

LAW OF COMPULSORY PURCHASE AND COMPENSATION: SINGAPORE AND MALAYSIA. By N. KHUBLALL. [Singapore: Butterworths, 1984. xxviii+310 pp. Limp: S\$45.00]

IN a country where the proportion of State-owned land (as opposed to land in private ownership) increased from approximately 31% in 1949 to approximately 65% in 1975, no one can deny that the topic of compulsory acquisition is one of fundamental significance. Since Professor Koh's seminal article in the 1967 Malayan Law Journal little has been written on the topic locally, despite a trickle of cases from Malaysia and, to a lesser extent, Singapore, For that reason, Mr. Khublall's book is to be welcomed. Whether, as is claimed, the book "is essential reading for students following academic and professional courses of study in the fields of property and land law," is arguable, but the book clearly fills a gap.

Essentially, the book takes the form of a commentary on the provisions of the Singapore Land Acquisition Act (and, where they differ, of its Malaysian counterpart). Both Acts, we are told, are based on the Indian Land Acquisition Act of 1894, and there are plenty of references to Indian cases, and to the English position also. Although the climate (so to speak), as opposed to the substance of English land acquisition and planning law is very different, it is in general useful

to have these comparisons made. There is little discussion of case law though numerous cases are cited. (Incidentally, it might be noted that the words giving rise to the dispute in *United Engineers Ltd. v. Collector of Land Revenue*, and *Straits Trading Ltd. v. Collector of Land Revenue* [1982] 2 M.L.J. 152, have been removed from section 21(1) of the Port of Singapore Authority Act and some other, similar, provisions by the Statutes of the Republic of Singapore (Miscellaneous Amendments) Act of 1983). In a sense, this is inevitable, because the wording of the statute, plus a certain lack of judicial creativity (see, *e.g.*, *Galstaun v. Attorney General*, misspelt, incidentally, in both the text and the table of cases) makes it pointless to say anything of consequence about judicial review — in theory a fascinating aspect of compulsory purchase law — in the Singapore context. This means that the bulk of the first part of the book, Chapters 3-5 (the first two chapters provide useful historical and constitutional background), comprises a not terribly exciting summary of the administrative procedures involved in the compulsory purchase process.

The following chapters, dealing with market value, and various matters relating to compensation, are undoubtedly the most useful in this book. Mr. Khublall's considerable experience as a valuer enables him to write with clarity and authority on a somewhat obscure and difficult subject. One might quibble with his treatment of some of the statutory provisions (this applies to the whole of the book and not just the chapters on compensation): often the statutory provisions are, *mirabile dictu*, straightforward and easy to understand; when that is the case (see, *e.g.* the reference to section 16(2) on page 55), it seems somewhat tautological to quote the provision and then paraphrase it, particularly as the Act is quoted in full in the lengthy Appendix. This may to some extent be inevitable in a work of this sort.

The rest of the book deals with miscellaneous aspects of the law, such as the question of *ex gratia* payments for "victims" of land acquisition, and to treatment of those aspects of the Malaysian law that differ materially from that in force in Singapore.

All in all, Mr. Khublall's is a worthy effort. It might have been more convenient for the reader to have had a reference to a case whenever it was mentioned, rather than an invitation to refer to a discussion in a previous chapter. There is also an irritating number of misprints (two in one line on page 138), and an occasional nasty infelicity of style ("Where the land acquired is dead ripe for development. .."). But these are quibbles. The book provides a useful and workmanlike account of an important topic.