

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**TELECOMMUNICATION AUTHORITY OF SINGAPORE ACT
(CHAPTER 323)**

**Act
19 of 1982**

REVISED EDITION 1985

Telecommunication Authority of Singapore Act

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An Act to incorporate the Telecommunication Authority of Singapore and for matters connected therewith.

[1st October 1982]

PART I

PRELIMINARY

1. This Act may be cited as the Telecommunication Authority of Singapore Act. Short title.

2.—(1) In this Act, unless the context otherwise requires — Interpretation.

“Chairman” means the Chairman of the Corporation and includes any temporary Chairman of the Corporation;

“chief executive” means the chief executive of the Corporation and includes any temporary chief executive of the Corporation;

“Corporation” means the Telecommunication Authority of Singapore established by section 3;

“Corporation’s installation or plant” means any installation or plant for information communication belonging to or used by the Corporation;

“Deputy Chairman” means the Deputy Chairman of the Corporation and includes any temporary Deputy Chairman of the Corporation;

“equipment” includes any appliance, apparatus or accessory used or intended to be used for information communication;

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“former Telecommunication Authority” means the Telecommunication Authority of Singapore established under the Telecommunication Authority of Singapore Act 1974 in force before 1st October 1982;

“Hertzian or radio waves” means electro-magnetic waves of frequencies lower than 3000 gigahertz propagated in space without any artificial guide;

“information communication” means any communication between person and person, thing and thing or person and thing by means of telecommunications or any transmission of postal articles by means of post;

“information communication service” means any service enabling communication between person and person, thing and thing or person and thing by means of telecommunications or for the transmission of postal articles by means of post;

“installation or plant for information communication” includes all buildings, lands, structures, machinery, equipment, cables, poles, lines, boxes, receptacles used or intended for use in connection with information communication;

“mail bag” means any bag, container, envelope or covering in which postal articles are conveyed;

“master”, in relation to a vessel or aircraft, means any person for the time being in charge or command of the vessel or aircraft but does not include a sea pilot;

“member” means a member of the Corporation;

“message” means any sign, signal, writing, image, sound, intelligence or information of any nature transmitted by post or telecommunications or given to an employee of the Corporation to be sent by or delivered by post or telecommunications;

“post” means any system for the collection, despatch, conveyance, handling and delivery of postal articles by or through the Corporation;

“postage” means the fee chargeable for the transmission by post of postal articles;

“postage stamp” means any label or stamp for denoting any postage or other sum payable in respect of a postal article, and includes any adhesive postage stamp or stamp printed, impressed or otherwise indicated on a postal article, whether the postage stamp is issued under this Act or by the Government of any other country;

“postal article” means any article or thing transmissible by post but does not include such article or thing as the Corporation may prescribe to be not transmissible by post;

“Postal Department” means the Postal Services Department established under the Post Office Act in force before 1st October 1982;

1970 Ed.
Cap. 84.

“postal undertaking” means all the lands, buildings and other property, movable or immovable, vested in the Government immediately before 1st October 1982 for the purposes of the Postal Services Department and all assets, powers, rights, interests and privileges as well as all debts, liabilities and obligations of the Government connected therewith;

“radio-communication” means any telecommunication by means of Hertzian or radio waves;

“radio-communication service” means any service for radio-communications;

“radio-communication system” means any system used or intended to be used for radio-communications;

“street” includes any way, road, lane, path, passage or open space, whether a thoroughfare or not, over which the public have a right of way and also the roadway and footway over any public bridge and includes any road, footway or passage, used or intended to be used as a means of access to two or more holdings, whether the public has a right of way thereover or not;

“telecommunications” means a transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by wire, radio,

optical or other electro-magnetic systems whether or not such signs, signals, writing, images, sounds or intelligence have been subjected to rearrangement, computation or other processes by any means in the course of their transmission, emission or reception;

“telecommunication line” means a wire or wires used for telecommunications with any casing, coating, tube or pipe enclosing the same and any appliance and any apparatus connected therewith for the purpose of fixing or insulating the same;

“telecommunication service” means any service for telecommunications;

“telecommunication system” means any system used or intended to be used for telecommunications;

“telecommunication undertaking” means all the lands, buildings and other property, movable or immovable, vested in the former Telecommunication Authority immediately before 1st October 1982 and all assets, powers, rights, interests, privileges, debts, liabilities and obligations connected therewith;

“transferred undertaking” means the telecommunication and postal undertaking vested in the Corporation by virtue of section 24;

“vessel” includes any ship or boat or air-cushioned vehicle or floating rig or platform used in any form of operations at sea or any other description of vessel.

(2) For the purposes of this Act —

(a) the delivery of a postal article by depositing it —

(i) into the letter box of the addressee or by leaving it at the house or office of the addressee, or with the addressee or with his servant or agent or other person authorised to receive it and, where the addressee is a guest or is resident at a hotel, hostel or lodging of a similar nature, by leaving it with the proprietor or manager thereof or with his agent shall be a delivery to the addressee; and

- (ii) into any box or receptacle provided or authorised by the Corporation for the deposit of postal articles or by handing it over to an employee or agent of the Corporation authorised to receive it shall be a delivery to the Corporation;
- (b) a postal article shall be in the course of transmission by post from the time of its being delivered to the Corporation to the time of its being delivered to the addressee, or its being returned to the sender or otherwise disposed of under this Act.

PART II

ESTABLISHMENT, INCORPORATION,
CONSTITUTION, FUNCTIONS AND POWERS
OF THE CORPORATION

3. There is hereby established a body to be known as the Telecommunication Authority of Singapore which shall be a body corporate with perpetual succession, and with power to sue and be sued in its corporate name and to perform such other acts as bodies corporate may by law perform, and to exercise and perform such other powers and functions as are conferred by or under this Act.

Establishment and incorporation of Corporation.

4. The Corporation shall have a common seal and the seal may, from time to time, be broken, changed, altered and made anew as the Corporation thinks fit and, until a seal is provided under this section, a stamp bearing the inscription "Telecommunication Authority of Singapore" may be used as the common seal.

Common seal.

5. The First Schedule shall have effect as respects the Corporation and its members.

Constitution of Corporation.

6.—(1) It shall be the function and duty of the Corporation —

Functions of Corporation.

- (a) to provide, operate and maintain good and sufficient information communication services except broadcasting and television services, and such other services on such terms as the Corporation may think expedient;

- (b) to promote the development of information communication in accordance with, as far as practicable, recognised international standard practice and public demand;
- (c) to exercise licensing and regulatory functions in respect of information communication in Singapore;
- (d) to act internationally as the national body representative of Singapore in respect of matters relating to information communication;
- (e) to advise the Government on all matters relating to information communication and to matters appertaining to the Corporation generally; and
- (f) to further the advancement of technology relating to information communication.

