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Our Ref: JTC(LS)00/369



6 August 2001

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Dear Sirs,

**JTC'S PRACTICE CIRCULAR DATED 6 AUGUST 2001  
- ENVIRONMENTAL BASELINE STUDY (EBS) FOR TRANSFER/ASSIGNMENT  
OF LEASE**

- 1 We would like to inform your members that, with effect from **6 November 2001 (i.e. three months from the date of this circular)**, all transfer and assignment of lease in respect of JTC properties will be governed by this Practice Circular.
- 2 In respect of all transfer and assignment of lease applications made on or after **6 November 2001**, JTC will impose the Environmental Baseline Study (EBS) and decontamination requirements based on the following circumstances: -

Possible scenarios	Who To Do EBS	Who To Decontaminate
Assignment/Transfer From Pollutive to Pollutive Industry	Seller	Seller
Assignment/Transfer From Non-pollutive to Pollutive Industry	Buyer	Seller
Assignment/Transfer From Pollutive to Non-pollutive industry	Seller	Seller
Assignment/Transfer From Non-pollutive to Non-pollutive Industry	Not applicable (EBS not required)	Not applicable

\* *Pollutive industry for the purpose of this circular refers to industry/activities listed in the attached Annex A. This is a provisional list and is subject to change. The provisional list can be obtained from JTC web site (<http://www.jtc.gov.sg>) from 6 November 2001 onwards.*



- 3 The EBS for the subject property must be carried out by a qualified consultant, and the Consultant's EBS report is to be submitted to JTC within 4 months from the date of JTC's written consent to assign/ transfer. For those cases requiring Environmental Baseline Study and/ or decontamination, the timeframe which will be granted for legal completion will, thus be 6 months from the date of written consent.
- 4 If the Consultant's EBS report shows contamination, the Seller will be required to decontaminate the subject property (to the level/standard specified in paragraph 5 below) prior to the legal completion of assignment/ transfer, unless: -
- a. the Buyer is willing to take over the liability and cost to decontaminate the site at the end of the remaining lease term or before legal completion of any subsequent assignment/transfer of lease by the Buyer, whichever is earlier; to the same standard required of the seller, and
  - b. a qualified consultant certifies that the contamination level is safe for workers to operate on site, such that decontamination can be delayed till the end of the lease term.
- 5 If the EBS report shows presence of land contamination, the Seller shall be required to decontaminate the property prior to legal completion to either :
- a. the standard required by prevailing law or in the absence of such requirement, the prevailing Dutch standards; or
  - b. the first EBS level (if any) at the commencement of the original lease term,
- whichever is less stringent.
- However, if the original lease already contains a stipulation that decontamination back to the first EBS level at the commencement of lease is required, no option will be given to comply with whichever standard that is less stringent.
- 6 If the Seller requests, JTC may at its discretion, extend the legal completion date for the Seller to carry out the decontamination work.
- 7 Further, if the Buyer's proposed industry/activities is pollutive, after legal completion and upon either of these events: -
- a. termination of the remaining lease term by expiry or otherwise; or
  - b. JTC's written consent is granted to the Buyer to further assign/ transfer the remaining lease term
- whichever is earlier, the Buyer will be required to conduct an EBS and decontaminate the subject property to the standard/level mentioned in paragraph 5.
- 8 A copy of this Practice Circular together with the Annex A may be obtained from the JTC web site (<http://www.jtc.gov.sg>) with effect from 6 November 2001.



- 9 As this is an important circular, please inform your members of the new process as soon as possible.
- 10 Your members or their clients may contact any of the following should they require further clarifications on the above: -

**Customer Services Centre**

**The JTC Summit**

8 Jurong Town Hall Road

Singapore 609434

JTC Hotline : 1800-5687000

Fax : 885 5897

E-mail : [askjtc@jtc.gov.sg](mailto:askjtc@jtc.gov.sg)

**JTC North**

35 Marsiling Industrial Estate Road 3

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Singapore 739257

Tel : 1800-3629501

Fax : 885 4003

**JTC South**

1 International Business Park

The Synergy, #08-01

Singapore 609917

Tel : 1800-6654628

Fax : 885 4111

**JTC East**

25, Kallang Avenue, #05-01

Singapore 339416

Tel : 1800-2999405

Fax : 885 4232

**JTC West**

The JTC Summit

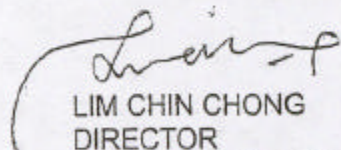
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Tel : 1800-5696330

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Yours faithfully



LIM CHIN CHONG  
DIRECTOR  
CUSTOMER SERVICES GROUP

## ANNEX A

### **POLLUTIVE INDUSTRIES/ACTIVITIES WHICH HAVE POTENTIAL TO CAUSE LAND POLLUTION**

- a) Oil installations (eg. Oil refineries, oil depots)
- b) Chemical plants, chemical warehouse or terminals
- c) Shipyards
- d) Gas works
- e) Power Stations
- f) Toxic waste treatment facilities
- g) Scrap yards
- h) Petrol stations
- i) Landfill sites