



THE STATUTES OF THE REPUBLIC OF SINGAPORE

SINGAPORE TOURISM BOARD ACT

(CHAPTER 305B)

(Original Enactment: Ordinance 35 of 1963)

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Singapore Tourism Board Act

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title
2. Interpretation

PART II

ESTABLISHMENT, INCORPORATION AND CONSTITUTION OF BOARD

3. Establishment of Singapore Tourism Board
4. Chairman of Board
5. Constitution of Board
6. Associate members

PART III

FUNCTIONS, DUTIES AND POWERS OF BOARD

7. Functions of Board
8. Powers of Board
9. Directions by Minister
10. Chief Executive
11. Appointment of officers and employees
12. Ineligibility for employment as officers or employees
13. Appointment of committees and delegation of powers
14. Payments to Board
15. Establishment and administration of Tourism Fund
16. Purposes of Fund
17. Protection of superannuation scheme
18. Financial provisions
19. Annual report

PART IV

MISCELLANEOUS PROVISIONS

Section

- 20. Restriction on the use of the words “travel” and “tourist”
 - 21. Business not to be described as tourist service, etc.
 - 22. Protection from personal liability
 - 23. Conduct of legal proceedings
 - 24. Use of Merlion symbol
 - 25. Board’s symbol
 - 26. Regulations
 - 27. Winding up
- First Schedule
Second Schedule — Financial Provisions
-

An Act for the establishment of the Singapore Tourism Board and of the Tourism Fund and for matters connected therewith.

[1st January 1964]

PART I

PRELIMINARY

Short title

- 1. This Act may be cited as the Singapore Tourism Board Act.

Interpretation

- 2. In this Act —

“associate member” means an associate member of the Board appointed under section 6;

“Board” means the Singapore Tourism Board established under section 3;

“Chairman” means the Chairman of the Board;

“Chief Executive” means the Chief Executive of the Board appointed under section 10(1) and includes any acting Chief Executive appointed under section 10(3);

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

“Fund” means the Tourism Fund established under section 15;

“member” means a member of the Board appointed under section 5;

“tourism enterprise” means all or any of the following:

- (a) any business which provides national or international carriage for passengers;
- (b) any business which, either wholly or in part, provides or arranges services for visitors to Singapore by way of transport, accommodation, tours or guides, whether or not such services are provided within or outside Singapore;
- (c) any business which, either wholly or in part, distributes for the purpose of trade or retails tourism-related products;
- (d) any other undertaking, including any convention, exhibition, show, fair, publicity campaign or theme park, intended wholly or in part for the benefit of, or for the purpose of attracting, visitors to Singapore;

“tourism-related product” means any product, primarily intended for sale to visitors to Singapore, that —

- (a) depicts any scenery or tourist attraction of Singapore;
- (b) bears the Merlion symbol, a representation of which is set out in the First Schedule; or
- (c) has any other characteristic that the Minister may, by notification in the *Gazette*, declare.

[4/72; 33/75; 9/97]

PART II**ESTABLISHMENT, INCORPORATION AND CONSTITUTION
OF BOARD****Establishment of Singapore Tourism Board**

3.—(1) There shall be established in accordance with the provisions of this Act a body to be called the Singapore Tourism Board.

[33/75; 9/97]

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(2) The Board shall be a body corporate with perpetual succession and a common seal with power, subject to the provisions of this Act —

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

[33/75]

Chairman of Board

4. The Minister shall appoint a Chairman of the Board who shall, subject to the provisions of this Act, hold office for such period and on such terms as the Minister may determine.

Constitution of Board

5.—(1) The Board shall consist of —

- (a) the Chairman;
- (b) the Chief Executive; and
- (c) 10 other members to be appointed by the Minister.

[4/72; 9/97]

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(2) The members of the Board appointed by the Minister under subsection (1)(c) shall, unless their appointment is revoked by the Minister under subsection (7) or 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.

[4/72; 9/97]

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(3) The Minister may appoint a member of the Board to be Deputy Chairman of the Board.