(2) In discharging the duties imposed on it by subsection (1), the Corporation shall have regard to —

- (a) efficiency and economy;
- (b) satisfying all reasonable demands for information communication services;
- (c) the desirability of improving and developing its operating system;
- (d) fostering the development and expansion of information communication services in the world in collaboration with other countries and international organisations concerned with information communication;
- (e) the promotion of measures for the safety of life through telecommunications;
- (f) the provision of information communication services at rates consistent with efficient service and the necessity for maintaining independent financial viability;

- (g) improvements in the use made of the radio frequencies spectrum;
- (h) the promotion of research and development in the field of information communication and, in particular, the peaceful uses of technology relating to information communication; and
- (i) collaboration with educational institutions for the promotion of technical education in the field of information communication.

(3) Nothing in this section shall be construed as —

- (a) imposing on the Corporation, either directly or indirectly, any form of duty or liability enforceable by proceedings before any court; or
- (b) precluding the Corporation from interrupting, suspending or restricting any information communication services provided by the Corporation.

(4) In discharging its functions, the Corporation shall not discriminate between one member of the public and another and shall provide freely available public service where there is demand for the service so as to justify such provisions.

(5) Nothing in subsection (4) shall preclude the Corporation from providing any special service for any person or section of the public where the special service is required.

7.—(1) Subject to this Act, the Corporation may carry on such activities as appear to the Corporation 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 Corporation may exercise any of the powers specified in the Second Schedule.

Powers of Corporation.

(2) Notwithstanding subsection (1), the Corporation may, with the approval of the Minister, carry on such other activities as the Corporation may, from time to time, consider expedient.

(3) This section shall not be construed as limiting any power of the Corporation conferred by or under any other written law.

8.—(1) The Minister may, after consultation with the Corporation, give such directions to the Corporation as he thinks fit as to the exercise by it of its functions.

Directions by Minister.

(2) Without prejudice to subsection (1), if it appears to the Minister to be requisite or expedient to do so —

- (a) in the interests of public security, national defence, or relations with the government of another country; or
- (b) in order —
 - (i) to discharge or facilitate the discharge of an obligation binding on the Government by virtue of its being a member of an international organisation or a party to an international agreement;
 - (ii) to attain or facilitate the attainment of any other object the attainment of which is in the Minister's opinion requisite or expedient in view of the Government being a member of such an organisation or a party to such an agreement; or
 - (iii) to enable the Government to become a member of such an organisation or a party to such an agreement,

he may, after consultation with the Corporation, give such directions to the Corporation as are necessary in the circumstances of the case.

(3) The Corporation shall give effect to any directions given to it under subsections (1) and (2).

(4) The Corporation shall not disclose any directions given to it under subsections (1) and (2) if the Minister notifies the Corporation that he is of the opinion that disclosure of the directions is against the public interest.

Annual
report.

9. The Corporation shall, as soon as practicable after the end of each financial year, submit to the Minister an annual report on the activities of the Corporation during that year and the Minister shall cause a copy of every such report to be presented to Parliament.

PART III

PROVISIONS RELATING TO STAFF

Appoint-
ment of
officers and
employees.

10.—(1) The Corporation shall, with the approval of the Minister, appoint a chief executive on such terms and conditions as the Corporation may determine.

(2) The chief executive shall —

- (a) be known by such designation as the Corporation may determine;
- (b) be responsible to the Corporation for the proper administration and management of the functions and affairs of the Corporation in accordance with the policy laid down by the Corporation; and
- (c) not be removed from office without the consent of the Minister.

(3) The Minister shall consult the Public Service Commission before granting his approval under subsection (1) or before giving his consent under subsection (2) (c).

(4) 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 Corporation to act in the place of the chief executive during any such period of absence from duty.

(5) The Corporation may, from time to time, appoint and employ on such terms and conditions as the Corporation may determine such officers and employees as may be necessary for the effective performance of its functions.

11. All members, officers and employees of the Corporation shall be deemed to be public servants for the purposes of the Penal Code.

Public servants.
Cap. 224.

12. No suit or other legal proceedings shall lie against any member, officer or employee of the Corporation or other person acting under the directions of the Corporation for anything which is in good faith done or intended to be done in the execution or purported execution of this Act.

Protection from personal liability.

PART IV

FINANCIAL PROVISIONS

13.—(1) The Corporation may, from time to time, with the approval of the Minister, borrow money by the issue of debentures or debenture stock, or raise capital by the issue

Power to issue stock, etc.

of shares or stock of such class and value and upon such terms as it may think expedient, for all or any of the following purposes:

- (a) the provision of working capital;
- (b) the fulfilling of the functions of the Corporation under this Act;
- (c) the redemption of any shares or stock which the Corporation is required or entitled to redeem; and
- (d) any other expenditure properly chargeable to capital account.

(2) The Corporation may make regulations not inconsistent with the provisions of this Act to provide for such matters in connection with shares, stock, debentures or debenture stock issued under this Act as may appear necessary or expedient to the Corporation, and, in particular, for regulating the method of issue, transfer, redemption or other dealing with such shares, stock, debentures or debenture stock.

Power to capitalise.

14. The Corporation may, from time to time with the approval of the Minister, capitalise the whole or any part of the sum standing to the credit of the general reserve account of the Corporation and such sum shall be capitalised as issued and fully paid-up capital.

Power to borrow.

15. The Corporation may, with the approval of the Minister, raise capital from banks and other financial institutions whether in Singapore or elsewhere by way of mortgage, overdraft or otherwise, with or without security, as it may require for the discharge of its functions under this Act.

General duties and powers of Corporation in financial matters.

16. It shall be the duty of the Corporation to exercise and perform its functions under this Act so as to secure that the total revenue of the Corporation is sufficient to meet its total outgoings properly chargeable to revenue account, including depreciation and interest on capital, taking one financial year with another.

Application of revenue.

