

THE STATUTES OF THE REPUBLIC OF SINGAPORE

INSTITUTE OF EDUCATION ACT

(CHAPTER 140)

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Act

43 of 1970

Amended by

35 of 1973

5 of 1981

4 of 1982

8 of 1984

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Institute of Education Act

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An Act for the establishment of the Institute of Education and for matters connected therewith.

[1st April 1973]

1. This Act may be cited as the Institute of Education Act. Short title.

2. In this Act, unless the context otherwise requires — Interpre-
 “Board” means the Board of Studies established under tation.
 section 9;

“Chairman” means the Chairman of the Council appointed under section 5;

“Council” means the Council constituted under section 5;

“Director” means the Director appointed under section 8;

“financial year” means a period of 12 months beginning on 1st April in any year;

“Institute” means the Institute of Education established under section 3.

Establishment of Institute.

3.—(1) There shall be established a body to be known as the Institute of Education which shall be a body corporate with perpetual succession and a common seal, with power to sue and be sued in its corporate name, and to perform such other acts as bodies corporate may by law perform, and to exercise such other powers as are conferred under this Act.

(2) The Institute shall consist of a Council and a Board of Studies.

Objects of Institute.
8/84.

4.—(1) The objects of the Institute shall be —

(a) the provision of courses of study for the training of teachers and other persons in the various fields of sports and education;

(b) the establishment of such facilities as the Institute considers desirable for the provision of such courses of study in Singapore; and

(c) the promotion of research in education.

(2) For the purpose of carrying out the objects set out in subsection (1), the Institute may —

(a) provide for the examination, from time to time, of students or other persons and to confer degrees and diplomas and grant certificates to successful candidates, and provide for the registration of the holders of those certificates;

(b) provide for the delivery and holding of lectures, and the holding of exhibitions, public meetings, classes and conferences calculated, directly or indirectly, to serve the cause of education whether general, professional, scientific or technical;

- (c) institute chairs, professorships, lectureships and other posts and offices and make appointments thereto;
- (d) establish, equip and maintain libraries, laboratories, museums, lecture halls, reading and writing rooms, halls of residence and all other buildings which may be required for the purposes of the Institute;
- (e) institute and award fellowships, exhibitions, bursaries, medals, prizes and other titles and distinctions, awards and forms of assistance towards the advancement and dissemination of knowledge;
- (f) administer the property vested in the Institute by section 22 and carry on, build and maintain the Institute with all necessary buildings and equipment;
- (g) with the approval of the Minister, acquire, purchase, lease, take, hold and enjoy movable and immovable property of every description and sell, convey, assign, surrender and yield up, mortgage, demise, reassign, transfer or otherwise dispose of any movable or immovable property vested in the Institute upon such terms as the Institute may think fit;
- (h) develop any immovable property acquired by the Institute or in which it is interested, and in particular lay out and prepare land for building purposes, construct, alter, pull down, decorate, maintain, fit up, and improve buildings and plant, pave, drain, farm, cultivate land and let it on building lease or building agreement and advance money to and enter into contracts and arrangements of all kinds with builders and other persons;
- (i) establish or assist in the establishment and support of associations, institutions, pension schemes or superannuation or provident fund schemes and trusts calculated to benefit officials, teachers, staff and students and former teachers or staff of the Institute, or the dependants of such persons, and grant pensions and allowances, and make

payments towards insurance, and to subscribe or guarantee money for charitable or benevolent objects, or for any exhibition or for any public, general or useful object;

- (j) solicit and accept and receive subscriptions, donations, devises and bequests (whether of movable or immovable property and whether absolute or conditional) for the general purposes of the Institute or for any special purpose of the Institute or subject to any trust;
- (k) enter into contracts and appoint such staff as may be required for the purposes of the Institute;
- (l) regulate and provide for the residence of officials, teachers, staff and students of the Institute and the welfare and discipline of officials, teachers, staff and students;
- (m) demand and receive such fees as may from time to time be prescribed;
- (n) raise money for any of the above purposes or other purposes of the Institute by mortgaging all or any of the property of the Institute; and
- (o) do all such other things as are incidental or conducive to the attainment of its objects.

Constitution
of Council.
8/84.

