

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**SINGAPORE INSTITUTE OF STANDARDS AND  
INDUSTRIAL RESEARCH ACT**

**(CHAPTER 301)**

Act  
48 of 1973

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# Singapore Institute of Standards and Industrial Research Act

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An Act to establish the Singapore Institute of Standards and Industrial Research; and to provide for the publication by the Institute of standards in relation to articles and processes; for the granting of licences for the use of the Certification Mark of the Institute; for the quality control of specified export commodities; for the promotion of industrial research; and for matters connected therewith.

[1st October 1973]

## PART I

### PRELIMINARY

1. This Act may be cited as the Singapore Institute of Standards and Industrial Research Act. Short title.

2. In this Act, unless the context otherwise requires — Inter-pretation.  
 “article” means a substance, artificial or natural or partly artificial or partly natural, or whether raw or partly or wholly processed or manufactured;

“Board” means the Economic Development Board established under section 3 of the Economic Development Board Act; Cap. 85.

“Certification Mark” means the certification mark of the Institute referred to in section 15 (*d*);

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

“code of practice” means a standard which sets out the method of installation of an instrument, equipment or plant and the procedure to be followed for the efficient use and maintenance of the instrument, equipment or plant or any material, recommends precautions to be taken in making, using and maintaining the instrument, equipment, plant or material or specifies the measures or precautions to be taken in designing, planning and constructing the instrument, equipment or plant in order to ensure that the requirements laid down in respect of the design, plan and construction of the instrument, equipment or plant are complied with;

“industry” includes any trade, service industry and other related activities;

- “inspector” means an inspector appointed under section 18;
- “Institute” means the Singapore Institute of Standards and Industrial Research established under section 3;
- “licence” means a licence granted or renewed by the Institute for the use of the Certification Mark;
- “mark” includes any device, brand, heading, label, ticket, pictorial representation, name, signature, word, letter or numeral or any combination thereof;
- “notified commodity” means any commodity which is specified as being subject to quality control prior to export as provided in section 17;
- “other standard” means a standard other than a Singapore Standard;
- “process” includes any practice, treatment and mode of manufacture of any article;
- “quality control”, in relation to an export commodity, means the determination of the quality of that commodity (whether during the process of manufacture or production or at any time before export) by inspection, tests or otherwise, in order to ascertain whether the commodity satisfies the standard applicable to it as provided in section 17;
- “registering authority” means any authority competent under any written law to register a company, firm or other body of persons, or a trade mark or design, or to grant a patent;
- “Singapore Code of Practice” means a code of practice published by the Institute as provided in section 15 (c);
- “Singapore Standard” means a standard published by the Institute as provided in section 15 (c);
- “standard” means a specification or description of an article or process as far as practicable by reference to its nature, quality, strength, purity, composition, quantity, dimensions, weight, grade, durability, origin, age, material, safety requirement, mode of manufacture or other characteristics or any combination of the same;
- “trade mark” has the same meaning as in the Trade Marks Act.

## PART II

ESTABLISHMENT, INCORPORATION AND CONSTITUTION OF  
THE INSTITUTE

3.—(1) There is hereby established in accordance with the provisions of this Act an institute to be called the Singapore Institute of Standards and Industrial Research which shall be a body corporate with perpetual succession and which may —

Establishment of Institute.

- (a) acquire and dispose of property, both movable and immovable;
- (b) sue and be sued in its corporate name; and
- (c) perform such other acts as bodies corporate may by law perform.

(2) The Institute may be referred to by the abbreviation SISIR.

4.—(1) The Institute shall consist of the following members all of whom shall be appointed by the Minister on such terms as he may determine:

Constitution of Institute.

- (a) a Chairman who shall be a full-time or part-time officer of the Institute; and
- (b) 8 other members.

(2) The members of the Institute appointed under subsection (1) shall, unless their appointment is revoked by the Minister under subsection (4), or unless they resign during their period of office, hold office for a term of 3 years or for such shorter period as the Minister may in any case determine.

(3) The Minister may appoint any member of the Institute to be Deputy Chairman of the Institute and if for any reason the Chairman is absent or unable to act or the office of 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.

(4) The Minister may at any time revoke the appointment of the Chairman or of any other member of the Institute without assigning any reason therefor.

Salaries,  
fees and  
allowances  
payable to  
members of  
Institute.

