

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
<p align="center"><b>PART VA</b></p> <p align="center"><b>COLLECTIVE SALE OF PROPERTY</b></p> <p><b>Application for collective sale of parcel by majority of subsidiary proprietors who have made conditional sale and purchase agreement</b></p> <p><b>84A.</b> —(1) An application to a Board for an order for the sale of all the lots and common property in a strata title plan may be made by —</p> <p>(a) the subsidiary proprietors of the lots with not less than 90% of the share values where less than 10 years have passed since the date of the issue of the latest Temporary Occupation Permit on completion of any building 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 comprised in the strata title plan, whichever is the later; or</p>	<p>(a) the subsidiary proprietors of the lots with not less than 90% of the share values and <u>not less than 90% of the total number of lots</u> where less than 10 years have passed since the date of the issue of the latest Temporary Occupation Permit on completion of any building 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 comprised in the strata title plan, whichever is the later, <u>or if no Temporary Occupation Permit or Certificate of Statutory Completion was issued, the date of completion of the construction of any building comprised in the strata title plan as certified by the relevant authority</u> ; or</p>	<p>To add a second condition to require consent from owners of units forming at least 90% of the total units in the development.</p> <p>To provide for older cases (especially privatised HUDC cases) where neither a TOP nor CSC was issued.</p>

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<p>(b) the subsidiary proprietors of the lots with not less than 80% of the share values where 10 years or more have passed since the date of the issue of the latest Temporary Occupation Permit on completion of any building 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 comprised in the strata title plan, whichever is the later,</p> <p>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).</p> <p>(2) The subsidiary proprietors referred to in subsection (1) shall appoint not more than 3 persons from among themselves to act jointly as their authorised representatives in connection with any application made under that subsection.</p>	<p>(b) the subsidiary proprietors of the lots with not less than 80% of the share values <u>and not less than 80% of the total number of lots</u> where 10 years or more have passed since the date of the issue of the latest Temporary Occupation Permit on completion of any building 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 comprised in the strata title plan, whichever is the later, <u>or if no Temporary Occupation Permit or Certificate of Statutory Completion was issued, the date of completion of the construction of any building comprised in the strata title plan as certified by the relevant authority.</u></p> <p>(2) The subsidiary proprietors referred to in subsection (1) shall appoint not more than 3 persons from <del>among themselves</del> <u>the sale committee</u> to act jointly as their authorised representatives in connection with any application made under that subsection.</p>	<p>To add a second condition to require consent from owners of lots forming at least 80% of the total number of lots in the development.</p> <p>To provide for older cases (especially privatised HUDC cases) where neither a TOP nor CSC was issued.</p> <p>Authorised representatives to be appointed from the sale committee.</p>

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<p>(3) No application may be made under subsection (1) by the subsidiary proprietors referred to in that subsection unless they have complied with the requirements specified in the Schedule and provided an undertaking to pay the costs of the Board under subsection (5).</p> <p>(4) A subsidiary proprietor of any lot in the strata title plan who has not agreed in writing to the sale referred to in subsection (1) and any 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 may each file an objection with a Board stating the grounds for the objection within 21 days of the date of the notice served pursuant to the Schedule or such further period as the Board may allow.</p> <p>(5) The Board shall have power —</p> <p>(a) to mediate in any matter arising from an application made under subsection (1); <u>and</u></p> <p>(b) to call for a valuation report or other report and to require the subsidiary proprietors referred to in subsection (1) to pay for the costs.</p>	<p>(3) <u>Subject to section 84C (6), no</u> application may be made under subsection (1) by the subsidiary proprietors referred to in that subsection unless they have complied with the requirements specified in the Schedule and provided an undertaking to pay the costs of the Board under subsection (5).</p> <p><u>(c) to impose such conditions as it may deem fair and reasonable in approving an application under subsection (1).</u></p>	<p>To allow procedural irregularities to be disregarded by the Board in the exercise of its discretion under a new sub-section (6).</p> <p>To empower the Board to approve the application on conditions.</p>

