

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**NATIONAL PRODUCTIVITY BOARD ACT**  
**(CHAPTER 200)**

**Act**  
**11 of 1972**

Amended by  
35 of 1973  
40 of 1973

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# National Productivity Board Act

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An Act to establish the National Productivity Board and for purposes connected therewith.

[12th May 1972]

1. This Act may be cited as the National Productivity Board Act. Short title.

Inter-  
pretation.

2. In this Act, unless the context otherwise requires —
- “Board” means the National Productivity Board established under section 3;
- “Chairman” means the Chairman of the Board;
- “Executive Director” means the Executive Director appointed under section 10;
- “functions” means the objects, powers and duties of the Board.

Establish-  
ment of  
National  
Productivity  
Board.

3.—(1) There is hereby established in accordance with the provisions of this Act a body to be called the National Productivity Board.

(2) The Board shall be a body corporate with perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire and dispose of property, both movable and immovable, to sue and be sued in its corporate name and to perform such other acts as bodies corporate may by law perform.

Constitution  
of Board.

4.—(1) The Board shall consist of —

- (a) the Chairman, who may be a full time officer of the Board and who shall, subject to the provisions of this Act, hold office for such period and on such terms as the Minister may determine;
- (b) three directors representing the interests of the Government;
- (c) three directors representing the interests of employers;
- (d) three directors nominated by the National Trades Union Congress;
- (e) three directors representing the professional and academic interests associated with productivity; and
- (f) the Executive Director of the Board,

all of whom, other than the Executive Director, shall be appointed by the Minister.

(2) The Board may meet as often as it thinks necessary but not less than once in every month and at every meeting the quorum shall be 6.

(3) The directors appointed by the Minister under subsection (1) shall, unless their appointments are revoked by

the Minister under subsection (6) or unless they resign during the period of office, hold office for a term of 3 years or for such shorter period as the Minister may in any case determine.

(4) The Minister may appoint any director of the Board to be the Deputy Chairman of the Board and if for any reason the Chairman is absent or unable to act or the office of the Chairman is vacant, the Deputy Chairman may exercise all or any of the powers conferred, or perform all or any of the duties imposed, on the Chairman under this Act.

(5) The Chairman or the person lawfully acting as Chairman at any meeting of the Board shall have an original as well as a casting vote.

(6) The Minister may at any time revoke the appointment of the Chairman or of any other director of the Board.

(7) Subject to the provisions of this Act, the Board may make standing orders regulating its own procedure generally, and in particular, regarding the holding of meetings, the notice to be given of such meetings, the proceedings thereof, the keeping of minutes, the custody, production and inspection of those minutes, and the opening, keeping, closing and audit of accounts.

(8) All deeds, documents or other instruments requiring the seal of the Board shall be sealed with the common seal of the Board in the presence of the Chairman or the Deputy Chairman and one other member of the Board or the Executive Director, who shall sign every such deed, document or other instrument to which the common seal is affixed and such signing shall be sufficient evidence that the seal was duly and properly affixed and that the seal is the lawful seal of the Board.

5.—(1) The Board may admit any person, company or firm whose activities relate to the functions of the Board to be a subscribing member of the Board. Subscribing members.

(2) A subscribing member shall not be entitled to participate in the deliberations of the Board nor shall he be entitled to vote on any issue before the Board.

(3) A subscribing member shall comply with any regulations the Board may make relating to subscribing members.

(4) A subscribing member shall pay such fees or contributions as may in respect of his membership be determined by the Board in regulations made under this Act.

(5) The Board shall have the right to terminate the membership of a subscribing member as it thinks fit notwithstanding that he has paid any fee or contribution towards his membership.

Objects of Board.

6. The objects of the Board shall be —

- (a) to promote productivity consciousness in managements, trade union leaders and workers;
- (b) to provide training facilities for managerial and supervisory personnel in all relevant aspects of modern management including general management, personnel management, management accounting, industrial engineering, achievement motivation and supervisory training;
- (c) to train workers' representatives in measures for raising labour productivity, and to relate wages and productivity to competitiveness in export markets and industrial relations;
- (d) to foster and promote good industrial relations by training and by promoting the formation of joint consultative councils;
- (e) to render management consultancy services in the same fields in which training activities are undertaken with a view to assisting industrial enterprises to achieve a general raising of productivity;
- (f) to assist industrial establishments and trade unions in formulating and rationalising wage policies and wage systems;
- (g) to assist the Government from time to time in shaping a national wage policy;
- (h) to undertake manpower and wage studies; and
- (i) to provide a library of books, files and other information material to all interested parties.