17.—(1) The revenue of the Corporation for any financial year shall be applied in defraying the following charges:

- (a) the remuneration, fees and allowances of the members of the Corporation;
 - (b) the salaries, fees, remuneration, pensions, superannuation allowances and gratuities of the officers, agents, employees and advisers of the Corporation;
 - (c) working and establishment expenses and expenditure on, or provision for, the maintenance of any of the property of the Corporation, and the discharge of the functions of the Corporation properly chargeable to revenue account;
 - (d) interest on any debentures and debenture stock issued, and on any loan raised, by the Corporation;
 - (e) sums required to be paid to the Government towards repayment of any loan made by the Government to the Corporation;
 - (f) sums required to be transferred to a sinking fund or otherwise set aside for the purpose of making provision for the redemption of debentures or debenture stock or the repayment of other borrowed money;
 - (g) such sums as may be deemed appropriate to set aside in respect of depreciation or renewal of the property of the Corporation, having regard to the amount set aside out of revenue under paragraphs (c) and (f);
 - (h) the cost, or any portion thereof, of any new works, plant, vessels or appliances not being a renewal of the property of the Corporation, which the Corporation may determine to charge to revenue;
 - (i) such sums by way of contribution to the public or charities associated with the objects of this Act as the Corporation may determine; and
 - (j) any other expenditure authorised by the Corporation and properly chargeable to revenue account.
- (2) The balance of the revenue of the Corporation shall be applied —
- (a) to the creation of a general reserve and such other reserves as the Corporation may think fit; and

(b) to the payment of such dividends on shares and stocks issued by the Corporation as the Corporation may, after consultation with the Minister for Finance, see fit to declare.

Investment
of funds.

18. Any funds of the Corporation may be invested from time to time in securities in which trust funds may, by any written law for the time being in force relating to trustees, be invested or for the development of information communication services whether in Singapore or elsewhere.

Financial
provisions.

19. The financial provisions set out in the Third Schedule shall have effect with respect to the Corporation.

PART V

EXCLUSIVE PRIVILEGE WITH RESPECT TO INFORMATION COMMUNICATION SYSTEM

Exclusive
privilege
with respect
to informa-
tion commu-
nication
system.

20.—(1) As from 1st October 1982 and subject to this Act, the Corporation shall have the exclusive privilege for the operation and provision of information communication system in Singapore.

(2) The privilege conferred on the Corporation by subsection (1) shall —

- (a) include the rights of establishing, installing, using, working, maintaining, developing, constructing, promoting, hiring and selling telecommunication systems and services;
- (b) extend to every vessel or aircraft registered in Singapore and every other vessel, aircraft and any vehicle, whether mechanically propelled or not, in Singapore; and
- (c) include the conveyance from one place to another of letters and postcards and the performance of all incidental services of receiving, collecting, sending, despatching and delivering letters and postcards.

(3) No letter or postcard shall, unless exempt by this Act or any other written law, be conveyed into or out of Singapore from or to any place between which and Singapore posts or postal communications are established, or

from one port to another, or be delivered or distributed in Singapore otherwise than by or through the post.

21.—(1) The privilege conferred by section 20 shall not be infringed by —

General classes of acts not infringing the privilege with respect to information communication.

(a) the running by a person solely for his own use or solely for the purposes of his business (but not for providing any telecommunication service to another person) of a telecommunication line system in which all the apparatus comprised therein is situated —

- (i) on a single set of premises occupied by him; or
- (ii) in a vessel, aircraft or vehicle or in two or more vessels, aircraft or vehicles mechanically coupled together;

(b) in the case of a telecommunication line system of which all or part of the apparatus comprised therein is let on hire by the Corporation, the use of all or part of the apparatus let on hire by the Corporation by the person to whom the apparatus is let on hire, to such extent and in such manner as may be authorised by the Corporation; or

(c) the operation of any telecommunication system —

- (i) in the course of their duties by the officers and men of the Singapore Armed Forces, the Singapore Police Force or of any visiting force lawfully present in Singapore; or
- (ii) by the Singapore Broadcasting Corporation in the provision of any broadcasting and television services under the Singapore Broadcasting Corporation Act.

Cap. 297.

(2) The privilege conferred by section 20 in respect of post shall not be infringed by —

(a) letters or postcards or both not exceeding 3 in number sent by a person for delivery by the person to another without hire, reward or other profit for receiving, carrying or delivering them;

- (b) any letter or postcard solely concerning the affairs of the sender or receiver thereof, sent by a messenger employed for that purpose; or
- (c) any letter or postcard solely concerning any goods or other property which is to be delivered with the letter or postcard, without hire, reward or other profit for receiving, carrying or delivering the letter or postcard, if the letter or postcard is open to inspection and has thereon the words "Consignee's letter" or other words to the same effect.

(3) The following persons shall not collect, carry, tender or deliver any letter or postcard or receive any letter or postcard for the purpose of carrying or delivering it, whether or not for hire, reward or other profit:

- (a) a common carrier of passengers or goods and his drivers, servants or agents except as regards letters or postcards solely concerning goods in his vehicles or conveyances; and
- (b) owners or masters of vessels or aircraft passing to or from any port or place within Singapore from or to any port or place and their servants or agents, except as regards letters or postcards solely concerning goods on board, the letters or postcards being open to inspection and having the words "Consignee's letter" or other words to the same effect superscribed thereon, and except letters or postcards tendered to a master of a vessel or aircraft by any employee or agent of the Corporation for conveyance.

Saving for things done under licence.

22.—(1) A licence may with the consent of or in accordance with the terms of a general authority given by the Minister be granted by the Corporation either unconditionally or subject to any condition specified in the licence and either irrevocably or subject to revocation as therein specified for —

- (a) the running of such telecommunication system falling within section 20 (1) as is specified in the licence; or

(b) the collection of letters for transmission to any place and the reception of letters from such place through the Corporation.

(2) A licence granted under subsection (1) may be granted either to any person, class of persons or a particular person, and may include (without prejudice to the power to impose conditions conferred by that subsection) conditions requiring the payment to the Corporation of a fee on the grant of the licence or the payment to it of periodic fees during the currency of the licence, or both.

(3) A payment required by subsection (2) to be rendered to the Corporation may be recovered by it in any court of competent jurisdiction as if it were a simple contract debt.

(4) No person shall question whether the grant of a licence under subsection (1) was, or was not, effected with the consent of or in accordance with the terms of a general authority given by the Minister, and the validity of a licence granted under that subsection shall not be impugned on the ground that it was granted neither with the consent of nor in accordance with the terms of a general authority given by the Minister.

(5) Nothing in this section shall prevent the Minister from directing the Corporation to grant a licence in any specific case and any person aggrieved by a refusal of the Corporation to grant a licence may appeal to the Minister within 14 days of the refusal and the Minister's decision shall be final.

(6) On the occurrence of any public emergency or in the public interest the Minister may, by order in writing, direct that —

(a) the operation of any telecommunication by a person under a licence granted under this section, or the message so conveyed should be subject to the control of the Government, and may —

(i) prohibit or regulate such use in all cases or of such cases as may be considered necessary;

(ii) provide for the taking of, the control of or the usage for official purposes of, all or

any such telecommunication system and apparatus and the payment of compensation for any damage caused thereby; and

- (iii) provide for the stopping, delaying and censoring of messages and the carrying out of any other purposes which the Minister thinks necessary,

except that nothing in the order shall apply to the use of any telecommunication for the purpose of making or answering signals of distress; and

- (b) any postal article shall be intercepted or detained in the course of transmission by post; and the postal article shall be delivered to any officer mentioned in the order to be dealt with in such manner as the Minister may direct.