5. The Chairman and other members of the Institute may be paid out of the funds of the Institute such salaries, fees or allowances as the Minister may, from time to time, determine.

Vacation of  
office of  
member of  
Institute.

6. The office of a member of the Institute shall be vacated if the member —

- (a) becomes of unsound mind;
- (b) becomes a bankrupt or suspends payment to, or makes any arrangement or composition with, his creditors;
- (c) has been absent, without leave of the Institute, from 3 consecutive meetings of the Institute;
- (d) resigns from his office; or
- (e) is convicted of an offence involving dishonesty, fraud or moral turpitude.

Filling of  
vacancy in  
the office of  
member of  
Institute.

7. If a member of the Institute dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, another person may be appointed by the Minister for the unexpired period of the term of office of the member of the Institute in whose place he is appointed.

Meetings of  
Institute.

8.—(1) The Chairman shall summon meetings as often as may be required but not less than once in two months.

(2) At every meeting of the Institute 5 members of the Institute shall form a quorum.

(3) Decisions at meetings of the Institute shall be adopted by a simple majority of the votes of the members present and voting. In the case of an equality of votes the Chairman or in his absence the person lawfully acting as Chairman shall have a casting vote.

(4) The Chairman or in his absence the Deputy Chairman or such member as the members present may elect shall preside at meetings of the Institute.

(5) The Institute shall not be precluded from holding a meeting or acting in a matter merely by reason of any vacancy in its membership.

(6) Subject to the provisions of this Act, the Institute may make standing orders to regulate its own procedure, and in particular, the holding of meetings, the notice to be given of meetings, the proceedings thereat, the keeping of minutes and the custody, production and inspection of minutes.

**9.—**(1) A member of the Institute who is directly or indirectly interested in a contract made, or proposed to be made, by the Institute shall disclose the nature of his interest at the first meeting of the Institute at which he is present after the relevant facts have come to his knowledge.

Institute member's interest in contract to be made known.

(2) A disclosure under subsection (1) shall be recorded in the minutes of the Institute and, after the disclosure, that member of the Institute —

- (a) shall not take part in any deliberation or decision of the Institute with respect to that contract; and
- (b) shall be disregarded for the purpose of constituting a quorum of the Institute for any such deliberation or decision.

(3) No act or proceeding of the Institute shall be questioned on the ground that a member of the Institute has contravened this section.

**10.** The acts of a member of the Institute shall be valid notwithstanding any defect that may afterwards be discovered in his appointment or qualifications.

Validity of acts of members of Institute.

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

Directions by Minister.

(2) The Institute shall furnish the Minister with such information or facilities for obtaining information in respect of its property or the exercise of its functions in such manner and at such times as the Minister may reasonably require.



## PART III

TRANSFER OF ASSETS, LIABILITIES,  
FUNCTIONS AND EMPLOYEES

Transfer to  
Institute of  
assets and  
liabilities.

**12. Upon the commencement of this Act —**

- (a) the unincorporated body known as the Singapore Institute of Standards and Industrial Research being a department of the Board and operating under its control (referred to in this Act as the unincorporated body) shall cease to exist;
- (b) the Institute shall take over all the powers, duties and functions of the unincorporated body;
- (c) such lands, buildings and other property, movable or immovable, vested in or held by the Board as the Minister may determine shall be transferred to and vest in the Institute without further assurance and such transfer shall include all rights, privileges, obligations and liabilities held, enjoyed or incurred in connection therewith or appertaining thereto; and
- (d) all the rights, privileges, obligations and liabilities of the unincorporated body shall be transferred to and vest in the Institute without further assurance.

Existing  
contracts.

**13.** All deeds, bonds, agreements, instruments and working arrangements subsisting immediately before the commencement of this Part affecting the lands, buildings and other property, movable or immovable, transferred under section 12 (c) shall be of full force and effect against or in favour of the Institute and enforceable as fully and effectually as if, instead of the Board or any person acting on behalf of the Board, the Institute had been named therein or had been a party thereto.

Transfer of  
employees.

**14.** Upon the date of commencement of this Act, every person employed by the Board in the unincorporated body immediately prior to that date shall be transferred to the service of the Institute on terms not less favourable than those they enjoyed immediately prior to their transfer and such terms (which shall be determined by the Institute) shall take into account the salaries and conditions of service, including any accrued rights to leave, enjoyed by them while in the employment of the Board.