(4) The Deputy Chairman may preside at meetings of the Board in the absence of the Chairman.

(5) A member of the Board shall not, in any meeting of the Board, participate in any discussion relating to, and shall not vote in respect of, any contract, business or other matter in which he is interested, and if he does so his vote shall not be counted.

(6) The members of the Board shall be paid out of the funds of the Board such salaries, fees or allowances as the Minister may determine.

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

Associate members

6.—(1) The Board may appoint a person carrying on any business in Singapore to be an associate member of the Board.

[4/72]

(2) An associate member shall —

- (a) be granted an emblem and a certificate to be prescribed by the Board in recognition of his associate membership;
- (b) maintain high standards at all times in the conduct of his business for the promotion of the tourist trade in Singapore;
- (c) comply with all regulations made by the Board; and
- (d) pay to the Board such fee as the Board may prescribe.

[4/72]

(3) The Board may at any time revoke the appointment of a person as an associate member.

[4/72]

(4) No person other than an associate member shall use the emblem and certificate referred to in subsection (2)(a).

[4/72]

(5) No person shall use any emblem, title or description reasonably calculated to suggest that he is an associate member unless he is in fact an associate member.

[4/72]

(6) Any person who contravenes subsection (4) or (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.

[4/72]

PART III

FUNCTIONS, DUTIES AND POWERS OF BOARD

Functions of Board

7.—(1) The functions of the Board shall be —

- (a) to develop and promote Singapore as a travel and tourist destination;
- (b) to advise the Government on matters relating to travel and tourism;
- (c) to enhance the travel and tourism sector's contribution to the Singapore economy; and
- (d) to exercise licensing and regulatory functions in respect of such tourism enterprises as the Board may determine.

[9/97]

(2) In addition to the functions of the Board under subsection (1), the Board may undertake such other functions as the Minister may assign to the Board and in so doing the Board shall be deemed to be fulfilling the purposes of this Act and the provisions of this Act shall apply to the Board in respect of such functions.

[9/97]

(3) Nothing in this section shall be construed as imposing on the Board, directly or indirectly, any form of duty or liability enforceable by proceedings before any court.

[13A
[9/97]

Powers of Board

8. Subject to this Act, the Board may carry on such activities as appear to the Board to be advantageous, necessary or convenient for it to carry on for or in connection with the discharge of its functions and duties under this Act and, in particular, the Board may exercise the following powers:

- (a) to act as an agent for the Government or, with the approval of the Minister, for any person, body or organisation for the transaction of any business connected with any tourism enterprise;
- (b) to engage in, assist in or promote the improvement of facilities for visitors to Singapore and the development of Singapore as a tourist destination;
- (c) to secure overseas publicity for the tourist attractions in Singapore and tourism projects outside Singapore in which Singapore has an interest;
- (d) to co-ordinate the activities of persons providing services for visitors to Singapore;
- (e) to regulate standards to be maintained by such tourism enterprises as the Board may determine;
- (f) to license such class or classes of tourism enterprises as the Board may determine and to prescribe the conditions under which the licences may be granted and the fees which may be levied for the licences;
- (g) to acquire, take on lease, hire, hold and enjoy movable and immovable property and to convey, assign, surrender, charge, mortgage, demise, transfer or otherwise dispose of, or deal with, any movable or immovable property

belonging to the Board upon such terms as the Board considers fit;

- (h) to grant loans or advances to any person carrying on a tourism enterprise;
- (i) to enter into any contract or agreement for carrying out the purposes of this Act;
- (j) to receive, in consideration of the services rendered by the Board, such commission or payment as may be agreed upon;
- (k) to exercise all powers and perform all duties which, under any other written law, are or may be or become vested in or delegated to the Board;
- (l) with the approval of the Minister, to make rules for the establishment of any scheme for the payment of pensions, gratuities, provident fund or other superannuation benefits to such employees or classes of employees or former employees of the Board as the Board may determine, on their death or retirement from the service of the Board or on their otherwise leaving the service of the Board;
- (m) to carry on the business of providing transport facilities for persons visiting tourist attractions in Singapore;
- (n) to invest any money of the Board in securities authorised for the investment of trust funds by any written law and, with the approval of the Minister, in other securities, within or outside Singapore;
- (o) with the approval of the Minister, to subscribe for or acquire any stock, share, bond, debenture or other financial instrument in any company carrying on a tourism enterprise;
- (p) with the approval of the Minister, to invest any money of the Board in any business within or outside Singapore which will promote or be conducive to the tourism trade in Singapore;