5.—(1) The management of the Institute and of its properties and affairs shall be vested in the Council consisting of —

- (a) a Chairman to be appointed by the Minister;
- (b) a Deputy Chairman to be appointed by the Minister;
- (c) the Director;
- (d) heads of colleges established under section 12; and
- (e) not less than 8 nor more than 14 other members as the Minister may from time to time appoint.

(2) A member of the Council whose appointment was made by the Minister shall, unless his appointment is revoked under subsection (5) or unless he resigns during his term of office, hold office for a period of 3 years.

(3) Any member of the Council may resign from the Council by giving notice in writing to that effect addressed

to the Chairman and as from the date of receipt by the Chairman of the notice the member shall cease to be a member of the Council.

(4) If a member resigns, dies or has his appointment revoked or otherwise vacates his office before the expiry of the period for which he has been appointed, the Minister may appoint a person to fill the vacancy for the residue of the period for which the vacating member was appointed. 8/84.

(5) The Minister may at any time revoke the appointment of the Chairman or any member of the Council whose appointment was made by him.

(6) The Council may act notwithstanding any vacancy in its membership.

6. The Council shall have the entire superintendence and control of the Institute and of the property and affairs of the Institute, and shall govern, direct and decide all matters whatsoever connected with the administration of the affairs of the Institute and the accomplishment of the objects and purposes thereof, and shall have and may exercise all the powers conferred on and vested in the Institute by this Act; and may make, vary and revoke such rules as the Council may from time to time think fit in relation to any matters within the scope of its authority, including the conduct and transaction of its business: Management.

Provided that no such rule shall be valid if it is inconsistent with any provision of this Act or any regulations made thereunder.

7.—(1) The Council shall meet for the despatch of business at such times and places as the Chairman may from time to time appoint. Meetings of Council.
8/84.

(2) At every meeting of the Council 7 members shall form a quorum.

(3) All questions arising at any meeting of the Council shall be decided by a majority of the votes of the members present and voting, except that in the case of an equality of votes, the Chairman or, in his absence, the Deputy Chairman shall have a casting vote.

(4) The Chairman or, in his absence, the Deputy Chairman shall preside at all meetings of the Council; in the

absence of both the Chairman and the Deputy Chairman, the members present shall elect one of their number to preside at a meeting.

(5) Subject to the provisions of this Act and any regulations made under section 23, the Council shall have power to regulate its own procedure.

Director.

8.—(1) There shall be a Director for the Institute who shall be appointed by the Council upon such terms and conditions as it may determine.

(2) The Director shall —

- (a) be the chief administrative and academic officer of the Institute;
- (b) be responsible to the Council for the proper administration and management of the Institute in accordance with the policy laid down by the Council; and
- (c) prepare the annual report on the working of the Institute, the annual estimates and the annual statement of accounts to be submitted for the approval of the Council.

Functions of Board.

9.—(1) There shall be established a Board of Studies for the Institute which shall advise the Council on academic matters pertaining to the Institute.

(2) The Council may, from time to time, assign to the Board such duties as the Council may think fit.

Composition of Board.
8/84.

10. The Board shall consist of —

- (a) the Director, who shall be its chairman;
- (b) the heads of all the schools of the Institute; and
- (c) such other persons as the Council may appoint to be members of the Board from time to time.

Appointment of committees.

11.—(1) The Council and the Board may appoint such committees as the Council and the Board respectively may think fit.

(2) Unless otherwise expressly provided in regulations made under this Act, any such committee may consist partly of persons who are not members of the Council or of the Board, as the case may be.

12.—(1) The Institute may establish such number of colleges as the Council may think fit.

Establishment of colleges. 8/84.

(2) A college shall be responsible to the Council for the organisation of such courses of study within the purview of the college and may exercise such other functions as may be conferred on it by regulations.

(3) The Council shall appoint a person to be the head of a college, and the head shall have such designation as may be prescribed by regulations, and if owing to absence on leave or for any other reason the head of a college is unable to perform his duties the Council may appoint a person to perform those duties for such time as the disability may continue.

(4) The head of a college shall be responsible to the Council for the organisation of teaching and research in his college.

(5) The Council shall establish an academic board for a college which shall advise the Council on academic matters pertaining to the college.

(6) The Council may from time to time assign to an academic board of a college such duties as the Council may think fit.

(7) An academic board of a college shall consist of —

(a) the head of the college who shall be the chairman; and

(b) such other persons as the Council may from time to time appoint. [11A

13.—(1) The common seal of the Institute shall be kept in such custody as the Council directs.

