



THE STATUTES OF THE REPUBLIC OF SINGAPORE

ISEAS – YUSOF ISHAK INSTITUTE ACT

(CHAPTER 141)

(Original Enactment: Act 9 of 1968)

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ISEAS – Yusof Ishak Institute Act

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An Act to provide for the establishment of the ISEAS – Yusof Ishak Institute and for matters connected therewith.

[Act 23 of 2015 wef 12/08/2015]

[7th June 1968]

Short title

1. This Act may be cited as the ISEAS – Yusof Ishak Institute Act.

[Act 23 of 2015 wef 12/08/2015]

Interpretation

2. In this Act, unless the context otherwise requires —

“Board” means the Board of Trustees of the Institute constituted under section 4;

[Act 23 of 2015 wef 12/08/2015]

“Chairman” means the Chairman of the Board appointed under section 4;

“Director” means the Director of the Institute appointed under section 12;

“Institute” means the ISEAS – Yusof Ishak Institute established under section 3;

[Act 23 of 2015 wef 12/08/2015]

“regulations” means regulations made by the Executive Committee under section 14.

Establishment of Institute

3. For the promotion of research on Southeast Asia and on all matters appertaining to Southeast Asia, there shall be established an Institute to be styled “the ISEAS – Yusof Ishak Institute”.

[Act 23 of 2015 wef 12/08/2015]

Constitution of Board of Trustees

4.—(1) There is hereby constituted a body corporate to be known as the Board of Trustees of the Institute, which —

(a) shall have perpetual succession;

(b) shall have a common seal; and

(c) may sue and be sued in its corporate name.

[Act 23 of 2015 wef 12/08/2015]

(2) The Board consists of a Chairman, a Deputy Chairman and 12 other members to be appointed by the Minister.

[Act 23 of 2015 wef 01/11/2015]

(3) The Director shall be an ex-officio member of the Board.

(4) The Chairman, the Deputy Chairman and other members appointed by the Minister under subsection (2) shall hold office for

a period of up to 3 years, unless the Minister otherwise directs, and shall be eligible for reappointment:

Provided that the Minister may at any time revoke such an appointment.

[Act 23 of 2015 wef 01/11/2015]

(5) *[Deleted by Act 23 of 2015 wef 01/11/2015]*

(6) Any member of the Board may resign from the Board by giving notice in writing to that effect addressed to the Chairman and as from the date the Chairman receives the notice the member shall cease to be a member.

(7) If the Chairman is absent from any meeting of the Board, the Deputy Chairman shall act as chairman of the meeting.

(8) The Board may grant leave of absence to any member of the Board.

(9) Any member absenting himself from 4 consecutive meetings of the Board without having obtained leave of absence from the Board shall be considered as having resigned from the Board.

(10) If a vacancy occurs in the membership of the Board by the death, resignation, revocation of appointment of a member or otherwise, the Minister may appoint any person to fill the vacancy, and any person so appointed shall hold office for so long as the member in whose place he is appointed would have held office.

[Act 23 of 2015 wef 01/11/2015]

(11) The Board shall meet at least once a year.

Powers of Board

5. The Board shall have power —

- (a) to receive and approve the annual report and accounts of the Institute;
- (b) to approve the budget and research programme of the Institute;
- (c) to set up endowment funds and other funds for a specific purpose or specific purposes; and

- (d) generally to do all such matters and things as may be incidental to or consequential upon the exercise of its powers or the discharge of its functions under this Act.

Quorum

6.—(1) Every question before the Board at any meeting shall be decided by a majority of the votes of the members present.

(2) Five members of the Board shall constitute a quorum at any meeting.

[25/2009]

[Act 23 of 2015 wef 01/11/2015]

(3) The chairman at any meeting shall have an original vote and, in the case of an equality of votes, a casting vote.

7. *[Repealed by Act 23 of 2015 wef 01/11/2015]*

Power of Board to enter into contracts and to hold property

8.—(1) The Board may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Act.

(2) The Board may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Act and, for the same purposes, may sell, lease, mortgage, or otherwise alienate or dispose of any property so acquired.

Power of Board to borrow and invest

9.—(1) The Board may borrow at interest on the security of any movable or immovable property of the Board such moneys as it may from time to time think necessary or expedient.

(2) The Board may invest its funds in accordance with the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act (Cap. 1).

[45/2004]

(3) The Board may do all or any things incidental or appertaining to a body corporate.

Issue of shares, etc.