(7) If any doubt arises as to the existence of a public emergency or as to whether any act done under subsection (6) (a) or (b) was in the public interest, a certificate signed by the Minister shall be conclusive evidence of the matters stated therein.

(8) The grant and renewal of licences under this section shall be at the discretion of the Corporation and the Corporation may at any time cancel any licence without compensation.

(9) Anything done under and in accordance with a licence granted under subsection (1) shall not constitute an infringement of the privilege conferred by section 20.

Symbol,
design or
representa-
tion of
Corpora-
tion.

23.—(1) The Corporation shall have the exclusive right to the use of such symbol, design or representation as it may select or devise in connection with its activities or affairs.

(2) Any person who uses a symbol, design or representation identical with that of the Corporation or which so resembles the symbol, design or representation thereof as to deceive or cause confusion or to be likely to deceive or cause confusion shall be guilty of an offence.

PART VI

TRANSFER OF POSTAL AND
TELECOMMUNICATION UNDERTAKINGS,
EMPLOYEES, ETC.

24. As from 1st October 1982 the postal undertaking and the telecommunication undertaking shall be transferred to and shall vest in the Corporation without further assurance.

Transfer to Corporation of postal and telecommunication undertakings.

25. All deeds, bonds, agreements, instruments and working arrangements, subsisting immediately before 1st October 1982, affecting the transferred undertaking or any employee of the Postal Department or the former Telecommunication Authority transferred to the service of the Corporation under section 28 shall continue in force on and after that date and shall be enforceable by or against the Corporation as if, instead of the Postal Department or the former Telecommunication Authority or any person acting on behalf of the Postal Department or the former Telecommunication Authority, the Corporation had been named therein or had been a party thereto.

Existing agreements.

26. Any proceedings or cause of action pending or existing immediately before 1st October 1982 by or against the Government in respect of the Postal Department or by or against the former Telecommunication Authority or any person acting on its behalf may be continued and shall be enforced by or against the Corporation.

Pending proceedings.

27. As soon as practicable after 1st October 1982, the Corporation shall create and, by way of compensation for the transferred undertaking, issue to the Minister for Finance, a body corporate incorporated under the Minister for Finance (Incorporation) Act, to hold for the purposes of the Government ordinary stock of a total nominal value to be agreed upon by and between the Minister for Finance and the Corporation.

Compensation for transferred undertaking.
Cap. 183.

28.—(1) As from 1st October 1982, every person employed in the Postal Department or by the former Telecommunication Authority immediately before that

Transfer of employees.

date, shall be transferred to the service of the Corporation on terms not less favourable than those enjoyed by him immediately prior to his transfer.

(2) Notwithstanding subsection (1), persons holding such grades in the Postal Department as the Minister may determine, shall as soon as practicable be given the option of remaining in the service of the Government.

Conditions
of service.

29.—(1) Until such time as regulations are made by the Corporation, the regulations relating to the schemes and terms and conditions of service in the Government or the former Telecommunication Authority shall continue to apply to every person transferred to the service of the Corporation under section 28 as if he were still in the service of the Government or the former Telecommunication Authority, as the case may be.

Cap. 350.

(2) Where any person who is transferred to the service of the Corporation under section 28 is a contributor under the Widows' and Orphans' Pension Act, he shall for the purposes of that Act continue to make contributions under that Act as if he had not been transferred to the service of the Corporation and for the purposes of that Act his service with the Corporation shall be deemed to be service with the Government.

Cap. 225.

(3) Where any person who is transferred to the service of the Corporation under section 28 was an employee of the Government and the person continues to enjoy pension benefits payable under the Pensions Act, the Government shall be liable to pay to the Corporation such portion of any gratuity, pension or allowance payable to the person on his retirement as the same shall bear to the proportion which the aggregate amount of his pensionable emoluments during his service with the Government bears to the aggregate amount of his pensionable emoluments during his service under the Government, the former Telecommunication Authority and the Corporation.

(4) Notwithstanding the provisions of the Pensions Act, no person who is transferred to the service of the Corporation under section 28 shall be entitled to claim any benefits under that Act on the ground that he has been retired from the service of the Government on account of abolition or

reorganisation of office in consequence of the incorporation of the Corporation.

30.—(1) Where on 1st October 1982 any disciplinary proceedings were pending before the Postal Department or the former Telecommunication Authority, the proceedings shall be carried on and completed under and in conformity with this Act as far as practicable, but where on that date any matter was in the course of being heard or investigated by the Postal Department or the former Telecommunication Authority or had been heard or investigated by the Postal Department or the former Telecommunication Authority, and no order or decision had been rendered thereon, the Postal Department or the former Telecommunication Authority shall continue to exist, notwithstanding this Act, for the purpose of completing the hearing or investigation and the making of an order or rendering a decision, as the case may be.

Continuation and completion of disciplinary proceedings.

(2) For the purposes of completing a hearing or investigation before it, or making an order or rendering a decision on a matter heard or investigated before 1st October 1982, the Postal Department or the former Telecommunication Authority shall complete the hearing or investigation in accordance with the authority vested in the Postal Department or the former Telecommunication Authority immediately before that date and make such order, rule or direction as the Postal Department or the former Telecommunication Authority could have made under the authority vested in it immediately before that date.

(3) Any order, rule or direction made or given by the Postal Department or the former Telecommunication Authority pursuant to this section shall be treated as an order, rule or direction of the Corporation and have the same force or effect as if it had been made or given by the Corporation pursuant to the authority vested in the Corporation under this Act.

31. The Corporation may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person who has, whilst he was in the employment of the Postal Department or the former Telecommunication Authority, been guilty of any misconduct or neglect of duty which would

Misconduct or neglect of duty by employee before transfer.

have rendered him liable to be reprimanded, reduced in rank, retired, dismissed or punished in some other manner by the Postal Department or the former Telecommunication Authority or any other person acting under its authority or direction or otherwise, if this Act had not been enacted.

PART VII

PROVISIONS RELATING TO THE CONDUCT OF THE BUSINESS OF THE CORPORATION

Service pro-
vided by
Corpora-
tion to
any person.

32.—(1) Subject to this Act, in so far as it is able to do so and having due regard to economic considerations, the Corporation shall provide information communication services to any person on such terms and conditions as the Corporation may determine.