## PART IV

## FUNCTIONS AND POWERS OF THE INSTITUTE

15. The Institute shall have all such powers and may perform all such duties as it may consider necessary or expedient to enable it to exercise its functions under this Act, and without prejudice to the generality of the foregoing or to any other power conferred by this Act, it may —

Powers and  
duties of  
Institute.

- (a) promote, encourage, undertake and coordinate industrial research for the purpose of developing existing industries or creating new ones, raising the standard of and creating new technical skills in industry;
- (b) promote standardisation in industry and trade with a view to improving the quality of commodities as well as industrial efficiency and productivity;
- (c) establish, accept or adopt and publish, from time to time, by notification in the *Gazette*, a standard and a code of practice to be known as the Singapore Standard and the Singapore Code of Practice in relation to an article or a process and may amend or revoke such standard and code of practice from time to time by notification in the *Gazette*;
- (d) specify, by notification in the *Gazette*, a Certification Mark which shall be of such design and contain such particulars as may be provided therein\*; and at its discretion grant and renew licences for the use of the Certification Mark in respect of an article or a process which conforms to the Singapore Standard or any other standard and suspend or cancel such licences;
- (e) provide for a scheme of quality control of specified export commodities in the manner provided in section 17;
- (f) provide for any other scheme of quality control of other commodities in order to promote and improve the export trade of Singapore;

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\* See G.N. No. S107/74.

- (g) make such inspection and take such samples of any material or substance as may be necessary to ascertain whether an article or a process in relation to which the Certification Mark has been used conforms to the appropriate Singapore Standard or other standard;
- (h) inspect, examine or test materials, commodities, articles, processes and practices with a view to evaluating their quality, serviceability and other characteristics and report thereon, and for this purpose establish such laboratories and other facilities as the Institute may think fit;
- (i) develop, verify, calibrate, repair and service instruments and equipment and issue certificates to the effect that an instrument or equipment complies with the specifications applicable to it;
- (j) hold custody of physical standards and verify and certify such weights and measures and other quantities as may be specified by the Minister, and develop methods for the measurement of such weights, measures and other quantities;
- (k) undertake industrial research to adapt and modify existing technical skills to suit local conditions and to develop new products;
- (l) initiate and undertake or enter into contractual research projects with the Institute's clients in pursuance of its functions under this Act;
- (m) act as consultants and provide assistance in industrial research to any industry and build up a staff of scientists, engineers, technicians, researchers, administrators and other officers to assist the Institute in carrying out its functions under this Act;
- (n) conduct such tests and provide such other engineering and technical services as may be required by any industry;
- (o) undertake the training of the personnel of the Institute and of other bodies or organisations in the fields covered by this Act and to arrange for the training of the personnel of the Institute with other local or overseas bodies or organisations;

- (p) advise the Government and industrial, commercial and trading organisations on scientific and technical matters;
- (q) become a member or affiliate of any international body, the objects of which are similar to those of the Institute and to liaise with any national and international body having such objects;
- (r) develop and maintain a technical information service and collect and disseminate by any convenient means (including the publication of reports, pamphlets, booklets, journals and other publications) scientific, technical and other information concerning matters pertaining to this Act and any regulations made thereunder;
- (s) prescribe and levy fees for the grant and renewal of licences under this Act;
- (t) prescribe and levy fees and charges for any of the purposes of this Act and any regulations made thereunder and recover any costs and expenses incurred as provided in such regulations;
- (u) exercise all functions and powers and perform all duties which, under any other written law, are or may be or become vested in the Institute or are delegated to the Institute; and
- (v) do all such matters and things as may be incidental to or consequential upon the exercise of its powers or the discharge of its duties under this Act or any regulations made thereunder.

**16.**—(1) The Institute may, with the approval of the Minister, appoint a Standards Council (consisting of a chairman and such number of persons as the Institute may think fit who may or may not be members of the Institute) to assist and advise the Institute in establishing Singapore Standards and any other standards, and in any other function, power or duty conferred on the Institute by this Act.

Standards  
Council.

(2) The Standards Council may, with the approval of the Institute, appoint such number of committees and sub-committees as it thinks fit.

(3) The Standards Council shall report to the Institute on its activities as often as it thinks necessary and submit an annual report to the Institute.

Quality  
control of  
export com-  
modities.