Powers of Board.

7. The Board shall have all such powers and may perform all such duties as it may consider necessary or expedient to enable it to exercise its objects under this Act, and without

prejudice to the generality of the foregoing or to any other powers conferred by this Act, it may —

- (a) charge fees and commissions for the services rendered by it;
- (b) receive donations, grants, gifts and contributions from any source and raise funds by all lawful means;
- (c) publish works concerning productivity techniques;
- (d) co-ordinate all information concerning productivity techniques;
- (e) organise courses in furtherance of its objects and award certificates of proficiency to persons who attend courses organised by the Board;
- (f) conduct tests of proficiency on productivity techniques;
- (g) enter into contracts, and generally regulate all transactions which the Board may enter into;
- (h) 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, transfer or otherwise dispose of any movable or immovable property vested in the Board as the Board thinks fit; and
- (i) become a member or affiliate of any international body the objects of which are similar to those of the Board and co-ordinate the handling of enquiries to and from that international body.

8.—(1) If a director of the Board has directly or indirectly an interest in any contract, proposed contract, or other matter and is present at a meeting of the Board, or any committee thereof, at which the contract, proposed contract or other matter is the subject of consideration, he shall, at the meeting and as soon as practicable after the commencement thereof, disclose the fact, and shall not thereafter be present during the consideration or discussion of, and shall not vote on any question with respect to, the contract, proposed contract or other matter.

Disclosure of interest.

(2) Subsection (1) shall also apply to any member of a committee appointed in accordance with section 9 (1) when such director is present at a meeting of any committee.

Appointment  
of commit-  
tees and  
delegation  
of powers.

9.—(1) The Board may, in its discretion, appoint from among its own members or from among other persons who are not members of the Board such number of committees for purposes which, in the opinion of the Board, would be better regulated and managed by means of those committees.

(2) The Board may, subject to such conditions or restrictions as it thinks fit, delegate to any such committee or the Chairman or the Executive Director any of the powers, functions and duties by this Act vested in the Board, and any power, function or duty so delegated may be exercised or performed by the committee or the Chairman or the Executive Director, as the case may be, in the name and on behalf of the Board.

(3) The Board may, subject to such conditions or restrictions as it thinks fit, delegate to any employee thereof all or any of the Board's powers, functions and duties by this Act vested in the Board, and any power, function or duty so delegated may be exercised or performed by the employee in the name and on behalf of the Board.

(4) The Board may continue to exercise any power conferred upon it, or perform any function or duty under this Act, notwithstanding the delegation of such power, function or duty under this section.

Executive  
Director of  
Board.

10.—(1) The Board shall, with the approval of the Minister, appoint an Executive Director of the Board who shall perform such duties as the Board may entrust or delegate to him. The Executive Director shall be a member of the Board of Directors but shall have no voting rights in respect of any matter deliberated upon by the Board.

(2) If the Executive Director is temporarily absent from Singapore or temporarily unable for any other sufficient reason to carry out his duties, another person may be appointed by the Board to perform the functions of the Executive Director during such temporary absence.

Appointment  
of officers  
and  
employees.

11.—(1) The Board may from time to time appoint and employ such officers and employees as may be necessary for the purposes of this Act and may from time to time dismiss them.

(2) All officers and employees of the Board shall be under the administrative control of the Board.

(3) Subject to the approval of the Minister, the Board may establish a scheme or schemes for the payment of pensions, gratuities, provident or other superannuation benefits to such officers or classes of officers of the Board, as it may determine, on the cessation of their service with the Board. Such scheme or schemes may provide that —

- (a) no assurance on the life of any contributor under any such scheme, and no moneys or other benefits payable under any such assurance, and no payment made under any such scheme to any person who has been employed by the Board, shall be assignable or transferable, or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim whatsoever other than a debt due to the Board or to the Government;
- (b) no donation by the Board or contribution by its officers made under any such scheme and no interest thereon shall be assignable or transferable or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim whatsoever other than a debt due to the Board or to the Government;
- (c) no such donation, contribution or interest shall be subject to the debts of the contributor, nor shall the donation, contribution or interest pass to the Official Assignee on the bankruptcy of the contributor, but, if such contributor is adjudicated a bankrupt or is declared insolvent by a court, the donation, contribution or interest shall, subject to the provisions of this Act, be deemed to be subject to a trust in favour of the persons entitled thereto on the death of the contributor;
- (d) the bankruptcy of a contributor shall not affect the making of deductions from the salary of the contributor in accordance with any such scheme, but the deductions shall continue to be made notwithstanding the provisions of any written law, and the portion of salary so deducted shall not be deemed to form part of his after-acquired property;



Cap. 96.