(q) with the approval of the Minister —

- (i) to enter into any joint venture with any person; or
- (ii) to form or participate in the formation of any company,

whether in Singapore or elsewhere, for the purpose of carrying out all or any of the functions of the Board;

- (r) with the approval of the Minister, to manage, control or supervise tourism enterprises within or outside Singapore by nominating directors or advisers, or by collaborating with persons carrying on tourism enterprises or entering into partnerships or any other arrangements with them;
- (s) with the approval of the Minister, to borrow money whether by way of bank overdraft or otherwise for such of the purposes of the Board as the Board may from time to time consider desirable; and
- (t) generally to do all such matters and things as may be incidental to or consequential upon the exercise of the Board's powers or the discharge of its duties under this Act.

[14
[9/97]

Directions by Minister

9.—(1) The Minister may, after consultation with the Board or otherwise, give to the Board such directions, not inconsistent with the provisions of this Act, as he may think fit, as to the exercise and performance by the Board of its functions, duties and powers under this Act, and the Board shall give effect to all such directions.

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

[7

Chief Executive

10.—(1) The Board shall, with the approval of the Minister, appoint a Chief Executive for the purposes of this Act.

[9/97]

(2) The Chief Executive shall —

- (a) be known by such designation as the Board may determine;
- (b) 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
- (c) not be removed from office without the consent of the Minister.

[9/97]

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

[8

[9/97]

Appointment of officers and employees

11.—(1) The Board may from time to time appoint such agents and 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.

[9

Ineligibility for employment as officers or employees

12.—(1) No person shall be eligible for employment as an officer or employee of the Board who has, directly or indirectly, by himself or his partner, any share or interest in any contract with, for or on behalf of the Board.

(2) Any officer or employee of the Board who has or acquires any such share or interest shall be liable in the discretion of the Board to summary dismissal without notice.

[10]

Appointment of committees and delegation of powers

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

[9/97]

(2) The Board may, subject to such conditions or restrictions as it may impose, delegate to the Chairman, Chief Executive or a committee appointed under subsection (1) all or any of the functions, duties and powers vested in the Board by or under this Act or any other written law, and any power, function or duty so delegated may be exercised or performed by the Chairman, Chief Executive or such committee, as the case may be, in the name and on behalf of the Board.

[9/97]

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

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

[10A

[9/97]

Payments to Board

14. For the purpose of enabling the Board to carry out its functions under this Act, the Minister may, from time to time, authorise the payment to the Board of such sums as he may determine.

[11]

Establishment and administration of Tourism Fund

15.—(1) There shall be established a fund to be called the Tourism Fund which shall, subject to the directions of the Minister, be controlled and administered by the Board.

[9/97]

(2) All moneys collected under section 8(f) and all moneys received by the Board from any source whatsoever shall be paid into the Fund.

[12]

Purposes of Fund

16. The Fund shall be devoted to the following purposes:

- (a) the payment of the expenses of, or connected with, the administration of the Board; and
- (b) the payment of all expenses necessary for carrying out the purposes of this Act.

[13]

Protection of superannuation scheme

17. The following provisions shall apply to any scheme established under any of the rules made under section 8(l) —

- (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 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 such donation, contribution or interest pass to the Official Assignee on the bankruptcy of such contributor, but, if such contributor is adjudicated a bankrupt or is declared insolvent by a court, such 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 such 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 such deceased contributor, or under a nomination in such form as may be prescribed in such 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 (Cap. 96);
- (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 such

moneys and for the investment thereof; such memorandum shall be in the form prescribed in such 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 or a Judge thereof; 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.