Common seal. 8/84.

(2) All deeds, documents and other instruments requiring the seal of the Institute shall be sealed with the common seal of the Institute, and all instruments to which the common seal is affixed shall be signed by the Director and another member of the Council.

(3) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Institute affixed to any document and shall presume that it was duly affixed. [12

Grants.

14. For the purpose of enabling the Institute to carry out its functions under this Act, the Minister may, from time to time, make grants to the Institute of such sums of money as he may determine out of moneys to be provided by Parliament. [13]

Funds of Institute.

15.—(1) All moneys received or raised by the Institute shall be controlled and administered by the Council subject to the directions of the Minister.

(2) Such moneys shall be devoted solely to the following purposes:

(a) the payment of the expenses of or connected with the administration of the Institute; and

(b) the payment of all expenses necessary for carrying out the purposes of this Act. [14]

Accounts and financial statements. 8/84.

16.—(1) The Institute shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that all payments out of its moneys are correctly made and properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Institute and over the expenditure incurred by the Institute.

(2) The Institute shall, as soon as practicable after the close of each financial year, prepare and submit financial statements in respect of that year to the auditor of the Institute. [15]

Audit of accounts. 8/84.

17.—(1) The accounts of the Institute shall be audited by the Auditor-General or such other auditor as may be appointed annually by the Minister in consultation with the Auditor-General.

(2) A person shall not be qualified for appointment as an auditor under subsection (1) unless he is an approved company auditor under the Companies Act.

Cap. 50.

(3) The auditor or any person authorised by him shall be entitled at all reasonable times to full and free access to all

accounting and other records relating directly or indirectly to the financial transactions of the Institute.

(4) The auditor shall in his report state —

- (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 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) such other matters arising from the audit as he considers necessary.

(5) The auditor shall, as soon as practicable after the accounts have been submitted for audit, send a report of his audit to the Institute.

(6) The auditor shall also submit such periodical and special reports to the Minister and to the Institute as may appear to him to be necessary or as the Minister or the Institute may require. [16

18.—(1) The Institute shall, as soon as the accounts of the Institute and the 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 Director, together with a copy of the auditor's report.

Presentation of financial statements and auditor's report to Parliament. 8/84.

(2) Where the Auditor-General is not the auditor of the Institute, a copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General at the same time they are submitted to the Institute.

(3) The Minister shall as soon as practicable cause a copy of the audited financial statements and of the auditor's report referred to in subsection (1) to be presented to Parliament. [16A

Annual
report.
8/84.

19.—(1) The Institute shall, as soon as practicable after the end of each financial year, submit to the Minister an annual report of the activities of the Institute during that year.

(2) The Minister shall as soon practicable cause a copy of every such report to be presented to Parliament. [16B

Annual
estimates.

20. The Council shall obtain in advance the approval of the Minister for the annual estimate of expenditure for the Institute and any supplementary estimate of such expenditure. [17

Investment.

21. The moneys held by the Institute may from time to time be invested in any of the securities in which trust funds may, by section 4 of the Trustees Act, be invested. [18

Cap. 337.

Transfer to
Institute of
Government
assets and
property of
Government.

22.—(1) The Minister may, by order* published in the *Gazette*, provide for the transfer to the Institute of any asset and property, movable and immovable, of the Government used for the purposes of the Teachers' Training College and such asset and property shall be transferred to and vested in the Institute without further assurance.

(2) In this section, "Teachers' Training College" means the Teachers' Training College situated in Paterson Hill, Singapore, and maintained by the Ministry of Education, Singapore, prior to the date of the commencement of this Act. [19

Regulations.

23.—(1) The Minister may make regulations for or with respect to every purpose which is considered by him necessary for carrying out the provisions of this Act.

(2) In addition to the powers conferred by subsection (1), the Minister may make regulations providing for —

- (a) the convening of meetings of the Council and the procedure to be followed thereat;
- (b) the exercise by the Council of the powers and functions of the Institute;
- (c) the records to be kept of the accounts of the Institute and the procedure to be followed for the expenditure of the funds of the Institute;

- (d) the preparation, audit and submission to the Minister of estimates, budgets, accounts and other information pertaining to the Institute; and
- (e) the terms and conditions of transfer to the Institute of holders of pensionable appointments in the public service. [21*

*Section 20 in the 1970 Edition was deleted by Act 35 of 1973.