

PRACTICE CIRCULAR 2 of 2016

To All Law Firms / Law Organisations

Certificate of correctness in instruments

1. Recently a lawyer was charged and convicted under section 59(6) of the Land Titles Act for falsely certifying to the correctness of a mortgage instrument and a transfer instrument. In the mortgage instrument, he had falsely stated that he witnessed his client's execution of the mortgage instrument. In the transfer instrument, he had falsely implied that his client accepted proprietorship of the property. The mortgage and transfer instruments were subsequently registered in the Singapore Land Authority. The lawyer pleaded guilty to two charges and was fined a sum of \$3,000 for each charge.¹

2. Lawyers are reminded to take all reasonable measures to ascertain the identity of a client. The Singapore Land Authority takes a serious view of any false certification of the correctness of an instrument under the Land Titles Act and will take the necessary appropriate action against anyone who makes such false certification.

Date: 16 August 2016

BRYAN CHEW
REGISTRAR OF TITLES

¹ As the offence was committed in 2013, he was charged under section 59(6) of the Land Titles Act when the then maximum fine was \$5000. The Act was amended on 15 August 2014 and the maximum fine under section 59(6) has been raised to \$25,000.