17.—(1) Where the Minister is of the opinion that it is necessary and expedient for the development, promotion and improvement of the export trade of Singapore to establish a scheme for the quality control of particular commodities exported from Singapore, he may, after consultation with the Institute, specify by notification in the *Gazette*, the commodities which shall be subject to quality control prior to export and the date from which such commodities, to be known as notified commodities, shall be so subject.

(2) Such scheme shall be administered and operated by the Institute.

(3) Where an exporter intends to export from Singapore a notified commodity, he shall first inform the Institute of the particulars thereof in respect of each consignment in such form and within such time as the Institute may require.

(4) The Institute shall, for the purpose of the quality control of such notified commodity, apply the standard stipulated in the export contract in respect thereof, or in the absence of such standard apply the Singapore Standard or any other standard, or modification thereof, acceptable to the Institute, and evaluate the quality of such notified commodity in such manner as the Institute may think fit.

(5) If such notified commodity conforms to the appropriate standard as provided in subsection (4), the Institute shall issue to the exporter a certificate to that effect in respect of each consignment, and upon the receipt of such certificate, and not otherwise, the exporter may export the consignment.

(6) The Institute or, with the written authority of the Institute, the exporter may affix or apply an inspection sign, of such design and in such manner as it may think fit, to the notified commodity in respect of which the Institute has issued a certificate, and save as provided in this subsection no person may affix or apply such inspection sign.

(7) The Institute may require every exporter to furnish such information, return or report, and such samples of each consignment of the notified commodity as the Institute may consider necessary for the purpose of carrying out the provisions of this section.

(8) A person who exports a notified commodity without obtaining a certificate from the Institute as provided in subsection (5) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both.

(9) A person who attempts to commit an offence punishable under subsection (8) or abets the commission of that offence shall be punished with the punishment provided for the offence.

(10) The Minister may, from time to time, add to, delete or amend a notification made under subsection (1).

**18.** The Institute may appoint such number of inspectors as may be necessary to assist it in carrying out or exercising its powers, duties and functions as provided in this Act and any regulations made thereunder, and for this purpose the Institute may assign to them such duties, not inconsistent with the provisions of this Act, as it may think fit. Inspectors.

**19.** An inspector appointed under section 18, a senior officer of the Institute authorised in writing in that behalf by the Chairman or a police officer not below the rank of sergeant may between the hours of 6 a.m. and 6 p.m. enter and inspect, and take samples from, a place where he has reason to believe that there are — Power of entry and inspection.

- (a) articles or processes in respect of which the Certification Mark or a colourable imitation thereof is being used without a licence;
- (b) articles or processes in respect of which the Certification Mark or a colourable imitation thereof is being used which do not conform to the relevant Singapore Standard or other standard;
- (c) articles or processes which a person claims conform to a Singapore Standard or any other standard when in fact they do not;
- (d) notified commodities purporting to bear the inspection sign of the Institute which were not affixed or applied in the manner provided in section 17 (6); or
- (e) notified commodities which are about to be exported by a person without a certificate therefor as required under section 17 (8).

Appoint-  
ment of  
committees  
and dele-  
gation of  
powers.

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

(2) The Institute may, subject to such conditions or restrictions as it thinks fit, delegate to any such committee or to the Chairman or any member of the Institute or to any employee thereof, any of the powers, functions and duties by this Act vested in the Institute, except the power to lend or borrow money; and any power, function or duty so delegated may be exercised or performed by that committee or by the Chairman, member or employee of the Institute, as the case may be, in the name and on behalf of the Institute.

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

## PART V

### PROVISIONS RELATING TO STAFF

Appoint-  
ment of  
officers and  
employees.

**21.—(1)** The Institute may, from time to time, appoint and employ such officers and employees as may be necessary for the purposes of this Act and on such terms as to remuneration and otherwise as the Institute may determine.

(2) All employees of the Institute shall be under the administrative control of the Institute.

(3) The termination of appointment, dismissal and disciplinary control of all officers and employees of the Institute shall be vested in the Institute.

Protective  
provisions.

**22.—(1)** No matter or thing done and no contract of any kind entered into by the Institute and no matter or thing done by a member of the Institute or by an employee thereof or any other person whomsoever acting under the direction of the Institute 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 such member, employee or other person acting under the direction of the Institute personally to any action, liability, claim or demand whatsoever in respect thereof. All expenses incurred by the Institute or any member, employee or other person so acting under the direction of the Institute shall be borne by and repaid out of the funds of the Institute.