[15
[4/72]

Financial provisions

18. The financial provisions set out in the Second Schedule shall have effect with respect to the Board.

[35/75]

Annual report

19.—(1) The Board shall, as soon as practicable after the close of each financial year but not later than 30th September of each year, submit to the Minister an annual report on the activities of the Board during the preceding financial year.

[9/97]

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

[9/97]

PART IV

MISCELLANEOUS PROVISIONS

Restriction on the use of the words “travel” and “tourist”

20.—(1) No person shall use the word “travel” or “tourist” in any language in any business name except with the permission of the Board.

(2) The permission of the Board shall not be unreasonably withheld from any person who is carrying on the business of a tourist enterprise.

(3) Any person who has been refused permission by the Board to use the word “travel” or “tourist” in any business name may appeal to the Minister whose decision shall be final.

(4) Any person who contravenes subsection (1) 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 12 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day during which the offence continues after conviction.

(5) A Magistrate’s Court may, on the application of an officer of the Board, make a prohibition order against a person who has been convicted of an offence under subsection (1) to prohibit him from using the word “travel” or “tourist” in any business name.

(6) Any person to whom a prohibition order is addressed who fails to comply with the prohibition order shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 for every day during which he fails to comply with the order.

(7) In this section, “business name” means the name, title or description under which any business is carried on whether in partnership or otherwise.

Business not to be described as tourist service, etc.

21.—(1) No person shall describe or cause to be described any business or activity as a tourist or travel service, or as a tourist or travel agency, except with the permission of the Board.

[4/72]

(2) The permission of the Board shall not be unreasonably withheld from any person who is carrying on the business of a tourist enterprise.

[4/72]

(3) Any person who has been refused permission by the Board to describe his business or activity as a tourist or travel service, or as a tourist or travel agency, may appeal to the Minister whose decision shall be final.

[4/72]

(4) Any person who contravenes subsection (1) 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 12 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day during which the offence continues after conviction.

[4/72]

(5) A Magistrate's Court may, on the application of an officer of the Board, make a prohibition order against a person who has been convicted of an offence under subsection (1) to prohibit him from describing any activity or business as a tourist or travel service, or as a tourist or travel agency.

[4/72]

(6) Any person to whom a prohibition order is addressed who fails to comply with the prohibition order shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 for every day during which he fails to comply with the order.

[17

[4/72]

Protection from personal liability

22. No suit or other proceedings shall lie personally against any member or employee of the Board, or any other person acting under

the direction of the Board, in respect of anything which is in good faith done or intended to be done in the execution or purported execution of this Act.

[21
[9/97]

Conduct of legal proceedings

23. Proceedings in respect of any offence under the provisions of this Act or any regulations made thereunder may be conducted by any officer of the Board or any other person authorised in writing in that behalf by the Chief Executive.

[22
[4/72; 9/97]

Use of Merlion symbol

24. Any person who, without the permission of the Board, uses the Merlion symbol, a representation of which is set out in Part I of the First Schedule, or a symbol or representation so nearly resembling the Merlion symbol as to cause confusion in relation to it, 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.

[23
[9/97]

Board's symbol

25.—(1) The Board shall have the exclusive right to the use of the Board's symbol a representation of which is set out in Part II of the First Schedule.

(2) Any person who, without the permission of the Board, uses the Board's symbol, or a symbol or representation so nearly resembling the Board's symbol as to cause confusion in relation to it, 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.

[24
[9/97]

Regulations

26.—(1) The Board may, with the prior approval of the Minister, make regulations generally for carrying out the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), such regulations may provide for —

- (a) the convening of meetings of the Board and the procedure to be followed at the meetings;
- (b) the appointment or establishment of committees of the members of the Board, and the co-opting of persons other than members of the Board to such committees; and
- (c) the manner in which documents, cheques and instruments of any description shall be signed or executed on behalf of the Board.

