

State Lands (Amendment) Bill

Bill No. 4/2009.

Read the first time on 19th January 2009.

A BILL

intituled

An Act to amend the State Lands Act (Chapter 314 of the 1996 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the State Lands (Amendment) Act 2009 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

5 **New section 3A**

2. The State Lands Act (referred to in this Act as the principal Act) is amended by inserting, immediately after section 3, the following section:

“Modes of alienation

10 **3A.** State lands which are alienated or otherwise disposed of, or in respect of which a lease or licence to occupy is issued, under this Act may be alienated, leased or licensed —

- (a) as a parcel of the surface earth, all substances thereunder and so much of the column of airspace above the surface as is reasonably necessary for the use and enjoyment thereof;
- 15 (b) as a parcel of airspace or subterranean space, whether or not held apart from the surface of the earth; or
- (c) only down to such depth below the surface earth as the President may by order direct.”.

Amendment of section 4

20 **3.** Section 4 of the principal Act is amended —

- (a) by deleting the words “, and the reference shall be to 2 arbitrators having power to appoint an umpire under the provisions of that Act” in the 8th, penultimate and last lines of subsection (3); and
- 25 (b) by deleting the words “horses, buffaloes, bullocks and carts or wagons” in subsection (4)(b) and substituting the words “animals or vehicles”.

Amendment of section 7

30 **4.** Section 7(1) of the principal Act is amended by deleting the words “his officers” in paragraph (d) and substituting the words “any officer authorised by him in writing”.

Amendment of section 10

5. Section 10 of the principal Act is amended —

(a) by inserting, immediately after subsection (1), the following subsection:

5 “(1A) For the purpose of giving effect to any provision of
any international convention, treaty or agreement to which
Singapore is a party, the Minister may, by order published in
the *Gazette*, vest in the Government such estate or interest in
land pursuant to such provisions and specified in the order, and
10 upon the coming into operation of any such order, the estate or
interest to which the order relates shall, by virtue of that order
and without any conveyance, assignment or further assurance,
vest in the Government free from encumbrances.”; and

15 (b) by inserting, immediately after the words “religious purposes,” in
the marginal note, the word “ etc.,”.

Amendment of section 13A

6. Section 13A of the principal Act is amended —

20 (a) by deleting the word “under-lease” wherever it appears in
subsections (1), (3), (4) and (5) and substituting in each case the
word “sub-lease”;

(b) by deleting the words “an under-lease” in subsection (2) and
substituting the words “a sub-lease”;

(c) by deleting the word “under-leases” in subsection (2) and
substituting the word “sub-leases”;

25 (d) by deleting the word “under-lessee” in subsections (4) and (5)(b)
and substituting in each case the word “sub-lessee”; and

(e) by deleting the words “had remained on foot” in subsection
(5)(a) and substituting the words “had not been surrendered”.

Amendment of section 20

30 **7.** Section 20 of the principal Act is amended —

(a) by deleting the words “ditch, fence, posts, marked trees, stones”
in subsection (1) and substituting the words “drains, fence”; and

(b) by deleting the marginal note and inserting the following section heading:

“Erection and repair of wall, bank, etc.”.

EXPLANATORY STATEMENT

This Bill seeks to make amendments to the State Lands Act (Cap. 314) which are considered necessary for the proper administration of the Act.

Clause 1 relates to the short title and commencement.

Clause 2 introduces a new section 3A to clarify that State land may be alienated as a parcel of surface earth together with so much of the subsoil and airspace as is reasonably necessary for the use and enjoyment thereof, or as a parcel of airspace or a parcel of subterranean space, or to a certain depth only and reserving the lower reaches of the subsoil to the State.

Clause 3 updates archaic language and references in section 4 (which provides for the settlement of any difference in compensation by arbitration). It deletes the reference to the appointment of umpires in arbitration, as this was rendered obsolete by the enactment of the Arbitration Act in 2001. The other amendment removes archaic references to horses, buffaloes, bullocks and carts or wagons as modes of travel.

Clause 4 amends section 7 to clarify that only officers of the Collector of Land Revenue who are authorised by him in writing may have access to lands which are the subject of a grant or State lease.

Clause 5 amends section 10 to allow the Minister to provide for the vesting in the Government of any estate or interest in land for the purposes of implementing the provisions of any international convention, treaty or agreement to which Singapore is party.

Clause 6 amends section 13A to modernise its language, such as by replacing references to “under-lease” with references to “sub-lease”.

Clause 7 amends section 20 to remove the reference to boundary marks and some of the means of demarcating boundaries between State land and alienated land.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