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<p>(6) Where an application has been made under subsection (1) and no objection has been filed under subsection (4), the Board shall, subject to subsection (9), approve the application and order that the lots and common property in the strata title plan be sold.</p> <p>(7) Where one or more objections have been filed under subsection (4), the Board shall, subject to subsection (9), after mediation, if any, approve the application made under subsection (1) and order that the lots and common property in the strata title plan be sold unless, having regard to the objections, the Board is satisfied that —</p> <p>(a) any objector, being a subsidiary proprietor, will incur a financial loss; or</p> <p>(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.</p>	<p><u>(7A) An order made under subsection (7) by the Board may 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 (4), be increased if the Board is satisfied that it would be just and equitable to do so.</u></p>	<p>To allow the Board to increase the sale proceeds of an objector where the Board is of the view that he may not have been treated fairly under the distribution method but there is no <i>mala fides</i> to justify a dismissal of the collective sale application.</p>

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<p>(8) For the purposes of subsection (7) (a), a subsidiary proprietor —</p> <p>(a) shall be taken to have incurred a financial loss if the proceeds of sale for his lot, after any deduction allowed by the Board, are less than the price he paid for his lot;</p> <p>(b) shall not be taken to have incurred a financial loss by reason only that his net gain from the sale of his lot will be less than the other subsidiary proprietors.</p> <p>(9) The Board shall not approve an application made under subsection (1) if the Board is satisfied that —</p> <p>(a) the transaction is not in good faith after taking into account only the following factors:</p> <p>(i) the sale price for the lots and the common property in the strata title plan;</p> <p>(ii) the method of distributing the proceeds of sale; and</p>	<p><u>(7B) For the purposes of subsection (8), the total sum specified by the Board for all the objectors shall be paid from the proceeds of sale of all the subsidiary proprietors and shall not exceed the aggregate sum of 0.25 % of the proceeds of sale for each lot or \$2,000.00 for each lot, whichever is the higher.</u></p>	<p>To provide for the increase to be paid from all owners' share of the sale proceeds and to place a limit on the amount that the owners have to contribute from their share of the sale proceeds.</p>

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<p>(iii) the relationship of the purchaser to any of the subsidiary proprietors; or</p> <p>(b) 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.</p> <p>(10) Where no objection has been filed under subsection (4), the determination under subsection (9) shall be made by the Board on the basis of the facts available to the Board.</p> <p>(11) The 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).</p> <p>(12) The 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.</p> <p>(13) A notice sent by registered post under the Schedule shall be deemed to be duly served on the person to whom it is addressed 2 days after the day on which the notice was posted, notwithstanding the fact that the letter may be returned by the post office as undelivered.</p>		

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<p>(14) The Minister may, by order published in the Gazette, amend or add to the Schedule.</p> <p>(15) For the purposes of this section, “subsidiary proprietor” includes a successor in title.</p>	<p><u>(14A) The sale committee referred to in subsection (2) shall —</u></p> <p>(a) <u>be formed before any subsidiary proprietor executes the collective sale agreement;</u></p> <p>(b) <u>be formed at a general meeting convened by the Management Corporation under the Building Maintenance and Strata Management Act 2004;</u></p> <p>(c) <u>have at least 3 but not more than 8 members and who are natural persons elected at the general meeting;</u></p> <p>(d) <u>not use moneys from the management or sinking funds for its activities; and</u></p> <p>(e) <u>send a copy of the collective sale agreement and the sale and purchase agreement to all subsidiary proprietors when such agreements are ready for execution.</u></p>	<p>Provision for the formation of a sale committee and its functions.</p>
<p><b>Effect of order of Board</b></p> <p><b>84B.</b> —(1) Where a Board has made an order under section 84A (6), (7) or (11) —</p> <p>(a) the order shall bind 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;</p>		

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<p>(b) the subsidiary proprietors of the lots shall sell the lots and common property in accordance with the sale and purchase agreement; and</p> <p>(c) a lease affecting any of the lots in the strata title plan (other than a lease held by a subsidiary proprietor) shall, if there is no earlier agreed date, determine on the date on which vacant possession is to be given to the purchaser of the lots and common property.</p> <p>(2) Nothing in subsection (1) (c) shall prejudice the rights of any lessee of a subsidiary proprietor to compensation from the subsidiary proprietor.</p> <p>(3) A subsidiary proprietor of a lot who has not agreed in writing to a sale under section 84A or any lessee of the lot may, at any time after an application has been made under section 84A (1) and before the Board has approved the application for sale, apply to the Board to determine the amount of compensation payable to the lessee.</p> <p>(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 shall, for the purposes of the sale of the</p>	<p>(3) A subsidiary proprietor of a lot <del>who has not agreed in writing to a sale under section 84A</del> or any lessee of the lot may, at any time after an application has been made under section 84A (1) and before the Board has approved the application for sale, apply to the Board to determine the amount of compensation payable to the lessee.</p> <p>(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 shall, for the purposes of the sale of the lots and common</p>	<p>To allow all owners and not just minority owners to apply to the Board to settle compensation disputes with their lessees.</p>