(3) Such regulations —

- (a) may prescribe that any act or omission in contravention of any regulation shall be an offence;
- (b) may provide for the imposition of penalties not exceeding a fine of \$5,000 for such offences; and
- (c) in the case of any licence granted under section 8 (f), may provide that in addition to such fine, the penalty may extend to the cancellation or suspension of the licence.

[4/72]

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

[25

Winding up

27. The Board or the Fund shall not be wound up except by or under the authority of an Act.

[26

FIRST SCHEDULE

PART I

MERLION SYMBOL

Section 24

PART II

BOARD'S SYMBOL

Section 25

SECOND SCHEDULE

Section 18

FINANCIAL PROVISIONS

1. 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.

2. 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 (referred to in this Schedule as the auditor.)

3. The remuneration of the auditor shall be paid by the Board.

4. 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 auditor who shall audit and report on them.

5. The auditor shall report —

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

(b) such other matters arising from the audit as he considers should be reported.

6. The auditor shall state in his report whether —

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

SECOND SCHEDULE — *continued*

(b) 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.

7. 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.

8. 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.

9. The auditor or any person authorised by him may make copies of, or make extracts from, any such accounting and other records.

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

11. Any officer of the Board who refuses or fails without any reasonable cause to allow the 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 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 further fine not exceeding \$100 for every day or part thereof during which the offence continues after conviction.

12. 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, together with a copy of any report made by the auditor, shall be submitted to the Minister.

13. Where the Auditor-General has not been appointed to be the auditor, 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.

14. The Minister shall cause a copy of the audited financial statements and of the auditor's report to be presented to Parliament.

LEGISLATIVE HISTORY
SINGAPORE TOURISM BOARD ACT
(CHAPTER 305B)

This Legislative History is provided for the convenience of users of the Singapore Tourism Board Act. It is not part of this Act.

1. Ordinance 35 of 1963 — Tourist Promotion Board Ordinance 1963

Date of First Reading	:	28 November 1963 (Bill No. 5/63 published on 29 November 1963)
Date of Second and Third Readings	:	20 December 1963
Date of commencement	:	1 January 1964

2. Act 55 of 1966 — Tourist Promotion Board (Amendment) Act 1966

Date of First Reading	:	5 December 1966 (Bill No. 56/66 published on 7 December 1966)
Date of Second and Third Readings	:	21 December 1966
Date of commencement	:	30 December 1966

3. Act 4 of 1970 — Tourist Promotion Board (Amendment) Act 1970

Date of First Reading	:	23 December 1969 (Bill No. 31/69 published on 29 December 1969)
Date of Second and Third Readings	:	27 January 1970
Date of commencement	:	13 February 1970

4. 1970 Revised Edition — Tourist Promotion Board Act (Chapter 205)

Date of operation	:	1 July 1971
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5. Act 1 of 1972 — Tourist Promotion (Cess Collection) (Amendment) Act 1972

(Consequential amendments made by)

Date of First Reading	:	2 December 1971 (Bill No. 26/71 published on 8 December 1971)
Date of Second and Third Readings	:	7 March 1972
Date of commencement	:	6 February 1973

6. Act 4 of 1972 — Tourist Promotion Board (Amendment) Act 1972

Date of First Reading : 2 December 1971
(Bill No. 25/71 published on
8 December 1971)

Date of Second and Third Readings : 7 March 1972

Date of commencement : 6 February 1973

7. Act 33 of 1975 — Tourist Promotion Board (Amendment) Act 1975

Date of First Reading : 29 July 1975
(Bill No. 42/75 published on
1 August 1975)

Date of Second Reading : 19 August 1975

Date of commencement : 19 September 1975

8. 1985 Revised Edition — Tourist Promotion Board Act (Chapter 328)

Date of operation : 30 March 1987

9. Act 9 of 1997 — Tourist Promotion Board (Amendment) Act 1997

Date of First Reading : 25 August 1997
(Bill No. 11/97 published on
26 August 1997)

Date of Second and Third Readings : 7 October 1997

Date of commencement : 20 November 1997

10. 1997 Revised Edition — Singapore Tourism Board Act

Date of operation : 20 December 1997