

**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  
18 of 1991**

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1992

# National Productivity Board Act

## ARRANGEMENT OF SECTIONS

### Section

1. Short title.
2. Interpretation.
3. Establishment of National Productivity Board.
4. Constitution of Board.
- 4A. Common Seal.
5. Subscribing members.
6. Objects of Board.
7. Powers of Board.
8. (Repealed).
9. Appointment of committees and delegation of powers.
10. Executive Director of Board.
11. Appointment of employees.
12. Protection from personal liability.
13. Members and employees of Board deemed to be public servants.
14. Power of Minister to give directions and require information.
15. Payments to Board.
16. Financial provisions.
17. Annual report.
18. }
19. } (Repealed)
20. }
21. Funds and property of Board.
22. Regulations.
23. Winding up.
24. Symbol of Board.

First Schedule — Constitution and proceedings of Board.

Second Schedule — Financial provisions.

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

[12th May 1972]

Short title.

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

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.

Establishment of National Productivity Board. 18/91.

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 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. 18/91.

4.—(1) The Board shall consist of —

- (a) a Chairman;
- (b) the Executive Director;
- (c) not more than 3 members representing the interests of the Government;
- (d) not more than 3 members representing the interests of employers;
- (e) not more than 3 members representing the National Trades Union Congress; and
- (f) not more than 3 members representing the professional and academic interests associated with productivity.

(2) The First Schedule shall apply to the Board, its members and proceedings.

4A.—(1) The Board shall have a common seal and such seal may, from time to time, be broken, changed, altered and made anew as the Board thinks fit.

Common seal.

(2) 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 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.

(3) The Board may, by resolution or otherwise in writing, appoint an employee of the Board or any other agent either either generally or in a particular case to execute or sign on behalf of the Board an agreement or other instrument not under seal in relation to any matter within the functions 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.

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

Objects of Board. 18/91.

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;
- (ca) to promote the development and upgrading of skills and expertise of persons in employment;
- (cb) to administer the Skills Development Fund in accordance with the Skills Development Levy Act;
- (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.

Cap. 306.

Powers of Board.  
18/91.

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 such amounts as the Board may from time to time determine for the use of facilities or services provided by the Board;
- (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;
- (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;
- (j) with the written approval of the Minister, form or participate in the formation of companies;
- (k) with the written approval of the Minister, enter into any joint ventures or arrangements for the purpose of sharing profits or otherwise for the purposes of this Act;
- (l) make or guarantee loans to persons employed by the Board for purposes specifically approved by the Board;
- (m) raise loans from the Government or, with the approval of the Minister, from any source;
- (n) carry out such functions as may, by any written law, be conferred on the Board; and
- (o) do such other acts as appear to the Board to be incidental or necessary to the discharge of its functions under this Act.

**8.** (*Repealed by Act 18/91.*)

**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.

Appointment  
of committees  
and  
delegation  
of powers.

(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.  
18/91.

**10.—**(1) The Board shall, with the approval of the Minister, appoint an Executive Director of the Board on such terms and conditions as the Board may think fit.

(2) The Executive Director shall —

(a) be responsible to the Board for the proper administration and management of the functions and affairs of the Board in accordance with the policy laid down by the Board; and

(b) not be removed from office without the consent of the Minister.

(3) If the Executive Director is temporarily absent from Singapore or temporarily incapacitated by illness or for any other reason temporarily unable to perform his duties, another person may be appointed by the Board to act in place of the Executive Director during such period of absence from duty.

Appointment  
of  
employees.  
18/91.

**11.—**(1) The Board may —

(a) appoint such number of employees on such terms as to remuneration or otherwise as the Board may determine and may terminate their service or exercise disciplinary control over them in accordance with their terms of service; and

- (b) engage and remunerate for their services such persons or agents as the Board considers necessary for carrying out its functions and duties.

(2) 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 employees or classes of employees 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 employees 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;

- (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.

Cap. 96.

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

Members and employees of Board deemed to be public servants. Cap. 224. 18/91.