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<p>lots and common property, produce the 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.</p>	<p>property, produce the <u>subsidiary strata</u> 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.</p>	<p>Subsidiary strata certificates of title are issued for the lots, not certificates of title.</p>
<p><b>Power of Board to appoint person to act for certain subsidiary proprietor</b></p> <p><b>84C.</b> —(1) Where a Board has made an order under section 84A (6), (7) or (11), the Board 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 —</p> <p>(a) where the subsidiary proprietor of the lot has died and no personal representative has been appointed; or</p> <p>(b) in such other case as the Board thinks fit.</p> <p>(2) The Board 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 or subsidiary certificate of title, giving valid receipts thereof and as soon as</p>	<p><b>Power of Board to appoint person to act for certain subsidiary proprietor <u>etc.</u></b></p> <p>(2) The Board 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 <del>or</del> <u>subsidiary strata</u> certificate of title, giving valid receipts thereof and as soon as practicable paying the remaining</p>	<p>Consequential amendment as a result of additional powers given to the Board.</p> <p>Typo error. Subsidiary strata certificates of title are issued for the lots, not subsidiary certificates of title.</p>

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<p>practicable paying the remaining moneys into court under section 62 of the Trustees Act (Cap. 337).</p> <p>(3) The execution of any instrument in respect of any lot by the person appointed under subsection (1) shall have the same force and validity as if it had been executed by the subsidiary proprietor in whom the lot is vested.</p> <p>(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) shall 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 shall be conclusive evidence of the facts stated therein.</p>	<p>moneys into court under section 62 of the Trustees Act (Cap. 337).</p> <p><u>(5) The Board shall have the power to issue guidelines on the deductions it will allow under section 84A(7)(a).</u></p> <p><u>(6) An application to a Board for an order under sections 84A, 84D, 84E or 84G shall not be void by reason only of non-compliance with the requirements in the Schedule and the Board may make such order as may be necessary to rectify the non-compliance and may also make such appropriate orders for costs.</u></p>	<p>To give power to the Board to issue guidelines on what deductions are allowed when evaluating financial loss.</p> <p>To give power to the Board to disregard technical or procedural irregularities if it is satisfied that no owner’s interest is prejudiced by the non-compliance.</p>

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Section 84D – Application for collective sale of parcel not registered under this Act by majority of proprietors where proprietors of flats own land	Similar proposed amendments to that for section 84A.	
Section 84E – Application for collective sale where proprietors of flats own leasehold estate of at least 999 years or other estate in flats not registered under this Act but do not own land	Similar proposed amendments to that for section 84A.	
Section 84F – Application for collective sale by all proprietors of flats who own leasehold estate of at least 999 years or other estate in flats not registered under this Act but do not own land	No change	
	<p><b><u>Application for collective sale of parcel by majority of subsidiary proprietors who own registered leasehold estate of at least 850 years</u></b></p> <p><b><u>84G.</u></b> —(1) This section shall apply where there are subsisting leases registered under the Land Titles Act (Cap. 157) of all or some of the lots in a strata title plan for a leasehold estate of 850 years or more or for such other estate as the Minister</p>	To include a provision for developments registered under this Act where there are subsisting registered leases of at least 850 years in all or some of the lots comprised in the strata title plan. This new provision is in

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	<p><u>may, by notification in the Gazette, specify.</u></p> <p><u>(2) An application to a Board 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 —</u></p> <p><u>(a) the subsidiary proprietors of the lots with not less than 90% of the share values and not less than 90% of the total number of lots where less than 10 years have passed since the date of the issue of the latest Temporary Occupation Permit on completion of any building 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 comprised in the strata title plan, whichever is the later, or if no Temporary Occupation Permit or Certificate of Statutory Completion was issued, the date of completion of the construction of any building comprised in the strata title plan as certified by the relevant authority; or</u></p> <p><u>(b) the subsidiary proprietors of the lots with not less than 80% of the share values and not less than 80% of the total number of lots where 10 years or more have passed since the date of the issue of the latest Temporary Occupation Permit on completion of any building comprised in the strata title plan or, if no</u></p>	<p>line with applications made under sections 84A (1), 84D (2) and 84E (3).</p>

