

## Module Outline

**Module Code** : GES1024/GESS1018  
**Module Title** : Real Estate Development & Investment Law  
**Semester** : Semester 1, Academic Year AY2022/2023  
**Faculty** : NUS Business School  
**Department** : Real Estate

### Instructor(s)

Adjunct Associate Professor Helen Chen ([bizhech@nus.edu.sg](mailto:bizhech@nus.edu.sg))

Ms Mak Moo Theng

### Overview

This Module introduces students to the law pertaining to real estate development and investment in Singapore. Students will acquire an understanding and appreciation of the policies, circumstances and legal principles which underpin and shape the law on the availability, ownership, development and usage of real estate in Singapore. Students will also gain insight into legal analysis and modes of legal reasoning. This module is targeted at all students across Faculties who have had no exposure to Real Estate Law and wish to acquire a broad understanding of the multiple legal issues that pertain to the built environment.

### Intended Learning Outcomes

Students will learn to:

- Describe the key legislative constructs and mechanisms to achieve policy outcomes
- Explain the rationale for the various legislative controls in real estate development
- Identify issues in balancing the rights and interests of the different parties in property transactions and land development
- Assess the effectiveness of the legislative measures
- Apply legal principles and concepts to real life situations.

### The Big Ideas of this Module

- The rights and obligations of property owners and developers
- How legislations are influenced by national and social imperatives
- The balancing of stakeholders' conflicting interests

### Module Prerequisite(s)

NIL

### Module Preclusion(s)

This module is offered under two codes: GES1024 and GESS1018. Students taking one module code is not permitted to take the other.

### General Guide & Reading

- **Tan Sook Yee's Principles of Singapore Land Law, Fourth Edition**, Tang Hang Wu and Kelvin FK Low, eds., 2019, LexisNexis.
- **Land Law, Fifth Edition**, WJM Ricquier, 2017, LexisNexis.
- **Introduction to Business Law in Singapore, 6th Edition**, Ravi Chandran, 2020, McGraw-Hill Education (Asia).
- **Singapore Business Law, 8th Edition**, Benny S. Tabalujan, et al., 2018, CommAsia Resources Pte Ltd.
- **The Law of Torts in Singapore, Second Edition**, Gary Chan Kok Yew and Lee Pey Woan, 2016, Academy Publishing.
- **Singapore Statutes Online (Relevant Acts only)** [<https://sso.agc.gov.sg/Browse/Act/Current>]

### Tentative Schedule & Outline

Week (Dates)	Lecture	Tutorial	Learning Outcomes
1 (Aug 8-12) <i>*National Day 9/8 (Tuesday)</i>	<b>Introduction to module</b> Part I – Module objectives, structure, overview of Lectures 7-12 Part II <b>Singapore Legal System</b> <ul style="list-style-type: none"> <li>• Real estate development cycle</li> <li>• Singapore legal system</li> <li>• Legal research</li> </ul>		<ul style="list-style-type: none"> <li>• Describe the Singapore legal system</li> <li>• Find relevant laws</li> </ul>
2 (Aug 15-19)	<b>Basic land law concepts</b> <ul style="list-style-type: none"> <li>• Land ownership</li> <li>• Lesser rights and interests</li> <li>• Co-ownership</li> </ul>		<ul style="list-style-type: none"> <li>• Explain the legal concepts of “land” and land “ownership”.</li> <li>• Identify rights and interests in land</li> </ul>
3 (Aug 22-26)	<b>Sale and purchase of property</b> <ul style="list-style-type: none"> <li>• Considerations for property investors</li> <li>• Good title</li> <li>• Title registration systems</li> <li>• Option to Purchase and Sale and Purchase Agreement</li> <li>• The conveyancing process</li> </ul>	Tutorial 1 (Odd week)	<ul style="list-style-type: none"> <li>• Outline considerations for property investors</li> <li>• Analyse the concept of good title</li> </ul>
4 (Aug 29-Sep 2)	<b>Regulation of property development</b> Housing Developers (Control and Licensing) Act Sale of Commercial Properties Act <ul style="list-style-type: none"> <li>• Fiscal control of housing developers</li> </ul>	Tutorial 1 (Even week)	Describe the housing developers’ regulatory framework Explain the rationale for the framework
5 (Sep 5-9)	<b>Leasing and taxes</b> <ul style="list-style-type: none"> <li>• Lease and Tenancy Agreement</li> <li>• Taxes relating to real estate</li> <li>• REITs</li> </ul>	Tutorial 2 (Odd week)	<ul style="list-style-type: none"> <li>• Explain salient terms of a tenancy agreement</li> <li>• Outline tax considerations for real estate</li> </ul>
6 (Sep 12-16)	<b>Issues in property dealings and ownership</b> <ul style="list-style-type: none"> <li>• Issues in property dealings</li> <li>• Issues in property ownership</li> <li>• Modes of conflict resolution</li> </ul>	Tutorial 2 (Even week)	<ul style="list-style-type: none"> <li>• Identify issues in property dealings</li> <li>• Identify issues in property ownership</li> </ul>
7 (Sep 26-Oct 1)	<b>Mid-Term Test</b>		

