

LAW OF REAL PROPERTY AND CONVEYANCING IN SINGAPORE. By N. KHUBLALL. [Singapore: Longman. 1986. xxxii+415 pp. Softcover: S\$70]

ONLY slightly over a year ago, one would not have been able to recommend a book on land law in Singapore for the simple reason that none existed. With the publication of Mr. Khublall's book we now have two books dealing with land law in Singapore generally (the other being W.J.M. Ricquier's *Land Law*).

The book deals with various topics related to land law in Singapore and is not strictly confined to real property as its title suggests. The book is divided very loosely into four parts: real property, trusts and succession, contract and conveyance, and property management. The coverage is rather wide and the author attempts to state as much law that may be of interest to anyone who may want to read or consult a book with its title. In the preface, we are told that the book is directed particularly at students and professionals in surveying, valuation and property management. No book directed at students at one end and professionals at the other can be expected to fully satisfy either. The needs of the two are different and some form of compromise must be accepted not just by the writer but also the reader. It seems that the writer had decided to concentrate on a wide coverage at the expense of depth in analysis. Considering the wide audience the book is written for, the decision cannot be faulted and as the writer says, while legal practitioners will derive a great deal of benefit from the work, it cannot be a substitute for other primary and secondary materials.

The book does succeed in covering most aspects of land law in Singapore that may be of interest. The first few chapters introduce the reader to basic concepts in the law of real property. The later ones concentrate on the statutory enactments that have radically altered the common law principles that form the basis of land law in Singapore. There are, for example, sections dealing with the Housing and Development Board, the Urban and Redevelopment Authority, housing developers, rent control, the statutory regulation of the maintenance of buildings, registration of deeds and of course the Land Titles Act which introduced the Torrens system in Singapore.

The style in which the book is written is clear and concise. The written text is itself very well complemented by various flow charts which will prove to be very useful to anyone who wants an overall view of the area covered.

It must however be questioned whether an absolute beginner to land law will find the explanations of some basic concepts adequate. The preface itself warns that some of the earlier chapters may not be fully comprehended without at least a general knowledge of some of the later chapters. While a practitioner might well not notice the first few chapters, a student will probably find them difficult unless he has the benefit of formal lectures and access to an English textbook on land law. It is unlikely that a beginner reading the first chapter would understand what real property is, merely after the reference to medieval actions to recover the 'thing'. There are also references to registration of deeds and to title registration before the two systems are discussed

in the later chapters. The book might be better organised if it had in the introductory chapters, a detailed outline of the two systems and how they affect the rules of the common law and equity. Organisation is very important in a book that is particularly directed at students as it is no consolation to the student to say that what would have helped him to understand a particular section is to be found somewhere later in the book.

The book is nonetheless a very useful introduction to Singapore land law. It refers to Singapore and Malaysian decisions and points out departures from English law. It will save a busy practitioner much time in his research as the only case citator of Singapore and Malaysian decisions is both outdated and too generally classified.

The book however does not attempt to offer solutions to problems. Legal controversies are stated but the writer does not always offer his view of the law. For example, he states the problem of tacking under the Registration of Deeds Act and says that it would become a non-issue after conversion to the Torrens system is completed.¹ No personal views are offered on the problem of *nemo dat* under the same Act either.² There is also no personal view on the applicability of the Unfair Contract Terms Act (of England) to contracts relating to land.³

It should be pointed out that despite what is suggested at page 34, there is nothing in section 3 of the Civil Law Act that confers any jurisdiction to award damages in equity.

Despite some shortcomings, it cannot be doubted that the book is a contribution to the library of books on Singapore law and might perhaps be the starting point for a more ambitious and analytical work on land law in Singapore.

1 p. 118.

2 pp. 256-257.

3 p. 204.