9A. As a consequence of the vesting of any property, rights or liabilities of the Government in the Board under this Act, or of any capital injection or other investment by the Government in the Board in accordance with any written law, the Board shall issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

[5/2002]

Use of common seal

10. The common seal of the Board shall be in the custody of the Director. It shall not be affixed to any instrument except in the presence of the Chairman or a member of the Board designated by the Chairman and the Director or a member of the Executive Committee designated by the Director, and not until the Chairman or the member of the Board and the Director or the member of the Executive Committee have signed their names to the instrument in token of their presence.

Grants-in-aid and financial provisions

11.—(1) The Minister may from time to time authorise the payment of grants-in-aid to the Institute.

(2) All moneys provided for under subsection (1) may be applied or expended by the Institute for all or any of the purposes of the Institute.

(3) The financial provisions set out in the Schedule are to have effect with respect to the Institute.

[Act 23 of 2015 wef 01/11/2015]

[Act 23 of 2015 wef 01/11/2015]

Annual report

11A.—(1) The Institute must, as soon as practicable after the close of each financial year, submit to the Minister an annual report on the activities of the Institute during that year.

(2) The Minister must, as soon as practicable, cause a copy of the annual report to be presented to Parliament.

[Act 23 of 2015 wef 01/11/2015]

Appointment, powers and duties of Director

12.—(1) There shall be a Director of the Institute who shall be appointed by the Board on such terms and conditions as the Board may determine.

(2) The Director shall be the chief administrative and academic officer of the Institute and shall be responsible for —

- (a) the proper administration of the Institute in accordance with the policy of the Board;
- (b) the academic and research management of the Institute in accordance with the policy of the Board;
- (c) the proper enforcement of the regulations; and
- (d) the discipline of the fellows of the Institute,

and for those purposes the Director shall, subject to the provisions of this Act, have all such powers as are necessary or advantageous and proper.

Constitution of Executive Committee

13.—(1) The Board shall appoint an Executive Committee for carrying out the objects of this Act or any part thereof as it may consider necessary.

(2) The Executive Committee shall consist of —

- (a) the Director, who shall be its chairman;
- (b) 3 members to be appointed by the Board from among the members of the Board;
- (c) 3 members to be appointed by the Minister; and
- (d) 3 members to be appointed by the Director from among the staff of the Institute.

(3) The Chairman may, in consultation with the Director, appoint a member of the Executive Committee to preside at meetings of the Executive Committee in the absence of the Director.

(4) Five members of the Committee shall form a quorum at any meeting.

Powers of Executive Committee

14.—(1) It shall be the duty of the Executive Committee, in the exercise of its powers and in the performance of its functions, to act in such a manner as appears to it best calculated to promote the aims and interests of the Institute.

(2) The functions of the Executive Committee shall include the carrying on of all such activities and the doing of all such things as are necessary or advantageous and proper for the government, control and general administration of the Institute and of the assets of the Institute and, without prejudice to the generality of the foregoing, shall include —

- (a) the authorisation of the appropriate and necessary expenditure within the funds available to the Institute;
- (b) the preparation of an annual report on the workings of the Institute, and the preparation of the annual estimates and of such annual statements of account as are required by this Act or by any rules made thereunder;
- (c) the appointment of the senior research staff and the senior administrative staff of the Institute and the appointment of such advisers as the Director may consider necessary or desirable;
- (d) the making, subject to the approval of the Board, of regulations relating generally to the academic management of the Institute and in particular to —
 - (i) the qualifications necessary for entrance to the Institute, the duration and number of the Institute terms, the award of certificates and diplomas to the fellows of the Institute and the revocation of any certificates or diplomas so awarded;
 - (ii) the institution of other posts and offices and appointments to such posts and offices;
 - (iii) the establishment of an Institute printing press and the publishing of books and other publications;

- (iv) the erection, equipment and maintenance of libraries, laboratories, museums, lecture halls and all other buildings required for the purposes of the Institute whether in Singapore or elsewhere;
 - (v) the institution and award of fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance towards the advancement and dissemination of knowledge on Southeast Asia;
 - (vi) the relationship between the Institute on the one hand and schools, colleges, universities and other academic institutions, both in Singapore and abroad, on the other; and
 - (vii) the fees to be payable at the Institute;
- (e) the making of regulations relating to —
- (i) the procedure in regard to meetings of the Executive Committee and of any committee duly appointed by it under the provisions of this Act;
 - (ii) the setting up, membership and functions of advisory committees and the procedure in regard to the meetings of such advisory committees; and
 - (iii) the powers and functions of the officers of the Institute and of any committee duly appointed by it under the provisions of this Act;
- (f) the provision of pensions, superannuation or provident fund schemes for the benefit of the Institute's employees or any section of its employees, and the making of arrangements for the establishment of such schemes;
- (g) the provision and regulation of residence for officers, staff and fellows of the Institute and the welfare and discipline of staff and fellows; and
- (h) the demand and receipt of such fees as may from time to time be prescribed by regulations.