(2) The fact that —

- (a) an article or a process conforms or is alleged to conform to a Singapore Standard or any other standard;
- (b) the Certification Mark is used in connection with, in respect of or in relation to an article or a process; or
- (c) the Institute has issued a certificate in respect of a consignment of notified commodities under section 17 or that an inspection sign has been affixed or applied to a notified commodity under that section,

shall not give rise to a claim against the Institute or the Government.

## PART VI

### FINANCIAL PROVISIONS

**23.** The funds and property of the Institute shall consist of —

Funds and  
property of  
Institute.

- (a) all money appropriated by Parliament for the purposes of the Institute;
- (b) all money paid to the Institute for services rendered by it or for a practice or process developed by it;
- (c) all money derived by the Institute from the sale of its publications;
- (d) all money paid to the Institute by way of grants, subsidies, donations, gifts, fees, charges, rent, interests and royalties;
- (e) all money derived from the sale of any property belonging to or held by or on behalf of the Institute;



- (f) all other moneys and property lawfully received by the Institute for the purposes of the Institute; and
- (g) all accumulations of income derived from any such moneys or property.

Use of  
income.

**24.—(1)** The revenue of the Institute in a financial year shall be applied in payment of the following charges:

- (a) the interest and principal on any loan payable by the Institute;
- (b) the sums required to be paid to the Government towards repayment of any loan made by the Government to the Institute;
- (c) the salaries, fees and allowances of the members of the Institute;
- (d) the salaries, fees, allowances, remuneration, pensions, gratuities, provident fund and other superannuation benefits of the employees, agents, and technical or other advisers of the Institute;
- (e) the working and establishment expenses of, and the expenditure on, or provision for the maintenance of any of the installations of the Institute, and the discharge of the functions of the Institute properly chargeable to revenue accounts;
- (f) such sums as the Institute, with the approval of the Minister, may deem appropriate to set aside in respect of the depreciation or renewal of the property of the Institute; and
- (g) any other expenditure authorised by the Institute and properly chargeable to revenue.

(2) The balance of the revenue of the Institute shall be applied for the creation of a general reserve or such other reserves or capital fund as the Institute may consider appropriate.

(3) Subject to the terms of any trust or endowment, money belonging to the Institute and available for investment may be invested in accordance with the law regulating the investment of trust funds.

**25.** The financial year of the Institute shall begin on 1st April of each year and end on 31st March of the succeeding year. Institute's financial year.

**26.—(1)** The Institute shall in every year cause to be prepared and adopt annual estimates of income and expenditure of the Institute for the ensuing year. Estimates.

(2) Supplementary estimates may be adopted by the Institute.

(3) A copy of all annual and supplementary estimates shall, upon their adoption by the Institute, be sent forthwith to the Minister who may approve or disallow any item or portion of any item shown in the estimates, and shall return the estimates as amended by him to the Institute and the Institute shall be bound thereby.

**27.** 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 the Minister may determine out of moneys to be provided by Parliament. Grants.

**28.** The Institute may, from time to time, for the purposes of this Act, raise loans from the Government or, with the consent of the Minister, from any source. Loans.

**29.—(1)** The Institute shall prepare in respect of each financial year a statement of account in the form approved by the Minister. Accounts to be kept.

(2) 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.

**30.—(1)** The accounts of the Institute shall be audited by the Auditor-General or by an auditor appointed annually by the Minister in consultation with the Auditor-General. Appointment and powers of auditor.

(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 Institute and may make copies of, or extracts from, any such accounting and other records.

Financial  
statements.

**31.**—(1) The Institute 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 auditor who shall audit and report on them.

(2) The auditor shall report —

(a) whether the financial statements show fairly the financial transactions and the state of affairs of the Institute; and

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

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

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

(b) the statements are prepared on a basis similar to the basis adopted for the preceding year;

(c) the 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 Institute during the year have been in accordance with the provisions of this Act.

Presentation  
of financial  
statements  
and audit  
reports.

**32.**—(1) As soon as the accounts of the Institute 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 auditor, shall be submitted to the Minister.

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

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

**33.** 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 Institute shall prepare a report of its activities and operations in the preceding financial year and shall send a copy of every such report to Parliament.

Annual  
report.