(2) The Corporation shall, in providing any information communication service under subsection (1), have regard to the extent and nature of the physical or other facilities that will be provided —

(a) by the Corporation in connection with the provision of the service to any person; and

(b) by that person and the manner and by whom those physical or other facilities will have to be provided or connected to any Corporation's installation or plant.

Contri-
bution by
landowner.

33. Where an owner of land considers that any information communication service by the Corporation is required and if it is in the opinion of the Corporation uneconomic to provide the service, the Corporation may require the owner to make such contribution towards the capital outlay necessary to provide the service as may be estimated by the Corporation and agreed to by the owner.

Contri-
bution by the
Govern-
ment.

34. Where the Government considers it necessary that any information communication service should be provided in any area, and where the Corporation considers it uneconomic to provide the service without contribution from the Government, the Government may make such contribution towards the capital outlay necessary to provide the service as may be estimated by the Corporation and agreed to by the Government.

35. For the purposes of the conduct of any international information communication service by the Corporation and subject to this Act, the Corporation may enter into direct communication, arrangement and agreement with the lawfully constituted postal or telecommunication authority of any country or with any duly authorised international agency or organisation concerned with information communication for the purpose of providing facilities, fixing rates, arranging terms of payment or accounting, for operational, engineering or administrative purposes or for any other purpose necessary for the proper fulfilment of its functions.

Right to conduct international business dealings.

36. Nothing in section 35 shall be deemed to abrogate the right of the Government at any time to determine its relations with any country or with any international agency or organisation and the Corporation shall so discharge its responsibilities and conduct its business as to comply with and fulfil all international agreements, conventions or undertakings relating to information communication to which Singapore is a party.

Government's overriding international rights.

37. The Corporation shall be fully responsible for meeting all financial obligations arising from the operation of any international information communication service and shall settle accounts with other postal and telecommunication authorities or international bodies and organisations from year to year.

Liability for international financial obligations.

38.—(1) The Corporation may make, in relation to any information communication service provided by the Corporation or in respect of the hire or sale of any equipment, a scheme or schemes for determining either or both of the following:

Charges and other terms and conditions applicable to information communication service.

- (a) the charges which (save in so far as they are the subject of an agreement between the Corporation and a person availing himself of the service) are to be made by the Corporation; and
- (b) the other terms and conditions which (save as aforesaid) are to be applicable to the service.

(2) A scheme made under this section may make different provision for different cases or classes of cases determined by, or in accordance with, the provisions of the scheme.

(3) A charge exigible by virtue of this section may be recovered by the Corporation in any court of competent jurisdiction as if it were a simple contract debt.

(4) A scheme or any amendment thereof made under this section shall come into operation on such date as may be determined by the Corporation.

(5) Nothing in this section shall be deemed to prohibit the Corporation from levying any charge or collecting any dues for anything done or any service rendered by reason only of not being incorporated in a scheme and the rates, charges and fees payable to the Corporation for any information communication service or in respect of the hire or sale of any equipment or for any other service rendered shall be in accordance with such charges and fees as may from time to time be determined by the Corporation.

(6) The rates, charges and fees applied by the Postal Department and the former Telecommunication Authority immediately before 1st October 1982 shall continue to be valid as though determined by the Corporation under this section until rescinded, varied or otherwise determined by the Corporation.

Limit of
liability.

39.—(1) The Corporation shall not be liable in respect of any injury, loss or damage suffered by any person by reason of —

- (a) the default or otherwise of any person licensed under section 22;
- (b) any loss, misdelivery or delay of or damage to any postal article in the course of transmission by post;
- (c) failure to provide or delay in providing any information communication service, equipment associated therewith or service ancillary thereto;
- (d) failure, interruption, suspension or restriction of any information communication service or service ancillary thereto or delay of, or fault in, communication by means of information communication;

- (e) error in or omission from, any directory or publication of the Corporation or error in or omission of any information transmitted through telecommunications;
- (f) loss of secrecy in communication arising from the use of any information communication service; or
- (g) wrong payment or delay in payment in connection with any remittance of money through the Corporation or any other irregularity in the document used in connection with the remittance.

(2) Notwithstanding subsection (1), in the event of the loss of or damage to any article enclosed in or forming part of a parcel or an insured postal article, or the loss of any registered postal article while in the custody of the Corporation, the Corporation may pay an indemnity in accordance with the provisions of the Convention regulating the affairs of the Universal Postal Union or any international agreement to which Singapore is a party.

40. The Minister may direct the Corporation to undertake and provide such information communication services and facilities as may be necessary for aeronautical, maritime, meteorological, governmental, defence or other purposes and upon being so directed the Corporation shall so provide the services or facilities, as the case may be, and shall be entitled to fair and proper payment therefor.

Provision to the Government of information communication services, etc.

PART VIII

ACQUISITION OF PROPERTY, ETC

41. The Corporation may acquire any property or any interest therein or any easement over any immovable property, whether by way of purchase, lease, exchange or otherwise, for the purposes of this Act.

Power to acquire property.

42.—(1) Whenever it appears to the Corporation that it shall or probably shall be necessary to exercise the powers conferred by this Act upon the Corporation in respect of any land other than State land for the provision of any information communication service, the Corporation or any person authorised by the Corporation in that behalf may,

Power to enter on and examine land.

after giving not less than 24 hours' previous notice to the occupier thereof, if any, enter upon the land and may survey and take levels and do all other necessary acts preparatory to the provision of the service, so far as the same may be possible without causing damage or disturbance.

(2) In the event of any damage or disturbance being caused by reason of the entry the Corporation shall pay compensation to the owner or occupier thereof.

(3) Nothing in this section shall be deemed to authorise any employee or agent of the Corporation to cut down or clear away any vegetation or any fence or other erection or to enter into any building or upon any enclosure attached to any building.

Power to enter on State land for purposes of installation.

43. For the purpose of providing any information communication service, the Corporation or any person authorised by the Corporation in that behalf may, at any reasonable time, enter upon any State land and may, subject to the approval of the Collector of Land Revenue, erect in or upon the State land such installation or plant for information communication or excavate such trenches as may be necessary or proper for the purpose of providing the service, and may carry out all necessary works in connection therewith, and may, in the course thereof, fell or lop trees, remove vegetation and do all other things necessary for that purpose, but —

- (a) when any such work interferes with improvements, buildings, growing trees or crops, the Corporation shall pay compensation for any disturbance or damage; and
- (b) where the land is occupied under a licence for temporary occupation, the compensation shall be paid to the occupant under the licence.

Power to enter on land for purposes of installation.