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	<p><u>Temporary Occupation Permit was issued, the date of the issue of the latest Certificate of Statutory Completion for any building comprised in the strata title plan, whichever is the later, or if no Temporary Occupation Permit or Certificate of Statutory Completion was issued, the date of completion of the construction of any building comprised in the strata title plan as certified by the relevant authority,</u></p> <p><u>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).</u></p> <p><u>(3) The subsidiary proprietors of the lots referred to in subsection (2) shall 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 Schedule.</u></p> <p><u>(4) A subsidiary proprietor of any lot in the strata title plan who has not agreed in writing to the sale referred to in subsection (2) and any mortgagee,</u></p>	

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	<p><u>chargee or other person (other than a lessee) with an estate or interest in land and whose interest is notified on the subsidiary strata land-register for that lot may each file an objection with a Board stating the grounds for the objection within 21 days of the date of the notice served pursuant to the Schedule or such further period as the Board may allow.</u></p> <p><u>(5) Where an application has been made under subsection (2) and no objection has been filed under subsection (4), the Board shall, subject to subsection (7), approve the application and order that the lots and common property in the strata title plan be sold.</u></p> <p><u>(6) Where one or more objections have been filed under subsection (4), the Board shall, subject to subsection (7), after mediation, if any, approve the application made under subsection (2) and order that the lots and the common property in the strata title plan be sold unless, having regard to the objections, the Board is satisfied that —</u></p> <p><u>(a) any objector, being a subsidiary proprietor, will incur a financial loss; or</u></p> <p><u>(b) the proceeds of sale for any lot to be received by any objector, being a proprietor, mortgagee or chargee, are insufficient to redeem any mortgage or charge in respect of</u></p>	

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	<p><u>the flat.</u></p> <p><u>(7) An order made under subsection (6) by the Board may 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 (4), be increased if the Board is satisfied that it would be just and equitable to do so.</u></p> <p><u>(8) For the purposes of subsection (7), the total sum specified by the Board for all the objectors shall be paid from the proceeds of sale of all the subsidiary proprietors and shall not exceed the aggregate sum of 0.25 % of the proceeds of sale for each lot or \$2,000.00 for each lot, whichever is the higher.</u></p> <p><u>(9) The Board shall not approve an application made under subsection (2) if the Board is satisfied that –</u></p> <p><u>(a) the transaction is not in good faith after taking into account only the following factors:</u></p> <p><u>(i) the sale price for the lots and the common property in the strata title plan;</u></p> <p><u>(ii) the method of distributing the proceeds of sale; and</u></p> <p><u>(iii) the relationship of the purchaser to any</u></p>	

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	<p align="center"><u>of the subsidiary proprietors; or</u></p> <p><u>(b) 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.</u></p> <p><u>(10) Where no objection has been filed under subsection (4), the determination under subsection (9) shall be made by the Board on the basis of the facts available to the Board.</u></p> <p><u>(11) Where a Board has made an order for the sale of the lots and common property in the strata title plan, the subsidiary proprietor in reversion of the leasehold estate shall be deemed to have transferred his 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 the Registrar shall enter a notification of the vesting of the reversionary interest in the purchaser on the subsidiary strata land-register.</u></p> <p><u>(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</u></p>	

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	<p><u>or interest in those lots, where applicable, shall 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.</u></p> <p><u>(13) If the subsidiary strata certificates of title for the lots are not produced under subsection (12), the person having conduct of the sale shall not be required to produce to the purchaser any subsidiary strata certificate of title other than a certified true copy thereof.</u></p> <p><u>(14) Where the subsidiary proprietor in reversion has granted leases for some but not all the lots in the strata title plan, he shall be deemed to have transferred his estate and interest in the lots still owned by him to the purchaser upon registration by the Registrar of the transfers of the other lots in the strata title plan and the Registrar shall enter a notification of the vesting of the lots in the purchaser on the subsidiary strata land-register.</u></p> <p><u>(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).</u></p> <p><u>(16) Sections 84A (2), (3), (5), (13), (14), (15) and (17), 84B and 84C shall apply, with the necessary modifications, to any application or order made</u></p>	