(3) The Executive Committee may appoint from among their own number such and so many committees either of a general or special nature and consisting of such number of persons as the Executive Committee may think fit for any purposes which in the opinion of the Executive Committee would be better regulated by such committees. The proceedings of every such committee shall be recorded in writing and shall be open to inspection to any member of the Executive Committee or any member of the committee at any time.

(4) Any committee shall have full power to act on any resolution passed by it within the scope of the power delegated to it by the Executive Committee under subsection (3) and all decisions of the committee shall be reported to the Executive Committee.

Power to make rules

15.—(1) The Minister may make such rules as may be necessary.

(2) In particular and without prejudice to the generality of subsection (1), such rules may provide for all or any of the following matters:

- (a) the powers and functions of the Board;
- (b) the preparation, audit and submission to the Minister of estimates, budgets, accounts and other information pertaining to the Institute;
- (c) the terms and conditions of transfer to the Institute of holders of pensionable appointments in the public service.

(3) All such rules shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication.

Power of Board to accept gifts

16.—(1) The Board may on behalf of the Institute accept by way of grant, gift, testamentary disposition or otherwise, property and moneys in aid of the finances of the Institute on such conditions as it may determine.

(2) Registers shall be kept of all donations to the Institute, including the names of donors and any special conditions on which any donation may have been given.

(3) All property, moneys or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they have been donated and shall be separately accounted for.

Public servants

17. All employees of the Institute are deemed to be public servants for the purposes of the Penal Code (Cap. 224).

[Act 23 of 2015 wef 01/11/2015]

Protection from personal liability

18. No liability is to lie personally against any member of the Board, employee of the Institute or other person acting under the direction of the Institute who, acting in good faith and with reasonable care, does or omits to do anything in —

- (a) the exercise or purported exercise of any power under this Act; or
- (b) the performance or purported performance of any function or duty under this Act.

[Act 23 of 2015 wef 01/11/2015]

THE SCHEDULE

Section 11(3)

FINANCIAL PROVISIONS

Accounts of Institute

1. The Institute must keep proper accounts and records of its transactions and affairs and must do all things necessary to ensure that —

- (a) all payments out of its moneys are correctly made and properly authorised; and
- (b) adequate control is maintained over the assets of, or in the custody of, the Institute and over the expenditure incurred by the Institute.

Auditor

2. The accounts of the Institute must be audited by the Auditor-General or by an auditor appointed annually by the Minister in consultation with the Auditor-General.

THE SCHEDULE — *continued***Appointment of auditor**

3. A person does not qualify for appointment as an auditor under paragraph 2 unless the person is a public accountant who is registered or deemed to be registered under the Accountants Act (Cap. 2).

Remuneration of auditor

4. The remuneration of the auditor is to be paid out of the moneys of the Institute.

Annual financial statements

5. The Institute must, as soon as practicable after the close of the financial year, prepare and submit the financial statements in respect of that year to the auditor who must audit and report on them.

Duties of auditor

6. The auditor must state in the auditor's report —
- (a) whether the financial statements show fairly the financial transactions and the state of affairs of the Institute;
 - (b) whether proper accounting and other records have been kept, including records of all assets of, or in the custody of, the Institute whether purchased, donated or otherwise;
 - (c) whether the receipts, expenditure and investment of moneys and the acquisition and disposal of assets by the Institute during the financial year were in accordance with the provisions of this Act; and
 - (d) any other matters arising from the audit as the auditor considers necessary.

Auditor's report

7.—(1) The auditor must, as soon as practicable after the accounts have been submitted for audit, send a report of the audit to the Institute.

(2) The auditor must submit such periodical and special reports to the Minister and to the Institute as may appear to the auditor to be necessary or as the Minister or the Institute may require.

Powers of auditor

8.—(1) The auditor or any person authorised by the auditor is entitled at any reasonable time to full and free access to all accounting and other records relating, directly or indirectly, to the financial transactions of the Institute.

THE SCHEDULE — *continued*

(2) The auditor or any person authorised by the auditor may make copies of, or take extracts from, any such accounting and other records.

