

PRACTICE CIRCULAR 1 of 2005

To All Law Firms/Law Organisations

I am pleased to announce the following new service initiatives. This is part of our on-going process review to simplify practice and procedures to serve you and your clients better.

(A) Strata Title Application

1 Effective 1 April 2005, developers will submit only **1 set** of linen-backed strata title plan to the Chief Surveyor for approval under the Boundaries and Survey Maps Act. This will replace the current requirement of 2 sets of linen-backed strata title plans [one set for the Chief Surveyor's retention and the other to the Registrar of Titles for registration and issue of subsidiary strata certificates of title or (SSCTs)].

2 A new application form called "**Strata Title Application**" for the issue of SSCTs will also be introduced effective 1 April 2005. Solicitors acting for developers will use this new form regardless of whether the strata title plan was approved by the Chief Surveyor before, on or after 1 April 2005.

3 Solicitors must state in the Schedule of Entitlement, the share values for each strata lot. For developments where planning permission for the erection of building(s) was granted on or after 15 April 1976, solicitors must also certify that the share values stated in the Schedule of Entitlement are those filed with and accepted by the Commissioner of Buildings. The Registrar will rely on the share value stated in the Schedule of Entitlement to issue the SSCTs.

4 The strata title plan will be deemed registered upon the registration of the Strata Title Application. The existing practice of assigning a number to the strata title plan which forms the name of the management corporation will continue.

5 The registration fees payable are:

- a) Strata Title Application: \$75.30;
- b) Issue of each SSCT: \$70;
- c) Issue of the certificate of constitution of Management Corporation: \$10

6 Please see Annex A for the format of the "Strata Title Application". The forms for applications under sections 125, 126 and 127 of the Land Titles (Strata) Act and transfer to amalgamate common properties have also been amended accordingly. These amended forms will be available on the Singapore Land Authority's website www.sla.gov.sg on 1 April 2005.

Consequential changes to the Consolidated Practice Circulars 2003

7 Any reference to “Strata Title Plan” in Part 2 of the Consolidated Practice Circulars 2003 or in any part thereof shall be replaced with “Management Corporation (formerly known as Strata Title Plan).”

8 The reference to “registration of Strata Title Plan and issue of Subsidiary Strata Certificates of Title” in paragraph 21.1 of Part 3 of the Consolidated Practice Circulars 2003 shall be deleted and replaced with “Strata Title Application.”

9(a)The header in paragraph 1 and paragraphs 1.2(a) and 1.2(b) of Part 4 of the Consolidated Practice Circulars 2003 shall accordingly be replaced with:

1 Application for:

- a) New Certificates of Title**
- b) Strata Title Application**

1.2 Strata Developments

Application for new Certificates of Title and Application for Strata Titles

Where strata titles are required for a development on land which has been subdivided into a lot/s for common property and a lot/s for vesting in the Government, the following documents must be filed:

- i) Application for new certificates of title; and
- ii) Strata Title Application

Note: (1) Please state the development name, if any, in the last column of the Description of Land panel in the Strata Title Application. The development name is required to enable public searches using the development name as a search key.

(2) The Schedule of Entitlement at Annex A is for listing the strata lots and share values. Strata lots as shown on the Schedule of Entitlement should be in running order, eg Strata Lots MK25-U1000A to Mk 25-U1010K.

9(b)The reference to “Application for Registration of Strata Title Plan” in paragraph 2.2(a) of Part 4 of the Consolidated Practice Circulars 2003 shall be deleted and replaced with “Strata Title Application.” The reference to “Strata Title Plan for redevelopment” shall be deleted and replaced with “Strata Title Application for redevelopment.”

(B) Creation of Implied Easements - Deposit of Subdivision Plan

10 Section 99 of the Land Titles Act has been amended consequent upon the changes to the Planning Act relating to development and subdivision of land.

11 Effective 1 April 2005, solicitors for developers will no longer need to deposit a copy of the subdivision plan submitted to the competent authority with the Registrar (where the competent authority has approved the development and subdivision of any land before or after 1 March 1994 and the subdivision plan has been submitted to the competent authority). The implied easements is deemed created when the subdivision plan has been submitted to the competent authority.

12 Following the amendment to section 99 of the Land Titles Act, the format of the application for new certificates of title has been amended to remove the sections relating to deposit of subdivision plan. The amended forms will be available on SLA's website www.sla.gov.sg on 1 April 2005.

13 Paragraph 1.7 of Part 4 of the Consolidated Practice Circulars 2003 shall accordingly be replaced with:

1.7 Section 99 – Creation of Implied Easements

- a) Once the subdivision plan for a development involving the creation of easements as outlined in section 99 (1A) of the Land Titles Act has been submitted to the competent authority, the easements relevant for that development shall be implied and created without any notification on the land register for the dominant and servient lots.
- b) Where the subdivision approval is given before 1 March 1994, implied easements will not be created under paragraph (a), unless evidence has been given to the Registrar that no transfer of any lot in the estate to a buyer with easements expressly created in the instrument has been executed and delivered to a buyer.