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	<p><u>under this section.</u></p> <p><u>(17) For the purposes of this section —</u></p> <p><u>"subsidiary proprietor" includes a successor in title;</u></p> <p><u>“subsidiary proprietor in reversion” means the lessor of the registered lease under subsection (1) and includes a successor in title.</u></p>	
<p><b>Application of Building Maintenance and Strata Management Act 2004</b></p> <p><b>84G.</b> Part VI of the Building Maintenance and Strata Management Act 2004 and any regulations made under that Act shall apply in respect of applications under this Part with the necessary modifications.</p>	<p><b>Application of Building Maintenance and Strata Management Act 2004</b></p> <p><b>84G H.</b> Part VI of the Building Maintenance and Strata Management Act 2004 and any regulations made under that Act shall apply in respect of applications under this Part with the necessary modifications.</p>	<p>This section is renumbered in view of the addition of a new section 84G.</p>
<p><b>THE SCHEDULE</b></p> <p>Sections 84A (3), 84D (3) <u>and</u> 84E (4)</p> <p>REQUIREMENTS UNDER SECTION 84A, 84D <u>OR</u> 84E</p> <p><b>1.</b> Before making an application to a Board, the subsidiary proprietors referred to in</p>	<p>Sections 84A (3), 84D (3), <del>and</del> 84E (4) and <u>84G (3) and (4)</u></p> <p>REQUIREMENTS UNDER SECTION 84A, 84D, <del>OR</del> 84E <u>OR</u> 84G</p> <p><b>1.</b> Before making an application to a Board, the subsidiary proprietors referred to in section 84A</p>	<p>Consequential amendment as a result of the inclusion of a new section 84G.</p>

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<p>section 84A (1) or the proprietors of flats referred to in section 84D (2) or 84E (3), as the case may be, shall —</p> <p>(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 —</p> <p>(i) in the case of an application under section 84A, all the lots and common property in a strata title plan; or</p> <p>(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;</p> <p>(b) once every 8 weeks after the start of the permitted time, 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 —</p> <p>(i) the number of subsidiary proprietors or proprietors who, immediately before the date of the notice, have signed the collective sale agreement; and</p>	<p>(1) <u>or 84G (2)</u> or the proprietors of flats referred to in section 84D (2) or 84E (3), as the case may be, shall —</p> <p>(i) in the case of an application under section 84A <u>or 84G</u>, all the lots and common property in a strata title plan; or</p> <p>(b) once every <del>8 weeks</del> <u>8<sup>th</sup> week</u> after the start of the permitted time, 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 —</p> <p>(i) the number of <u>lots and number of</u> subsidiary proprietors or <u>the number of flats and number of</u> proprietors, <u>as the case may be</u> who, immediately before the date of the notice, have signed the</p>	<p>Consequential amendment as a result of the inclusion of a new section 84G.</p> <p>Consequential amendment as a result of the inclusion of a new section 84G.</p> <p>To clarify the method of computing the 8 weeks period for putting up of notice.</p> <p>Consequential amendment as a result of the second condition that requires consent from owners of at least 80/90% of the total number of lots/flats.</p>

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<p>(ii) the proportion (in percentage) that the total share value of such subsidiary proprietors' lots bear to the total share value of all lots comprised in that strata title plan, or that such proprietors' total share or total notional share of the land bears to the total share or notional share of all proprietors in that land, as the case may be;</p> <p>(c) consider the collective sale either —</p> <p>(i) at an extraordinary general meeting of the management corporation held in accordance with Part IV of the Act or any other corresponding written law; or</p> <p>(ii) in the case of land in a development to which section 84D or 84E applies, at a meeting held after sending a notice of the meeting by registered post to all the proprietors to their last recorded addresses at the Registry of Titles or the Registry of Deeds and placing a copy of the notice under the main door of every flat in the development;</p>	<p>collective sale agreement; and</p> <p>(ii) the proportion (in percentage) that the total share value <u>and the total number of lots</u> of such subsidiary proprietors' lots bear to the total share value <u>and total number</u> of all lots comprised in that strata title plan, or <del>the</del> <u>that such proprietors'</u> total share or total notional share of the land <u>and total number of flats of such proprietors bear</u> <del>bears</del> to the total share or notional share of all proprietors <u>and all the flats in that land and the development concerned</u>, as the case may be;</p> <p>(c) consider the collective sale either —</p> <p>(i) at an extraordinary general meeting of the management corporation held in accordance with <u>section 27 (2) of the Building Maintenance and Strata Management Act 2004 and paragraph 14 of the First Schedule to that Act</u> <del>Part IV of the Act</del> or any other corresponding written law; or</p>	<p>Consequential amendment as a result of the second condition that requires consent from owners of at least 80/90% of the total number of lots/flats.</p> <p>Consequential amendments as a result of the deletion of Part IV of the Land Titles (Strata) Act and the insertion of the provisions in the Building Maintenance and Strata Management Act 2004.</p>