## PART VII

### MISCELLANEOUS

**34.—(1)** Except under a licence granted under this Act, no person shall use, in respect of or in relation to an article or a process, or in the title of a patent, or in a trade mark or design, the Certification Mark or a colourable imitation thereof.

Prohibition  
of improper  
use of  
Certification  
Mark.

(2) No person shall, notwithstanding that he has been granted a licence, use in respect of or in relation to an article or a process the Certification Mark or a colourable imitation thereof unless such article or process conforms to the relevant Singapore Standard or other standard.

(3) A person who contravenes any of the provisions of subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both.

(4) Notwithstanding the provisions of any other written law, a District Court shall have the power to impose the maximum penalties prescribed under subsection (3).

(5) A court trying an offence under subsection (1) or (2) may direct that any property in respect of which the offence has been committed shall be forfeited to the Government.

**35.** Except as provided in this Act, no person shall establish, accept, adopt or publish in relation to an article or a process any standard which purports expressly or impliedly to be a Singapore Standard or any other standard within the meaning of this Act.

Only  
Institute  
may publish  
Singapore  
Standard.

**36.** No person shall make any statement or representation, whether in writing or not, or use any mark which conveys or is likely to convey the impression that an article or a process conforms to a Singapore Standard or any other standard when in fact it does not.

False state-  
ments as to  
conformity  
with  
Singapore  
Standard.

Prohibition  
of registra-  
tion in certain  
cases.

**37.** Notwithstanding anything in any written law, no registering authority shall —

- (a) register any company, firm or other body of persons which bears any name;
- (b) register a trade mark or design which bears any name or mark;
- (c) register a patent in respect of an invention which bears a title containing any name or mark,

if the use of the name or mark is in contravention of section 34 (1) or (2), or if the name or mark contains or consists of the words “Singapore Standard” or “other standard” or the expression “SISIR” or the name of the Institute in any form, or if the name or mark so nearly resembles any of the same as to deceive or be likely to deceive the public.

Power to  
obtain  
information.

**38.** Every applicant for a licence under this Act and every holder of the licence shall, at the request of the Institute, furnish it with such information and samples of any material or substance used in relation to an article or a process in respect of which the licence is applied for or granted.

Common  
seal and  
execution of  
documents.

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

(2) All deeds, documents and other instruments requiring the seal of the Institute shall be sealed with the common seal of the Institute and every instrument to which the common seal is affixed shall be signed by the Chairman and by some other person duly authorised by the Institute for that purpose, 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 Institute.

(3) The Institute may by resolution or otherwise appoint an officer of the Institute or any other agent either generally or in any particular case to execute or sign on behalf of the Institute any agreement or other instrument not under seal in relation to any matter coming within the powers of the Institute.

Cap. 269.

(4) Section 12 of the Registration of Deeds Act shall not apply to any instrument purporting to have been executed under subsection (2).

**40.** A person who obstructs or hinders an inspector or an officer of the Institute acting in the discharge of his duty under this Act or of any regulations made thereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Obstructing  
officers  
of Institute.

**41.** Proceedings in respect of an offence under this Act or any regulations made thereunder may be conducted by an officer of the Institute or an officer of the Government authorised in writing in that behalf by the Chairman.

Proceedings  
conducted  
by officers  
of Institute.

**42.** No court shall take cognizance of an offence under this Act or any regulations made thereunder except with the sanction of the Public Prosecutor.

Sanction of  
Public  
Prosecutor.

**43.** A person guilty of a contravention of any of the provisions of this Act or any regulations made thereunder for which no penalty is expressly provided 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.

General  
penalty.

**44.** Where an offence under this Act or any regulations made thereunder is committed by a body corporate and it is proved to have been committed with the consent or connivance of, or to be attributable to any act or default on the part of, any director, manager, secretary or other similar officer of the body corporate, or a person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.

Offence  
by body  
corporate.

**45.** The Institute may, with the approval of the Minister, make regulations for carrying out the purposes and provisions of this Act and for prescribing any matter which is authorised or required under this Act to be prescribed.

Power to  
make  
regulations.

**46.** Any contract, document, licence or permission prepared, made or granted by the Economic Development Board or the unincorporated body relating to such powers, functions and duties as are conferred or imposed on, or transferred to the Institute under this Act shall, except where otherwise expressly provided in this Act or in any other written law, continue and be deemed to have been prepared, made or granted, as the case may be, under this Act.

Transitional  
provisions.