(3) The auditor or any person authorised by the auditor may require any person to furnish such information in the possession of that person or to which that person has access as the auditor or any duly authorised person considers necessary for the purposes of the auditor's functions under this Act.

Penalty for obstructing auditor

9. Any person who fails, without any reasonable cause, to comply with any requirement of the auditor or authorised person under paragraph 8 or who otherwise hinders, obstructs or delays the auditor or authorised person in the performance of the auditor's functions under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day or part of the day during which the offence continues after conviction.

Presentation of audited financial statements and auditor's report

10. The Institute must, as soon as its accounts and financial statements have been audited in accordance with the provisions of this Act, send to the Minister a copy of the audited financial statements, signed by the Chairman of the Board, together with a copy of the auditor's report.

Copy of auditor's report for Auditor-General

11. Where the Auditor-General is not appointed as the auditor, a copy of the audited financial statements and any report made by the auditor must be forwarded to the Auditor-General at the same time they are submitted to the Institute.

Presentation to Parliament

12. The Minister must, as soon as practicable, cause a copy of the audited financial statements and of the auditor's report to be presented to Parliament.

[Act 23 of 2015 wef 01/11/2015]

LEGISLATIVE HISTORY
ISEAS – YUSOF ISHAK INSTITUTE ACT
(CHAPTER 141)

formerly known as the Institute of Southeast Asian Studies Act

This Legislative History is provided for the convenience of users of the Institute of Southeast Asian Studies Act. It is not part of the Act.

1. Act 9 of 1968 — Institute of Southeast Asian Studies Act 1968

Date of First Reading : 9 May 1968
(Bill No. 10/68 published on
13 May 1968)

Date of Second and Third Readings : 22 May 1968

Date of commencement : 7 June 1968

**2. 1970 Revised Edition — Institute of Southeast Asian Studies Act
(Chapter 308)**

Date of operation : 31 December 1970

**3. Act 35 of 1973 — Statutes of the Republic of Singapore (Miscellaneous
Amendments) (No. 4) Act 1973**

Date of First Reading : 11 July 1973
(Bill No. 35/73 published on
16 July 1973)

Date of Second and Third Readings : 26 July 1973

Date of commencement : 1 September 1973

**4. Act 5 of 1981 — Statutes of the Republic of Singapore (Miscellaneous
Amendments) Act 1981**

Date of First Reading : 17 February 1981
(Bill No. 1/81 published on
20 February 1981)

Date of Second and Third Readings : 6 March 1981

Date of commencement : 24 April 1981

**5. 1985 Revised Edition — Institute of Southeast Asian Studies Act
(Chapter 141)**

Date of operation : 30 March 1987

6. Act 26 of 2001 — Statutes (Miscellaneous Amendments and Repeal) Act 2001

- Date of First Reading : 11 July 2001
(Bill No. 24/2001 published on 17 August 2001)
- Date of Second and Third Readings : 25 July 2001
- Date of commencement : 1 September 2001 (section 10 — amendment of Institute of Southeast Asian Studies Act)

7. Act 5 of 2002 — Statutory Corporations (Capital Contribution) Act 2002
(Consequential amendments made to Act by)

- Date of First Reading : 3 May 2002
(Bill No. 7/2002 published on 4 May 2002)
- Date of Second and Third Readings : 24 May 2002
- Dates of commencement : 15 July 2002 (except item (18) of the Schedule)

8. Act 45 of 2004 — Trustees (Amendment) Act 2004
(Consequential amendments made to Act by)

- Date of First Reading : 21 September 2004
(Bill No. 43/2004 published on 22 September 2004)
- Date of Second and Third Readings : 19 October 2004
- Date of commencement : 15 December 2004

9. Act 25 of 2009 — Quorums of Statutory Boards (Miscellaneous Amendments) Act 2009

- Date of First Reading : 14 September 2009
(Bill No. 19/2009 published on 14 September 2009)
- Date of Second and Third Readings : 19 October 2009
- Date of commencement : 15 January 2010

10. 2013 Revised Edition — Institute of Southeast Asian Studies Act (Chapter 141)

- Date of operation : 30 November 2013

**11. Act 23 of 2015 — Institute of Southeast Asian Studies (Amendment) Act
2015**

Date of First Reading	:	11 May 2015 (Bill No. 20/2015 published on 11 May 2015)
Date of Second and Third Readings	:	14 July 2015
Date of commencement	:	12 August 2015 1 November 2015