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
<p>(d) advertise in the 4 official languages the particulars of the application in such local newspapers as approved by the Board;</p> <p>(e) serve notice of the proposed application on all the subsidiary proprietors of all the lots and common property in the strata title plan concerned or on all proprietors of all flats in the development concerned, as the case may be, by registered post and by placing a copy of the proposed application under the main door of every lot or flat, together with a copy each of the following:</p> <p>(i) the collective sale agreement referred to in sub-paragraph (a);</p> <p>(ii) the sale and purchase agreement which is to be the subject of the application to the Board;</p> <p>(iii) a statutory declaration made by the purchaser under the sale and purchase agreement on the nature of his 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;</p>	<p>(e) serve notice of the proposed application on all the subsidiary proprietors of all the lots and common property in the strata title plan concerned <u>and if applicable, on the subsidiary proprietors in reversion of the leasehold estate in the lots</u>, or on all the proprietors of all flats in the development concerned, as the case may be, by registered post <del>and by placing a copy of the proposed application under the main door of every lot or flat, together with</del> <u>enclosing</u> a copy each of the following documents:</p>	<p>To dispense with the requirement to place the notice (with many annexed documents) under the door.</p>

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
<p>(iv) the minutes of the extraordinary general meeting or meeting referred to in sub-paragraph (c);</p> <p>(v) the advertisement referred to in sub-paragraph (d);</p> <p>(vi) a valuation report that is not more than 3 months old; and</p> <p>(vii) a report by a valuer on the proposed method of distributing the proceeds of the sale due under the sale and purchase agreement; <u>and</u></p> <p>(f) affix a copy of the notice referred to in sub-paragraph (e) in the 4 official languages to a conspicuous part of each building comprised in the strata title plan or the development, as</p>	<p>(vi) a valuation report <del>that is not more than 3 months old</del> <u>from an independent valuer as at the date of acceptance of the successful bid</u>; and</p> <p>(vii) a report by <del>a</del> <u>an independent</u> valuer on the proposed method of distributing the proceeds of the sale due under the sale and purchase agreement; <del>and</del></p> <p><del>(f) place a notice in the mail boxes of all the subsidiary proprietors of all the lots and common property in the strata title plan concerned or all proprietors of all the flats in the development concerned, as the case may be, notifying them of the proposed application, the notice sent under sub-paragraph (e) and the address to which it was sent, and that copies of the documents in sub-paragraph (e) may also be obtained from the managing agent or the sale committee; and</del></p> <p><del>(f)</del> (g) affix a copy of the notice referred to in sub-paragraph (e), <u>without the enclosed documents</u>, in the 4 official languages to a conspicuous part of each building comprised in the strata title plan or</p>	<p>To provide for a more up to date valuation.</p> <p>To ensure that the valuer is an independent party.</p> <p>The alternative to placing under the door a notice with the many annexed documents.</p> <p>Only the notice needs to be affixed.</p>

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
<p>the case may be.</p> <p><b>1A.</b> For the purposes of this Schedule —</p> <p>(a) the permitted time in relation to a collective sale agreement executed or to be executed by subsidiary proprietors or proprietors referred to in section 84A (1), 84D (2) or 84E (3), means a period —</p> <p>(i) starting from the date the first subsidiary proprietor or proprietor, or his duly appointed attorney, as the case may be, signs the collective sale agreement; and</p> <p>(ii) ending not more than 12 months after the date the first subsidiary proprietor or proprietor, or his duly appointed attorney, as the case may be, signs the collective sale agreement; and</p> <p>(b) the collective sale agreement shall be regarded as executed notwithstanding that it is executed on separate copies thereof and at different times.</p> <p><b>2.</b> The notice referred to in paragraph 1(e) to be served by registered post shall be served on an affected party —</p>	<p>the development, as the case may be.</p> <p>(a) the permitted time in relation to a collective sale agreement executed or to be executed by subsidiary proprietors or proprietors referred to in section 84A (1), 84D (2) <del>or</del> 84E (3) <u>or 84G (2)</u>, means a period —</p> <p><b>2.</b> The notice referred to in paragraph 1(e) to be served by registered post shall be served on <del>an</del> <u>the</u> affected <del>parties</del> <u>party</u> —</p>	<p>Consequential amendment as a result of the inclusion of a new section 84G.</p> <p>To be consistent with the use of the term in paragraph 3 and the definition in paragraph 8.</p>