**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 Financial provisions set out in the Second Schedule shall apply to the Board.

Financial provisions. 18/91.

**17.—**(1) As soon as practicable after 1st April but not later than 30th September of each year, unless expressly authorised in writing by the Minister, the Board shall

Annual report. 18/91.

prepare a report of its activities and operations in the preceding financial year and shall send a copy of such report to the Minister.

(2) The Minister shall as soon as practicable present a copy of every such report to Parliament.

18. }  
 19. } (*Repealed by Act 18/91.*)  
 20. }

Funds and  
 property of  
 Board.  
 18/91.

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

- (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;
- (fa) all moneys, dividends or income received from any transactions made pursuant to the powers conferred on the Board by this Act;
- (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 such securities as trustees may by any written law be authorised to invest or, with the written approval of the Minister, in any other securities or investments.

**22.—(1)** The Board may, with the 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.

Regulations.  
18/91.

(2) Without prejudice to the generality of subsection (1), the Board may make regulations with regard to the following matters:

- (a) the test of proficiency in courses conducted by the Board;
- (b) the management of the income and funds of the Board; and
- (c) subscribing members.

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

Winding up.

**24.—(1)** The Board shall have the exclusive right to the use of such symbol or representation as it may select or devise (referred to in this section as the Board's symbol) and thereafter display or exhibit in connection with its activities or affairs.

Symbol of  
Board.  
18/91.

(2) Any person who uses a symbol or representation identical with, or which so resembles, the Board's symbol as to deceive or cause confusion, or to be likely to deceive or to cause confusion, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

## FIRST SCHEDULE.

Section 4 (2).  
18/91.

### CONSTITUTION AND PROCEEDINGS OF BOARD

**1.—(1)** The Minister shall appoint the Chairman and the other members of the Board.

Appointment  
of  
Chairman,  
Deputy  
Chairman  
and  
other  
members.

(2) The Minister may appoint one of the members of the Board to be the Deputy Chairman; and the Deputy Chairman may, subject to such directions as may be given by the Chairman, exercise all or any of the powers exercisable by the Chairman under this Act.

FIRST SCHEDULE — *continued.*

- Term of office of members.            2. The Chairman and every other member of the Board shall, unless their appointment is revoked or they resign during their term of office, hold office for a term of 3 years or such shorter period as the Minister may determine.
- Temporary Chairman or Deputy Chairman.            3. The Minister may appoint any member of the Board to be a temporary Chairman or temporary Deputy Chairman during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore of the Chairman or the Deputy Chairman, as the case may be.
- Revocation of appointment.            4. The Minister may, at any time, revoke the appointment of the Chairman or the Deputy Chairman or any member of the Board without assigning any reason.
- Vacation of office.            5. The office of a member of the Board shall be vacated if the member —
- (a) becomes in any manner disqualified for membership of the Board;
  - (b) has been absent, without leave of the Board, from 3 consecutive meetings of the Board; or
  - (c) resigns from his office.
- Disqualification from membership.            6. No person shall be appointed or shall continue to hold office as a member of the Board if he —
- (a) is of unsound mind;
  - (b) is an undischarged bankrupt or has made any arrangement or composition with his creditors; or
  - (c) is convicted of an offence involving dishonesty, fraud or moral turpitude and has not received a free pardon.
- Disclosure of interest by members.            7.—(1) A member of the Board who is in any way, directly or indirectly, interested in a transaction or project of the Board shall disclose the nature of his interest at the first meeting of the Board at which he is present after the relevant facts have come to his knowledge.
- (2) A disclosure under sub-paragraph (1) shall be recorded in the minutes of the meeting of the Board and, after the disclosure, that member —
- (a) shall not take part in any deliberation or decision of the Board with respect to that transaction or project; and
  - (b) shall be disregarded for the purpose of constituting a quorum of the Board for such deliberation or decision.
- (3) No act or proceedings of the Board shall be questioned on the ground that a member of the Board has contravened this paragraph.
- (4) This paragraph shall apply to any member of a committee appointed in accordance with section 9 (1) when any member of the Board is present at a meeting of the committee.