44.—(1) Subject to this section, whenever it is necessary to do so for the purposes of providing any information communication service under this Act, the Corporation may lay, place or carry on, and erect under, upon or over any land, other than State land, such installation or plant for information communication as may be necessary or proper for such purposes and may take such other action as may be

necessary to render the installation or plant safe and efficient, paying compensation to any person interested for any disturbance, damage or disability that may be caused thereby.

(2) Any compensation payable under subsection (1) may include an annual payment for land or other immovable property used for the purpose of any Corporation's installation or plant.

(3) The Corporation shall not acquire any right other than that of user only in respect of any land or property under, over, along, across, in or upon which the Corporation places any installation or plant for information communication under this section.

(4) Before entering on any land for the purpose specified in subsection (1), the Corporation shall give 14 days' notice stating as fully and accurately as possible the nature and extent of the acts intended to be done and shall specify a date upon which the Corporation will inquire into any objection that has been made as provided under this section.

(5) The notice shall be given to the owner or occupier of the land and may be sent by registered post or left at the usual or last known place of abode of the person to whom it is to be given or served in the manner provided under this section.

(6) The owner or occupier of the land may, within 14 days of the receipt of the notice referred to in subsection (4), lodge a written objection with the Corporation.

(7) If no objection is lodged within the time specified in subsection (6), the Corporation may forthwith enter on the land and do all or any of the acts specified in the notice given under subsection (4).

(8) If an objection is lodged and is not withdrawn before the date fixed for the hearing thereof, the Corporation shall hold an enquiry, giving that party an opportunity to be heard.

(9) Upon the conclusion of the enquiry, the Corporation may, either unconditionally or subject to such terms,

conditions and stipulations as agreed upon, carry out any of the acts mentioned in the notice given under subsection (4).

Inspection, maintenance and repair of installation or plant used for information communication.

45. Whenever it is necessary to do so for the purpose of inspecting, maintaining or repairing the Corporation's installation or plant or for the purpose of carrying out any of its functions under this Act, the Corporation or any person authorised by the Corporation in that behalf, may at any reasonable time enter upon any land or building, whether or not the installation or plant has been laid, placed, carried or erected on, under, upon or over the land or building, and may carry out all necessary inspection, maintenance or repair, and may in the course thereof, fell or lop trees, remove vegetation and do all other things necessary for the purpose, causing as little damage as possible and paying compensation to any person adversely affected for any damage that may be caused thereby for which compensation has not already been assessed under section 44.

Removal or alteration of installation or plant used for information communication.

46.—(1) Where the Corporation's installation or plant has been laid, placed, carried or erected on, under, upon or over any land under section 43 or 44, and any owner or occupier of the land or any person to or by whom the land is subsequently alienated or occupied desires to use the land in such manner as to render it necessary or convenient that the installation or plant should be removed to another part of the land, or to a higher or lower level, or altered in form, he may require the Corporation to remove or alter the installation or plant accordingly.

(2) If the Corporation fails to comply with the requisition, the person may apply in writing to the Corporation and the Corporation shall, as soon as practicable, specify a date to inquire into the facts of the case.

(3) Upon the conclusion of the enquiry the Corporation may, subject to such terms, conditions and stipulations as may be agreed upon between the person and the Corporation, carry out the removal or alteration of the installation or plant.

(4) Whenever the Corporation's installation or plant has been laid, placed, carried or erected, on any State land by the Corporation, and the land is subsequently alienated to any person, the owner or occupier of the land may, unless

the terms of alienation expressly provide otherwise, require the removal to another part of the land, or to a higher or lower level, of the installation or plant, and subsections (1) to (3) shall apply to any such requisition, and the costs of executing the removal shall be defrayed by the person making the requisition.

(5) Where an owner of land desires to use his land for the purposes of development and he considers it necessary that the Corporation's installation or plant that has been laid, placed, carried or erected on his land should be removed therefrom he may request the Corporation to remove the same from his land.

(6) Where the Corporation undertakes the work of removal pursuant to the request of the owner under subsection (5), the owner shall pay compensation to the Corporation.

(7) If the Corporation does not intend to undertake the work of removal pursuant to the request of the owner under subsection (5), the Corporation shall, by notice in writing, inform the owner of its intention and shall specify a date not less than 14 days from the date of the notice to inquire into the facts of the case.

47.—(1) Where, in the opinion of the Corporation, there is at any time danger or suspected danger that any tree (which term in this section includes undergrowth) near the Corporation's installation or plant may interrupt or interfere with any information communication service or cause damage to the installation or plant, the Corporation may cause the tree to be felled or dealt with in such other manner as will, in its opinion, avert the danger.

Removal of trees dangerous to or obstructing any installation or plant used for information communication.

(2) The Corporation shall in the exercise of its powers under subsection (1) be exempted from the provisions of the Parks and Trees Act.

Cap. 216.

(3) Where a tree, which has been felled or otherwise dealt with under subsection (1), was in existence before the Corporation's installation or plant was placed, erected or installed, the Corporation may subject to subsections (4) and (5) pay to any person adversely affected such sum as may be agreed by way of compensation.

(4) No further compensation shall be paid for the felling or lopping of any tree or the removal of any vegetation where the action is necessary for the maintenance of the Corporation's installation or plant and the tree and vegetation have grown or been allowed to grow since the payment of compensation under subsection (3).

(5) No compensation shall be payable by the Corporation under subsection (3) in respect of any tree within 20 metres of the centre line of any road constructed or maintained by the Government or by any authority unless it is proved that the tree was in existence prior to the construction of the road.

(6) In the event of the owner or occupier of any land felling or clearing any tree or vegetation adjacent to the Corporation's installation or plant, the owner or occupier shall give the Corporation 14 days' notice in writing of his intention to do so and shall take all such reasonable precautions as the Corporation may require for the protection of the installation or plant.

(7) If any such owner or occupier fails to give notice as provided under subsection (6) or having given notice fails to take any such precautions as the Corporation may have required, he shall be liable to pay the Corporation any cost and expense incurred by the Corporation for any damage caused to the Corporation's installation or plant; and a certificate purporting to be under the hand of the chief executive stating the amount of the cost and expense incurred by the Corporation shall be prima facie evidence of the amount due from the owner or occupier.

(8) If the amount due for the cost and expense is not paid within 7 days after demand, the amount may be recovered in the same manner as if it were a simple contract debt.

(9) If any tree or vegetation is felled or cleared upon land adjacent to the Corporation's installation or plant, it shall be presumed until the contrary is proved that the tree or vegetation was felled or cleared by the owner or occupier of the land or by his servants or agents acting as such.

