

LAND LAW (Singapore Law Series). By W.J.M. RICQUIER. [Singapore: Malaya Law Review & Butterworths. 1985. xxiv+236 pp. Softcover S\$25.00]

In his preface the author describes the book as “an attempt to state in straightforward terms the basic principles of a complex subject”. The attempt succeeds admirably. The work reflects the author’s ability to cut through the jargon and to summarise the working concepts in understandable language. Particular examples appear in the introduction and in the description of the various interests in law such as lease (p. 145), covenant (p. 198) the position of the mortgage (p. 212). These are, however, simply illustrations of the general success in the presentation of a difficult branch of the law simply and directly.

The book is divided into five parts—the General Introduction (including a study of basic land law concepts and their development and the structure of Singapore Land Law). Transfer of Land (including Trusts), Registration, Commercial Interests in Law and Planning. “Commercial interests” include leases, covenants, licences, mortgages and charges. Such a framework provides a sound basis for the statement of basic principles but perhaps three comments are forgivable.

First, for this reviewer, registration performs a more fundamental function than appears to be the author’s view; and the importance of the phrase “the general law” seems to creep up on the reader as Part III approaches. Discussion of the present importance of legal and equitable interests, the present machinery of transfer of land and priority of interests has to be qualified by reference to registration. The Land Titles Act is forced onto the stage in a minor part (in the context of Adverse Possession) before it appears in its major role. Perhaps the reader’s perception of the whole would be aided by an earlier look at registration itself. Secondly, the labelling of interests in land other than trusts and ownership as “Commercial” may seem a mystery to the uninitiated—particularly if their personal experience as a householder is as an HDB tenant, a mortgagor or even a licensee. Finally, especially in the light of the involvement of the State it would be helpful to return to the structure of Singapore Land Law (found in the Introduction) in the context of Planning (the short sharp shock at the end). After being led gently but firmly through the traditional thickets of land law concepts the reader would be in appropriate mood to appreciate the contrast with an adaptation to modern Singapore. And

is not planning an essential part of the structure of Singapore Land Law?

Occasionally the problems of definition continue, if not to defeat, at least to repulse the author's splendid attack. So for example the treatment of the ever present "incorporeal hereditament" (p. 36) may lead to it remaining somewhat of a mystery. The discussion of the relationship between ownership, land and estate and that between proprietary interest, interest in land and third parties (*e.g.* at pp. 38, 47 and 160) may not entirely resolve innate difficulties in definition. Reference to the charge and lien (p. 208) may serve only to whet the appetite. However the very fact that such challenges to the reader are noticeable only serves to emphasise the guidance received elsewhere.

The book provides an excellent first volume in the new Singapore Law Series. It is difficult enough to write about land law; it is more difficult to write succinctly and even more difficult to write with clarity. The book is a study of succinct clarity of the basic structure of Singapore land law — and as such of undoubted value to those for whom it is intended.

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