8 (Oct 3-7)	<b>Planning Act &amp; Master Plan</b> <ul style="list-style-type: none"> <li>• Planning control, tools &amp; requirements</li> <li>• Land use, plot ratio &amp; development tax</li> </ul>	Tutorial 3 (Even Week)	<ul style="list-style-type: none"> <li>• Explain purpose of master plan &amp; need for planning control</li> <li>• Apply key planning parameters</li> </ul>
9 (Oct 10-14)	<b>Residential Property Act</b> <ul style="list-style-type: none"> <li>• What is foreign entity &amp; restricted property (RP)?</li> <li>• Conditions for purchase of RP</li> <li>• Housing Developer's Qualifying Certificate</li> </ul>	Tutorial 3 (Odd week)	<ul style="list-style-type: none"> <li>• Explain the policy rationale</li> <li>• Discuss applications &amp; limitations</li> </ul>
10 (Oct 17-21)	<b>Land Acquisition Act</b> <ul style="list-style-type: none"> <li>• Redistributive justice &amp; property rights</li> <li>• Fair market compensation</li> <li>• What is public purpose?</li> </ul>	Tutorial 3 (Even week)	<ul style="list-style-type: none"> <li>• Debate on public good &amp; private rights</li> <li>• Evaluate compensation</li> </ul>
11 (Oct 24-28) <i>*Deepavali 24/10 (Monday) TBC</i>	<b>Land Titles (Strata) Act (En Bloc)</b> <ul style="list-style-type: none"> <li>• Strata area, share value &amp; consent level</li> <li>• Balancing minority interests</li> <li>• Authorities &amp; processes</li> </ul>	Tutorial 4 (Odd Week)	<ul style="list-style-type: none"> <li>• Apply the key constructs</li> <li>• Examine grounds of objections &amp; unresolved issues</li> </ul>
12 (Oct 31–Nov 4)	<b>Construction Law</b> <ul style="list-style-type: none"> <li>• Contract, Tort &amp; Regulation</li> <li>• Negligence</li> <li>• Construction failures</li> </ul>		<ul style="list-style-type: none"> <li>• Rationalize regulatory requirements</li> <li>• Discuss causes of construction disputes</li> </ul>
13 (Nov 7-11)	<b>Module review (wrap-up)</b>		
<b>READING WEEK 12 NOVEMBER – 18 NOVEMBER 2022</b>			
<b>EXAMINATION WEEK – 19 NOVEMBER – 3 DECEMBER 2022</b>			

**Assessment**

Assessment Components	Weightage
Mid-Term Test	20%
Participation	10%
Final Exam	70%
<b>Total</b>	<b>100%</b>

**Academic Honesty & Plagiarism**

Academic integrity and honesty are essential for the pursuit and acquisition of knowledge. The University and School expect every student to uphold academic integrity & honesty at all times. Academic dishonesty is any misrepresentation with the intent to deceive, or failure to acknowledge the source, or falsification of information, or inaccuracy of statements, or cheating at examinations/tests, or inappropriate use of resources.

Plagiarism is “the practice of taking someone else’s work or ideas and passing them off as one’s own” (The New Oxford Dictionary of English). The University and School will not condone plagiarism. Students should adopt this rule - You have the obligation to make clear to the assessor which is your own work, and which is the work of others. Otherwise, your assessor is entitled to assume that everything being presented for assessment is being presented as entirely your own work. This is a minimum standard. In case of any doubt, you should consult your instructor.

**Additional guidance is available at:**

- <http://www.nus.edu.sg/registrar/administrative-policies-procedures/acceptance-record#NUSCodeofStudentConduct>
- <http://nus.edu.sg/osa/resources/code-of-student-conduct>

**About me**

Adjunct Assoc Prof Helen Chen is a Professional Architect and Project Director. She has won many architectural design awards in private practice. In the public sector, she has headed the Land Policy Department in the Ministry of Law and the Centre for Public Project Management in the Ministry of Finance. She currently sits on various boards and advisory committees, pushing for ESG outcomes in the built environment.