48. Every installation or plant for information communication placed before 1st October 1982 under, over, along, across, in or upon any property for the purpose of information communication established or maintained by the Postal Department or the former Telecommunication Authority shall be deemed to have been placed in the exercise of the powers conferred by and after observance of all the requirements of this Act.

Existing installation or plant used for information communication.

49. Nothing in section 44 (1) and (6) shall —

- (a) affect the right of the Corporation to enter into an agreement, commonly known as a wayleave agreement, with the owner or occupier of any land for the purpose of laying, placing, carrying or erecting any installation or plant for information communication on the land;
- (b) affect any such wayleave agreement subsisting on 1st October 1982; or
- (c) affect the right of the Corporation to negotiate the use of land or facilities belonging to the State or any other person.

Savings of wayleave agreements.

PART IX

MAILS CONVEYED BY VESSELS AND AIRCRAFT

50. The master of a vessel or aircraft about to depart from Singapore shall receive on board any mail bag tendered to him by any employee or agent of the Corporation for conveyance, granting a receipt therefor in such form as the Corporation may approve, and shall without delay deliver the same at the place of destination.

Duty of master of vessel or aircraft departing from Singapore to convey mail bags.

51.—(1) The master of a vessel or aircraft arriving in Singapore shall, without delay, cause every postal article or mail bag on board which is directed to any place in Singapore to be delivered at such place as may be specified by the Corporation or to any employee or agent of the Corporation authorised to receive the same.

Duty of master of vessel or aircraft arriving in Singapore in respect of postal articles and mail bags on board.

(2) The master of a vessel or aircraft arriving in Singapore shall not unload or load any cargo from or into the vessel or aircraft until he has complied with this section.

Penalty for failing to comply with section 50 or 51.

- 52.** The master of any vessel or aircraft who —
- (a) contravenes or fails to comply with section 50 or 51; or
 - (b) refuses or neglects, if in quarantine, to deliver any postal article or mail bag in his possession which is directed to any place in Singapore to the person appointed by the Corporation to receive it,

shall be guilty of an offence.

Notice to be given of departure of vessel or aircraft.

53.—(1) Every owner or agent of a vessel or aircraft proposing to despatch the vessel or aircraft from Singapore shall give the Corporation —

- (a) reasonable notice of —
 - (i) the day and hour of the intended departure of the vessel or aircraft; and
 - (ii) every place at which the vessel or aircraft is to call; and
- (b) immediate notice of any alteration in the day or hour of departure or of the place of call.

(2) Any owner or agent of a vessel or aircraft who contravenes or fails to comply with this section shall be guilty of an offence.

Gratuities to master or owner of vessel or aircraft for conveyance of mail bags and postal articles.

54.—(1) The Corporation may determine the rates of gratuities to be paid to a master, owner or agent of a vessel or aircraft for the conveyance of any mail bag or postal article.

(2) Before any payment is made, the Corporation may require the master of the vessel or aircraft to produce a certificate from the postal authority of destination that the mail bag or postal article has been duly received from him.

- (3) No gratuity shall be payable under this section —
 - (a) unless an application for payment is made within 12 months of the date of despatch of the mail bag or postal article to the postal authority of destination;
 - (b) if there has been unreasonable delay on the part of the master in delivering the mail bag or postal article to the postal authority of destination; or

- (c) if the mail bag or postal article has been damaged in transit, unless the master proves to the satisfaction of the Corporation that the damage is not due to any fault on his part.

55.—(1) The master, owner or agent of any vessel or aircraft shall be liable for the theft or loss of or damage to any registered or insured postal article or parcel tendered for conveyance or conveyed by the vessel or aircraft.

Liability of master, owner or agent of vessel or aircraft for theft, loss or damage to registered or insured postal article or parcel.

(2) In the event of any such theft, loss or damage, the master, owner or agent of the vessel or aircraft shall be liable to pay to the Corporation, in respect of such registered or insured postal article or parcel, such amount of money as shall be equal to the amount of the compensation payable by the Corporation to the sender or addressee of the postal article or parcel under this Act.

(3) Any amount required to be paid under this section shall be recoverable as a debt due to the Corporation from the master, owner or agent of the vessel or aircraft.

PART X

PROVISIONS RELATING TO REMITTANCE OF MONEY

56. The Corporation may provide for the remittance of any sum of money through the Corporation and may prescribe the documents to be used in connection with the remittance of money through the Corporation in accordance with any regulations made under this Act.

Power to prescribe documents and terms and conditions for remittance of money.

57. If any person neglects or refuses to refund in respect of a document issued in connection with the remittance of money through the Corporation —

Recovery of money paid in excess or wrongly paid.

- (a) any amount paid by an employee of the Corporation in excess of what ought to have been paid to him; or
- (b) any amount paid by an employee of the Corporation directly to him as the payee or through him acting as an agent for the payee instead of to some person to whom it ought to have been paid,

the amount shall be recoverable before a Magistrate by any employee of the Corporation authorised by the Corporation in that behalf from the person so neglecting or refusing.

Document to be deemed valuable securities. Cap. 224.

58. Any document prescribed by the Corporation to be used for the remittance of money through the Corporation shall be deemed to be a valuable security within the meaning of the Penal Code.

PART XI

DUTIABLE GOODS IMPORTED BY POST

Examination of postal articles.

59. All postal articles received from outside Singapore may be examined while in the custody of the Corporation by the Director-General of Customs and Excise or any senior officer of customs, and may be opened by an employee of the Corporation in the presence of the Director-General of Customs and Excise or the senior officer of customs for the purpose of the examination.

Forfeiture of postal articles.

60. Any postal article found upon any examination under section 59 to contain any dutiable goods, that postal article not having affixed thereto a true declaration of those goods, shall be liable to forfeiture by order of the Director-General of Customs and Excise.

Presumption as to importer.

61. The addressee of any postal article containing any dutiable goods shall be presumed until the contrary is proved to have imported the same.

PART XII

OFFENCES AND PENALTIES

Unlawful operation of information communication.

62.—(1) Any person who —

(a) establishes, installs, maintains, provides or operates a telecommunication system or service within Singapore or otherwise infringes the privilege conferred upon the Corporation by section 20 or commits a breach of any condition in the licence granted by the Corporation under section 22 (1) (a);

(b) conveys otherwise than by post any letter or post-card within the exclusive privilege conferred

upon the Corporation by section 20 or performs any service incidental to such conveyance;

- (c) collects, sends, tenders or delivers in order to be sent otherwise than by post a letter or postcard within the exclusive privilege conferred by section 20; or
- (d) collects, conveys, tenders, delivers or receives any letter or postcard in contravention of section 21 (3),

shall be guilty of an offence and shall be liable on conviction for —

- (i) an offence under paragraph (a) to a fine not exceeding \$3,000 and in the case of a continuing offence to a further fine not exceeding \$500 for every day or part thereof during which such telecommunication system or service is maintained or operated or the breach of the condition of any licence is continued after conviction; and
- (ii) an offence under paragraph (b), (c) or (d) to a fine not exceeding \$200 for every such letter or postcard.