(C) Form of Statutory Declaration for Singapore Company Granted Clearance

14 The Registrar has reviewed and simplified the form of the statutory declaration to be made by a Director/Secretary of a "Singapore Company" whose memorandum and articles of association restricts its membership only to citizens of Singapore and/or Singapore Companies within the meaning of the Residential Property Act.

15 Effective 1 April 2005, the form of statutory declaration shown below is to be used. Between 1 April and 30 June 2005, the Registrar will continue to accept the previous format as there may be cases where the statutory declaration in the previous format has already been sworn but the transfer has not been lodged.

16 Paragraph 11.4(b) of Part 3 of the Consolidated Practice Circulars 2003 shall accordingly be replaced with:

11.4(b) In the case of a “Singapore company” whose memorandum and articles of association restricts its membership only to citizens of Singapore and/or Singapore Companies within the meaning of the Residential Property Act, the statutory declaration to be made by the Director/secretary of the Singapore Company is as follows:

“I, Director/Secretary of (name of company) hereby do solemnly and sincerely declare that as at (date of transfer) all directors and members of the above company are Singapore Citizens and ⁽¹⁾there are no corporate entities who are members/⁽²⁾where the members are corporate entities, they are Singapore company/Singapore companies as defined in the Residential Property Act, the full particulars of which are as follows:

- (i) Name of company;
- (ii) Registration number allocated by the Registrar of Companies; and
- (iii) Clearance Certificate ref issued on (date).

Note: To repeat items (i) to (iii) for every member company

And I make this solemn declaration by virtue of the provisions of the Oaths and Declarations Act (Cap. 211), and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at Singapore by
the abovenamed
this day of

Before me,

Commissioner of Oaths



- (1) To be used where there are no corporate entities who are members
- (2) To be used where there are corporate entities who are members

Note: A director/secretary of every member company is also required to make a statutory declaration providing particulars of the citizenship of all its members and directors in accordance with the above form or the form stated in paragraph 11.4(a).

(D) Application for New Certificate of Title make by Mortgagee where Mortgagor has Defaulted

17 Effective 1 June 2005, the mortgagee applicant will not be required to give a statutory declaration that the mortgagor is in default. Accordingly, the application for new certificate of title has been amended and will be available on SLA's website www.sla.gov.sg on 1 June 2005.

Date: 4 March 2005

VINCENT HOONG
REGISTRAR OF TITLES

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(For Official use only)

THE LAND TITLES (STRATA) ACT**STRATA TITLE APPLICATION****(A) DESCRIPTION OF LAND**

*CT/SSCT		MK	TS	Lot No	Name of Development (if any)
Vol	Fol				

(B) APPLICANT

If more than ONE applicant, please see explanatory notes

ID / Co regn no	
Name	
Address (within Singapore for service of notice)	

(C) as proprietor of the land above described, HEREBY REQUESTS the Registrar of Titles to :-

(a) REGISTER this Application; and

(b) ISSUE ** _____ Subsidiary Strata Certificates of Title for the lots shown in the Strata Title Plan which has been lodged with and approved by the Chief Surveyor.

(D) The share values (in whole numbers) of the strata lots are as shown in Annex A.

* Please delete what is not applicable.

** Please insert the number of SSCTs to be issued

Annex A

(Please delete item E if there are no subsidiary management corporation to be created)

(E) * _____ subsidiary management corporations are to be created as follows:

Name	The Subsidiary Management Corporation No. (Strata Lots _____ to _____)
Address (within Singapore for service of notice)	
Name	The Subsidiary Management Corporation No. (Strata Lots _____ to _____)
Address (within Singapore for service of notice)	

Note: Please insert accordingly if there are more than two subsidiary management corporations

(F) **DATE OF APPLICATION** : _____

(G) **EXECUTION BY APPLICANT**

Signature : _____

Witness : _____

**** (H)** **MORTGAGEE'S CONSENT**

We, _____, the Mortgagees in
Mortgage No./_____/Deed Vol _____ No _____
hereby consent to the above application

Signature : _____

Witness : _____

(I) **CERTIFICATE OF SHARE VALUES**

(For developments where planning permission for the erection of building(s)
was granted on or after 15 April 1976)

I, the solicitor for the Applicant, hereby certify that the share values of the
strata lots in Annex A are those filed with and accepted by the
Commissioner of Buildings.

NAME & SIGNATURE OF SOLICITOR FOR THE APPLICANT

* Please state the number of subsidiary management corporations to be created (if any)

** Where land is subject to a mortgage, the mortgagee's written consent to the application is required.

(J) **CERTIFICATE OF CORRECTNESS**

I, the solicitor for the Applicant hereby certify that this instrument is correct for the purposes of the Land Titles Act and that I hold a Practising Certificate which is in force as at the date of the instrument.

NAME & SIGNATURE OF SOLICITOR FOR THE APPLICANT

