

SINGAPORE GOVERNMENT PRESS STATEMENT

MC.OC.43/66(LAW)

SPEECH BY THE MINISTER FOR LAW, MR. E. W. BARKER,
IN MOVING THE THIRD READING ON THE LAND ACQUISITION
BILL IN THE SINGAPORE PARLIAMENT ON WEDNESDAY,
26TH OCTOBER 1966.

Mr. Speaker, Sir, I beg to move "That the Bill be now read a Third Time."

Members of the House will recall that this Bill was referred to the Select Committee on 22nd June, 1966. They will also recall that during the Second Reading, I expressed the hope that when the Select Committee calls for representations, persons with positive contributions will come forward with suggestions. I am, indeed, happy to report that the response to invitations for representation was good: 11 written representations were received and the Select Committee heard oral evidence from 6 of them. Some of these contributions were valuable and many suggestions have been accepted. The Committee's Report was published on 10th September, 1966 a⁶ Paper Parl: 9 of 1966.

Mr. Speaker, Sir, the Bill as now tabled before the House incorporates the recommendations of the Select Committee. I do not propose to burden the Members with unnecessary explanations, but there are two fundamental provisions on which there have been representations which were unacceptable and which I wish to take this opportunity to reiterate.

The first of these is the compensation provision in the Bill. As has already been explained in this House previously, the principle underlining this provision is that no landowner should benefit at the public's expense, from any windfall gains resulting from enhancement of land values either through Acts of God or because of public expenditure in the neighbourhood. Members are aware of the phenomenal increases in land values which result when heavily encumbered lands are devastated by fire. This fortuitous increase in value will not now go to the landowner. Again, development by Government and public authorities in areas like Jurong, Kallang Basin and Kranji has resulted in phenomenal increases in land values in these neighbourhoods. It was ironical that under the existing legislation, when additional lands in these areas had to be acquired for public purposes, Government had to pay compensation at values which it itself had helped to enhance. The element of enhancement attributable in these cases to public participation (as opposed to participation by the private sector), is the element which under the new Bill will be creamed off when land is acquired for public purposes.

The second point I wish to make today involves the concept of the Appeals Board. Mr. Speaker, Sir, a number of representations were received by the Select Committee in which the same point was made - i.e. all appeals should be heard by a Court of Law presided by a Judge of the High Court instead of the Appeals Board, as proposed. Mr. Speaker, Sir, the move to take appeals from the Courts and place them in the hands of an Appeals Board is in conformity with prevailing trends elsewhere in the world of entrusting matters of specialist evaluation to Administrative Tribunals where persons with the requisite expertise can deal with issues involving subjects with which they are themselves familiar. Furthermore, procedures before such Tribunals are less formal, less expensive, more expeditious and, perhaps, more satisfactory.

The provision of the Appeals Board envisaged in the Bill is similar to the set-up in the United Kingdom, but we have not laid down statutory limitations prescribing minimum legal or professional qualifications in order not to restrict the field of selection. It is envisaged, however, that the Chairman and the Deputy Chairman, both of whom will have the status of High Court Judges, will be persons who are either legally-qualified or have considerable experience in land administration and other matters. The panel of assessors will be persons with objective minds who will be able to assist the Chairman in assessing fair compensation after listening to expert evidence on values.

Sir, I beg to move.

OCTOBER 26, 1966.

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