FIRST SCHEDULE — *continued.*

8. There shall be paid to the Chairman, Deputy Chairman and other members of the Board out of the funds of the Board such salaries, fees and allowances as the Minister may, from time to time, determine. Salaries, fees and allowances payable to members.
- 9.—(1) The Chairman shall summon meetings as often as may be required but not less than once in 3 months. Meetings of Board.
- (2) At every meeting of the Board, a quorum shall consist of 6 members.
- (3) The Chairman or in his absence the Deputy Chairman shall preside at all meetings of the Board.
- (4) Where both the Chairman and the Deputy Chairman are absent at a meeting, such member as the members present may elect shall preside at the meeting.
- (5) Decisions at meetings of the Board shall be adopted by a simple majority of the votes of the members present and voting; and in the case of an equality of votes, the Chairman or in his absence the Deputy Chairman or the member presiding shall have a casting vote.
- (6) The Executive Director shall not vote on any matter deliberated upon by the Board.
- (7) The Board may act notwithstanding any vacancy in its membership.
- (8) Subject to the provisions of this Act, the Board may make standing orders to regulate its own procedure, and, in particular, the holding of meetings, the notice to be given of such meetings, the proceedings thereat, the keeping of minutes and the custody, production and inspection of such minutes.
10. The acts of a member of the Board shall be valid notwithstanding any defect that may afterwards be discovered in his appointment or qualifications. Validity of acts of members.

## SECOND SCHEDULE.

Section 16.  
18/91.

## FINANCIAL PROVISIONS

1. The financial year of the Board shall begin on 1st April of each year and end on 31st March of the succeeding year. Financial year.
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. Accounts of Board.

SECOND SCHEDULE — *continued.*

Auditor. 3.—(1) The accounts of the Board 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.

Cap. 50. (2) A person shall not be qualified for appointment as an auditor under sub-paragraph (1) unless he is an approved company auditor under the Companies Act.

(3) The remuneration of the auditor shall be paid out of the funds of the Board.

Financial statements. 4. The Board shall, as soon as practicable but not later than 31st July in every year, prepare and submit the financial statements in respect of the preceding financial year to the auditor who shall audit and report on them.

Auditor's report. 5.—(1) The auditor shall in his report state —

- (a) whether the financial statements show fairly the financial transactions and the state of affairs of the Board;
- (b) whether proper accounting and other records have been kept, including records of all assets of the Board whether purchased, donated or otherwise;
- (c) whether the financial statements are prepared on a basis similar to that adopted for the preceding year;
- (d) whether the financial statements are in agreement with the accounting and other records;
- (e) whether the receipts, expenditure, investment of moneys, and the acquisition and disposal of assets by the Board during the financial year have been in accordance with this Act; and
- (f) such other matters arising from the audit as he considers should be reported.

(2) The auditor shall send an annual report of his audit to the Board not later than 30th September in each year.

(3) The auditor may at any other time report to the Minister through the Board upon any matter arising out of the performance of his audit.

Powers of auditor. 6.—(1) The auditor or any person authorised by him is 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 Board.

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

(3) The auditor may require any person to furnish him with such information in the possession of that person or to which that person has

SECOND SCHEDULE — *continued.*

access as the auditor considers necessary for the purposes of his functions under this Act.

7. Any person who fails without any reasonable cause to comply with any requirement of the auditor under paragraph 6 (3) or who otherwise hinders, obstructs or delays the auditor in the performance of his 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 during which the offence continues after conviction.

Penalty for obstruction.

8.—(1) As soon as the accounts of the Board and the financial statements have been audited in accordance with the provisions of this Act but not later than 30th September in each year, 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 auditor, shall be submitted to the Minister.

Presentation of audited financial statements and auditor's report.

(2) Where the Auditor-General is not 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 they are submitted to the Board.

(3) The Minister shall as soon as practicable cause a copy of the audited financial statements and of the report of the auditor to be presented to Parliament.

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