- (e) subject to the provisions of any such scheme, all moneys paid or payable under any such scheme on the death of a contributor shall be deemed to be subject to a trust in favour of the persons entitled thereto under the will or intestacy of the deceased contributor, or under a nomination in such form as may be prescribed in the scheme, and shall not be deemed to form part of his estate or be subject to the payment of his debts but shall be deemed to be property passing on his death for the purposes of the Estate Duty Act;
- (f) any contributor may, by a memorandum under his hand, appoint a trustee or trustees of the moneys payable on his death out of any such scheme and may make provision for the appointment of a new trustee or new trustees of the moneys and for the investment thereof, and the memorandum shall be in the form prescribed in the scheme and shall be deposited with the Board;
- (g) if, at the time of the death of any contributor or at any time afterwards, there is no trustee of such moneys or it is expedient to appoint a new trustee or new trustees, then and in any such case a trustee or trustees or a new trustee or new trustees may be appointed by the High Court; and
- (h) the receipt of a trustee or trustees duly appointed, or in default of any such appointment and of written notice thereof to the Board, the receipt of the legal personal representative of a deceased contributor shall be a discharge to the Board for any moneys payable on his death out of any such scheme.

Protection  
from  
personal  
liability.

**12.—(1)** No matter or thing done and no contract of any kind entered into by the Board and no matter or thing done by any member of the Board or by any employee thereof or any other person whomsoever acting under the direction of the Board shall, if the matter or thing was done or the contract was entered into bona fide for the purpose of executing the provisions of this Act, subject any such

member or employee or any person acting under the direction of the Board personally to any action, liability, claim or demand whatsoever in respect thereof.

(2) Any expenses incurred by the Board or any director, employee or other person so acting under the direction of the Board shall be borne by and repaid out of the funds of the Board.

**13.** The directors of the Board and the employees thereof, of every description, shall be deemed to be public servants within the meaning of the Penal Code.

Directors and officers of Board deemed to be public servants. Cap. 224.

**14.—(1)** The Minister may give to the Board such directions, not inconsistent with the provisions of this Act, as he thinks fit, as to the exercise of the functions of the Board under this Act, and the Board shall give effect to all such directions.

Power of Minister to give directions and require information.

(2) The Board shall furnish the Minister with such information in respect of its property and activities as he may from time to time require.

**15.—(1)** For the purpose of enabling the Board to carry out its functions and to defray expenditure properly chargeable to capital account, including defraying initial expenses and for the provision of working capital, the Minister may authorise payment to the Board of such sums as he may determine.

Payments to Board.

(2) The Board shall obtain in advance the approval of the Minister for its annual estimates of expenditure in respect of office administration and for any supplementary estimates of such expenditure.

**16.—(1)** The Board shall prepare in respect of each financial year ending on 31st March a statement of account in a form approved by the Minister.

Accounts to be kept. 40/73.

(2) The Board 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 Board and over the expenditure incurred by the Board.

Appointment  
and powers  
of auditor.  
40/73.

17.—(1) The accounts of the Board shall be audited by the Auditor-General or by an auditor appointed annually by the Minister in consultation with the Auditor-General.

(2) The Auditor-General or the auditor appointed under subsection (1), as the case may be, shall be entitled to full and free access to all accounting and other records relating directly or indirectly to the financial transactions of the Board and may make copies of or extracts from, any such accounting and other records.

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

(4) An officer of the Board who refuses or fails without any reasonable cause to allow the Board's auditor access to any accounting and other records of the Board in his custody or power or to give any information possessed by him as and when required or who otherwise hinders, obstructs or delays the Board's auditor in the performance of his duties or the exercise of his powers shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 and in the case of a continuing offence to a fine not exceeding \$100 for every day or part thereof during which the offence continues after conviction. [16A

Financial  
statements.  
40/73.

18.—(1) The Board shall, as soon as practicable after the close of the financial year, prepare and submit the financial statements in respect of that year to the Board's auditor who shall audit and report on them.

