy agreement.

29.—(1) The Collector of Land Revenue may at any time cancel or revoke any licence issued or terminate any tenancy agreement entered under these Rules.

(2) Where a licence is cancelled or revoked or a tenancy agreement is terminated, the Collector of Land Revenue may, in his discretion, impose a fee for such part of the month or year during which the licensee or tenant was in occupation of State land and refund the balance to the licensee or tenant, as the case may be.

(3) Where the Collector of Land Revenue is of the opinion that a licensee or tenant has failed to observe any condition subject to which the licence was issued or the tenancy was entered into, he may cause any deposit or part thereof made under rule 27 to be forfeited to the Government.

(4) No licensee, tenant or any other person shall be entitled to any compensation or damages whatsoever by reason of the cancellation or revocation of a licence or the termination of a tenancy agreement by the Collector of Land Revenue under these Rules.

Notice to quit.

30.—(1) No proceedings shall be taken for the removal of any person continuing to occupy State land after the cancellation, expiry or revocation of a licence issued or the termination or expiry of a tenancy agreement entered into under these Rules unless a notice to remove or to quit in a form approved by the Commissioner of Lands has been served on such person requiring him to remove or to quit within such time as may be specified in the notice.

(2) A notice issued under this rule shall be served either personally or by delivering the notice or a copy thereof to a person on the premises where the person to be served ordinarily resides or is last known to have resided.

(3) If there is no person on the premises to whom a copy of the notice may be delivered, the notice may be duly served by affixing a copy thereof on some conspicuous part of the premises or land affected by such notice.

Transitional provisions.

31. Notwithstanding the revocation of the State Lands Rules, any licence issued under those Rules shall, so far as it could have been or issued under these Rules, continue in force on such terms and conditions as it was issued and shall have effect as if or issued under these Rules until it expires or is otherwise revoked or cancelled.