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ESTATE AGENTS ACT (CHAPTER 95A)

ESTATE AGENTS (TRANSACTION RECORDS) REGULATIONS 2021

ARRANGEMENT OF REGULATIONS

Regulation

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In exercise of the powers conferred by section 72(1) of the Estate Agents Act, the Council for Estate Agencies, with the approval of the Minister for National Development, makes the following Regulations:

Citation and commencement

1. These Regulations are the Estate Agents (Transaction Records) Regulations 2021 and come into operation on 30 July 2021.

Definitions

2. In these Regulations —

“apartment” means any flat that is comprised in any building in a development permitted to be used under the Planning Act (Cap. 232) for residential purposes, and that is not a landed dwelling-house, an HDB flat, a condominium or an executive condominium;

“condominium” means any unit comprised in a development which is shown in a plan approved and issued by a competent authority appointed under the Planning Act bearing the title “condominium”;

“executive condominium” means any unit in a development comprising housing accommodation sold under the executive condominium scheme established under the Executive Condominium Housing Scheme Act (Cap. 99A);

“flat” means a horizontal stratum of any building or part of the stratum, whether the stratum is on one or more levels or is partially or wholly below the surface of the ground, which is used or intended to be used as a complete and separate unit for the purpose of habitation or business or for any other purpose;

“general location”, in relation to any property, means the name of the general location designated for the property by the Urban Redevelopment Authority at the Internet website <https://ura.gov.sg>;

“HDB flat” means a flat, house or other property sold under Part IV or IVB of the Housing and Development Act (Cap. 129), whether the flat, house or other property was acquired directly from the Housing and Development Board or otherwise;

“HDB Town”, in relation to an HDB flat, means the town designated for the HDB flat by the Housing and Development Board on the Internet website <https://hdb.gov.sg>;

“Housing and Development Board” means the Housing and Development Board established by the Housing and Development Act;

“landed dwelling-house” means a detached house, a semi-detached house or a terrace house (including a linked house or a townhouse), that is not comprised within a strata title plan registered under the Land Titles (Strata) Act (Cap. 158);

“licence number”, in relation to an estate agent, is the licence number assigned by the Council on granting an estate agent’s licence;

“postal district number”, in relation to any property, means the postal district number designated for the property by the Urban Redevelopment Authority on the Internet website <https://ura.gov.sg>;

“registration number” means the registration number assigned by the Council to the registered salesperson on the registration of the salesperson;

“residential property transaction” means a property transaction relating to any property or part of any property used for residential purposes;

“strata landed dwelling-house” means a detached house, a semi-detached house or a terrace house (including a linked house or a townhouse), that is comprised within a strata title plan registered under the Land Titles (Strata) Act;

“strata title plan” has the meaning given by section 3(1) of the Land Titles (Strata) Act;

“stratum” means any part of land consisting of a space of any shape below, on or above the surface of the land, or partly below and partly above the surface of the land, the dimensions of which are delineated;

“Urban Redevelopment Authority” means the Urban Redevelopment Authority established by the Urban Redevelopment Authority Act (Cap. 340).

Particulars of property transactions that may be included in register

3. For the purposes of section 36(3)(aa) of the Act, the prescribed particulars of a property transaction completed by a client of a licensed estate agent are the following particulars in respect of a residential property transaction:

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- (a) whether the property transaction was completed by the client as the purchaser, vendor, landlord, tenant or sub-tenant;
 - (b) whether the property transaction consisted of a sale of the property, a sub-sale of the property, a resale of the property, a lease of the property or part of the property, or a sub-lease of the property or part of the property;
 - (c) whether the property transaction involved the acquisition or disposal by the client of a condominium, an apartment, an executive condominium, a landed dwelling-house, a strata landed dwelling-house or an HDB flat;
 - (d) where the property transaction involved the acquisition or disposal by the client of property in an HDB flat — the HDB Town of the HDB flat;
 - (e) where the property transaction involved the acquisition or disposal by the client of property other than in an HDB flat — the postal district number and general location of the property;
 - (f) when the property transaction was completed;
 - (g) the licence number of the licensed estate agent;
 - (h) where applicable, the registration number of each registered salesperson who carried out estate agency work in relation to the property transaction;
 - (i) where applicable, the name of each partner (other than a partner of a limited liability partnership) or the sole proprietor (as the case may be) who carried out estate agency work in relation to the property transaction.

Particulars for submission of report under section 43A of Act

4. For the purposes of section 43A(1) of the Act, the prescribed particulars of a property transaction completed by a client of a licensed estate agent are the following particulars in respect of a residential property transaction:

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- (a) whether the property transaction was completed by the client as the purchaser, vendor, landlord, tenant or sub-tenant;
 - (b) whether the property transaction consisted of a sale of the property, a sub-sale of the property, a resale of the property, a lease of the property or part of the property, or a sub-lease of the property or part of the property;
 - (c) whether the property transaction involved the acquisition or disposal by the client of a condominium, an apartment, an executive condominium, a landed dwelling-house, a strata landed dwelling-house or an HDB flat;
 - (d) the address of the property that was the subject of the property transaction;
 - (e) when the property transaction was completed;
 - (f) the licence number of the licensed estate agent;
 - (g) where applicable, the registration number of each registered salesperson who carried out estate agency work in relation to the property transaction;
 - (h) where applicable, the name of each partner (other than a partner of a limited liability partnership) or the sole proprietor (as the case may be) who carried out estate agency work in relation to the property transaction.

Made on 27 July 2021.

QUEK SEE TIAT
President,
Council for Estate Agencies,
Singapore.

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