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
<p>(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;</p> <p>(b) where the party is a proprietor of a flat or land, at the last recorded address at the Registry of Titles or Registry of Deeds;</p> <p>(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, at the address on the strata roll or last recorded address at the Registry of Titles or Registry of Deeds; and</p> <p>(d) where the party is a management corporation, at its address recorded on the folio of the land-register comprising the common property.</p>	<p>(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 <u>or a subsidiary proprietor in reversion of the leasehold estate in a lot, his mortgagee, chargee or other person with an estate or interest in the lot and whose interest is notified on the subsidiary strata land register</u>, at the address on the strata roll or last recorded address at the Registry of Titles or Registry of Deeds, <u>as the case may be, provided that where such mortgagee, chargee, subsidiary proprietor in reversion of the leasehold estate or other person with 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 shall suffice</u> ; and</p>	<p>To provide for an application made under the new provision section 84G.</p> <p>To allow only one notice to be served where the same party owns more than one lot or flat.</p>

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
<p><b>3.</b> The advertisement referred to in paragraph 1(d) shall include —</p> <p>(a) information on the development;</p> <p>(b) the names of the subsidiary proprietors or proprietors, addresses, unit numbers and strata lot numbers, if any, of their flats;</p> <p>(c) the names of mortgagees, chargees and other persons with an estate and interest in the lots, flats and land;</p> <p>(d) brief details of the sale proposal; and</p> <p>(e) the place at which the affected parties can inspect documents for the collective sale.</p> <p><b>4.</b> An application to a Board shall be made by the subsidiary proprietors referred to in section 84A (1) or the proprietors referred to in section 84D (2) or 84E (3) within 14 days of the publication of the advertisement referred to in paragraph 1 (d), enclosing —</p> <p>(a) the documents specified in paragraph 1(e);</p> <p>(b) a statutory declaration made by the representatives appointed under section 84A (2) or their solicitors stating —</p>	<p><del>(b) the names of the subsidiary proprietors or proprietors, addresses, unit numbers and strata lot numbers, if any, of their flats;</del></p> <p><del>(c) the names of mortgagees, chargees and other persons with an estate and interest in the lots, flats and land;</del></p> <p><b>4.</b> An application to a Board shall be made by the subsidiary proprietors referred to in section 84A (1) <u>or 84G (2)</u> or the proprietors referred to in section 84D (2) or 84E (3) within 14 days of the publication of the advertisement referred to in paragraph 1 (d), enclosing —</p>	<p>To dispense with these 2 requirements.</p> <p>Consequential amendment as a result of the inclusion of a new section 84G.</p>

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
<p>(i) the date the permitted time for the collective sale agreement started;</p> <p>(ii) the date on which collective sale agreement referred to in paragraph 1 (a) was last executed by any subsidiary proprietor or proprietor referred to in section 84A (1), 84D (2) or 84E (3), as the case may be;</p> <p>(iii) the date or dates on which the notice or notices referred to in paragraph 1(b) were affixed; and</p> <p>(iv) that sub-paragraphs (c), (d), (e) <u>and</u> (f) of paragraph 1 have been complied with;</p> <p>(c) a list of the names of the subsidiary proprietors who have not agreed in writing to the sale, their mortgagees, chargees and other persons (other than lessees) with an estate or interest in the lots or flats whose interests are notified on the land-register; and</p> <p>(d) such other document as the Board may require.</p> <p><b>5.</b> The Board shall, 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</p>	<p>(ii) the date on which <u>the</u> collective sale agreement referred to in paragraph 1 (a) was last executed by any subsidiary proprietor or proprietor referred to in section 84A (1), 84D (2), <del>or</del> 84E (3) <u>or 84G (2)</u>, as the case may be;</p> <p>(iv) that sub-paragraphs (c), (d), (e), <del>and</del> (f) <u>and</u> (g) of paragraph 1 have been complied with;</p> <p>(c) a list of the names of the subsidiary proprietors <u>or proprietors</u> who have not agreed in writing to the sale, their mortgagees, chargees, <u>the subsidiary proprietors in reversion of the leasehold estate in the lots</u> and other persons (other than lessees) with an estate or interest in the lots or flats whose interests are notified on the land-register <u>or subsidiary strata land register</u> ; and</p>	<p>To correct typo error.</p> <p>Consequential amendment as a result of the inclusion of a new section 84G.</p> <p>Consequential amendment as a result of the inclusion of a new section 84G.</p>