(2) The Board's auditor shall report —

- (a) whether or not the financial statements show fairly the financial transactions and the state of affairs of the Board; and
- (b) on such other matters arising from the audit as he considers necessary.

(3) The Board's auditor shall state in his report whether or not —

- (a) proper accounting and other records have been kept;

- (b) the financial statements are prepared on a basis similar to that adopted for the preceding year;
- (c) the financial statements are in agreement with the accounting and other records; and
- (d) the receipt, expenditure and investment of moneys and the acquisition and disposal of assets by the Board during the year have been in accordance with the provisions of this Act. [16B]

**19.—**(1) As soon as the accounts of the Board and the financial statements have been audited in accordance with the provisions of this Act, a copy of the audited financial statements signed by the Chairman and certified by the auditor, together with a copy of any report made by the Board's auditor, shall be submitted to the Minister. Presentation of financial statements and audit reports. 40/73.

(2) Where the Auditor-General has not been appointed to be the auditor of the Board 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 as they are submitted to the Minister.

(3) A copy of the audited financial statements and of the report of the Board's auditor shall be presented to Parliament. [16c]

**20.** So soon as may be after 1st April but not later than 30th September of each year, unless expressly authorised in writing by the Minister, the Board shall prepare a report of its activities and operations in the preceding financial year and shall send a copy of such report to the Minister who shall present the copy of every such report to Parliament. Annual report. [17]

**21.—**(1) The funds and property of the Board shall consist of — Funds and property of Board.

- (a) any money appropriated by Parliament for the purposes of the Board;
- (b) all money paid to the Board for the purposes of the Board;
- (c) all money paid to the Board by way of grants, subsidies, donations, gifts, fees, charges, rents, interest and royalties;

- (d) all money derived from the sale of any property belonging to or held by or on behalf of the Board;
- (e) all money derived by the Board from the sale of publications;
- (f) all money received by the Board for services rendered by it or by any practice or process developed by it;
- (g) all other money and property lawfully received by the Board for the purposes of the Board; and
- (h) all accumulations of income derived from any such property or money.

(2) Subject to the terms of any trust or endowment, any money belonging to the Board and available for investment may be invested in accordance with any written law for the time being in force regulating the investment of trust funds.

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Regulations.

**22.**—(1) The Board may, with the prior approval of the Minister, make such regulations as it may consider necessary or desirable for the proper conduct of the business of the Board and the execution of its functions including, without prejudice to the generality of the foregoing, regulations with regard to the following matters:

- (a) the fees and charges that may be levied by the Board;
- (b) the tests of proficiency in courses conducted by the Board;
- (c) the management of the Board's income and funds; and
- (d) subscribing members.

(2) All regulations made under this Act shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication.

[19

Winding up.

**23.** The Board shall not be wound up except by the authority of an Act of Parliament.

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Transitional.

**24.**—(1) Upon the commencement of this Act —

- (a) the unincorporated body known as the National Productivity Centre being a unit of the

Economic Development Board and operating under its control (referred to in this section as the unincorporated body) shall cease to exist;

- (b) the Board shall take over all the powers, duties and functions of the unincorporated body;
- (c) all the assets and property of every description and all the powers, rights and privileges in connection therewith or appertaining thereto which immediately before the commencement of this Act belonged to or were vested in the unincorporated body shall forthwith vest in the Board; and
- (d) all the liabilities and obligations of the unincorporated body existing immediately before the commencement of this Act shall be transferred to and vest in the Board.

(2) Every person employed by the Economic Development Board and working in the unincorporated body shall be transferred to the service of the Board on the same terms as those he had enjoyed immediately prior to the commencement of this Act or on such other terms which shall be determined by the Board provided however that such terms as may be offered shall not be any less favourable than those enjoyed by that person as an officer of the Economic Development Board. [22\*

25.—(1) The Board shall have the exclusive right to the use of the symbol (referred to in this section as the Board's symbol), a representation of which is set out in the Schedule.

Symbol of  
Board.  
40/73.

(2) Any person who without the permission of the Board uses a symbol identical to or resembling the Board's symbol as to be likely to deceive or cause confusion in relation to the identity of the Board shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

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\*Former section 21 was deleted by Act 35/73.

THE SCHEDULE.

Section 25.  
40/73.

SYMBOL OF THE BOARD.