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
<p>solicitors, if any.</p> <p>6. The subsidiary proprietors referred to in section 84A (1) or the proprietors referred to in section 84D (2) or 84E (3) shall, after making an application to the Board, cause a copy of the application to be registered under the Act, the Land Titles Act (Cap. 157) or the Registration of Deeds Act (Cap. 269), as the case may be.</p> <p>7. The subsidiary proprietors referred to in paragraph 6 shall, if an order for sale is granted by the Board under section 84A, 84D or 84E, register the order of the Board in accordance with the Act, the Land Titles Act or the Registration of Deeds Act (Cap. 269), as the case may be, or if the order for sale is not granted by the Board, apply to cancel the application registered under paragraph 6.</p> <p>8. For the purposes of this Schedule, “affected parties” means —</p> <p>(a) the subsidiary proprietors referred to in section 84A (1) or the proprietors referred to in section 84D (2) or 84E (3);</p> <p>(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,</p>	<p>6. The subsidiary proprietors referred to in section 84A (1) <u>or 84G (2)</u> or the proprietors referred to in section 84D (2) or 84E (3) shall, after making an application to the Board, cause a copy of the application to be registered under the Act, the Land Titles Act (Cap. 157) or the Registration of Deeds Act (Cap. 269), as the case may be.</p> <p>7. The subsidiary proprietors <u>or proprietors</u> referred to in paragraph 6 shall, if an order for sale is granted by the Board under section 84A, 84D, <del>or 84E</del> <u>or 84G</u>, register the order of the Board in accordance with the Act, the Land Titles Act or the Registration of Deeds Act (Cap. 269), as the case may be, or if the order for sale is not granted by the Board, apply to cancel the application registered under paragraph 6.</p> <p>(a) the subsidiary proprietors referred to in section 84A (1) <u>or 84G (2)</u> or the proprietors referred to in section 84D (2) or 84E (3);</p>	<p>Consequential amendment as a result of the inclusion of a new section 84G.</p> <p>Consequential amendment as a result of the inclusion of a new section 84G.</p> <p>Consequential amendment as a result of a new section 84G.</p>

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
<p>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;</p> <p>(c) the proprietor of the land under section 84E, his mortgagee, chargee or other person with an estate or interest in the land whose interest is notified on the land register; and</p> <p>(d) the management corporation, where applicable.</p>	<p>(c) the proprietor of the land under section 84E, his mortgagee, chargee or other person with an estate or interest in the land whose interest is notified on the land register; <del>and</del></p> <p><u>(d) the subsidiary proprietor in reversion of the leasehold estate in the lots under section 84G, his 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</u></p> <p><del>(d)</del>(e) the management corporation, where applicable.</p>	<p>Consequential amendment as a result of a new section 84G.</p> <p>Renumbered as a result of a new subparagraph.</p>
	<p><b><u>Transitional and savings provisions</u></b></p> <p><u>This amendment Act shall not affect —</u></p> <p><u>(a) any application made or pending before a Strata Titles Board before the commencement of this Act, and every such application may be continued and everything in relation thereto may be done in all respects after that date as if this Act had not been enacted;</u></p>	

**PROPOSED DRAFT AMENDMENTS TO THE LAND TITLES (STRATA) ACT**

Existing provisions	Proposed amendments	Remarks
	<p><u>(b) the continued operation or force of any order or decision of a Strata Titles Board made before the commencement of this Act;</u></p> <p><u>(c) any right of appeal accrued before the commencement of this Act, in respect of any such order or decision of a Strata Titles Board; and</u></p> <p><u>(d) any collective sale agreement for the collective sale of all the lots and common property comprised in a strata title plan, or of all the flats and the land in the type of development referred to in section 84D or 84E, which has been executed before [date of passing of amendment Act by Parliament] by the subsidiary proprietors of any of those lots or any proprietor of any of those flats having the required percentage of share values under sections 84A(1), 84D(2) or 84E(3), as the case may be, and any application to be made to a Strata Titles Board on or after that date in respect of any such agreement shall be subject to the Act as if this Act had not been enacted.</u></p>	<p>To provide that the amendments to the Land Titles (Strata) Act will not apply to a development where the collective sale agreement has been signed by the required majority owners before the date when the amendments were passed by Parliament.</p>

~ END ~