(2) In the case of an offence in relation to a telecommunication system or service not extending beyond Singapore, every person operating the system or service (or, if different people run different parts of it, each of them) shall be guilty of an offence and shall be liable on conviction to the penalty under subsection (1) (i) and in the case of an offence in relation to a telecommunication system or service extending beyond Singapore, the person or every person operating that portion of such system or service within Singapore (or, if different people operate different parts of the system or service, each of them) shall be guilty of an offence and shall be similarly liable.

63.—(1) No person shall —

- (a) offer for sale, sell or possess for sale any telecommunication equipment; or
 - (b) possess any radio-communication equipment,
- except and in accordance with a licence granted under section 22 or any regulations made under this Act.

Prohibitions in respect of radio-communication and telecommunication equipment.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Penalty for unlicensed station and conveyance of letters.

64.—(1) Any person who —

- (a) establishes, installs, maintains, provides or operates a radio-communication system or service or any radio-communication equipment in any place or on board any vessel, aircraft or in any vehicle in Singapore; or
- (b) makes a collection of letters for transmission or distribution to or from any place through the Corporation,

without a licence granted under section 22 or any regulations made under this Act shall be guilty of an offence and shall be liable on conviction for —

- (i) an offence under paragraph (a), in addition to the penalty provided for in section 62 (1) (i), to imprisonment for a term not exceeding one year and any radio-communication equipment used in the commission of the offence shall be liable to forfeiture; and
- (ii) an offence under paragraph (b) to a fine not exceeding \$200 for every such letter.

(2) Any person who is in possession of any radio-communication equipment shall be deemed, until the contrary is proved, to have operated the same.

(3) The occupier of any dwelling-house or premises in which is installed any radio-communication equipment in respect of which a licence is not in force shall be guilty of an offence.

(4) It shall be a defence to a prosecution for an offence under subsection (3) that the occupier was not aware and could not with reasonable diligence have become aware of the existence in the dwelling-house or premises of the radio-communication equipment.

(5) Any police officer not below the rank of sergeant or any employee authorised by the Corporation may, if he has reasonable grounds for believing that a telecommunication system or service has been established, installed, maintained, operated or provided in contravention of this Act or

any regulations made thereunder or in breach of any licence issued by the Corporation —

- (a) in the case of any telecommunication system or service, other than any radio-communication system or service, enter and inspect any place in which such telecommunication system or service is established, installed, maintained, operated or provided and may seize any equipment or attachment found therein which appears to be used for or in connection with telecommunications; and
- (b) in the case of any radio-communication system or service, enter any place in Singapore or stop or board any vessel, aircraft or vehicle and inspect any place therein and may seize any radio-communication equipment found therein which appears to be used for or in connection with radio-communications.

(6) If there is no prosecution with regard to any equipment or attachment seized under this section, the equipment or attachment shall be taken and deemed to be forfeited to the Corporation at the expiration of two months from the date of seizure unless a claim thereto is made before that date in the manner provided under subsection (7).

(7) Any person asserting that he is the owner of the equipment or attachment may personally or by his authorised agent give written notice to the Corporation that he claims the same.

(8) On receipt of the notice, the Corporation may direct that the equipment or attachment be released or may refer the matter to a District or Magistrate's Court.

(9) The District or Magistrate's Court may proceed to the examination of the matter and upon examination shall order that the equipment or attachment be forfeited or released.

65.—(1) The chief executive or any employee of the Corporation deputed by him to act under this section may arrest without warrant —

- (a) any person found committing or attempting to commit or employing or aiding any person to commit a seizable offence under this Act; or

Powers of arrest and search in respect of offences.

- (b) any person against whom a reasonable suspicion exists that he has been guilty of a seizable offence under this Act,

and may search any person so arrested, provided that no female shall be searched except by a female.

(2) Every person so arrested shall, together with any article as to which an offence may have been committed, or attempted to be committed, be taken to a police station.

Powers of search and arrest in respect of offences under sections 20 and 21.

66.—(1) Whenever it appears to the chief executive or any employee of the Corporation authorised to act for him under this section that an offence under section 20 or 21 is being committed or is about to be committed or attempted or whenever it appears that any article is concealed or deposited or contained in or on any vessel, aircraft or vehicle or premises in contravention of those sections, the chief executive or the employee may, if he has reasonable grounds for believing that by reason of the delay in obtaining a search warrant the article is likely to be removed —

- (a) stop and examine the vessel, aircraft or vehicle or enter the premises and there search for and take possession of any article and of any book or document which is reasonably believed to have a bearing on the case; and
- (b) arrest any person being in the vessel, aircraft or vehicle or premises in whose possession the article may be found or whom the chief executive or employee may reasonably suspect to have concealed or deposited the article and may search any person so arrested, provided that no female shall be searched except by a female.

(2) Every person so arrested shall, together with any such article, be taken to a police station.

(3) Any person who intentionally obstructs the chief executive or any employee of the Corporation authorised to act for him in the execution of his duty under this section or section 64 shall be guilty of an offence.

67. No person shall, in any proceedings before any court in respect of any equipment, attachment, article, book or document seized in the exercise or the purported exercise of any power conferred under this Act, be entitled to the costs of the proceedings or to any damages or other relief other than an order for the return of the equipment, attachment, article, book or document or the payment of their value unless the seizure was made without reasonable or probable cause.

No costs or damages or other relief arising from seizure to be recoverable unless seizure without reasonable or probable cause.

68. Any person who knowing or having reason to believe that a telecommunication system or service has been established, maintained or operated in contravention of this Act, uses the system or service for communication or for performing any service incidental thereto or delivers any message for transmission by the system or service or accepts delivery of any message sent shall be guilty of an offence.

Using unlawful telecommunication system or service.

69. Any person who —

- (a) enters any part of any premises of the Corporation, requiring permission for entry thereto, without the permission of an employee of the Corporation in charge;
- (b) enters a fenced enclosure, building or room belonging to the Corporation in contravention of any regulation, rule or notice not to do so;
- (c) refuses to quit any fenced enclosure, building or room belonging to the Corporation on being requested to do so by any employee of the Corporation; or
- (d) intentionally obstructs or incites anyone to obstruct or impedes any employee of the Corporation in the performance of his duties under this Act,

Intrusion, trespass or obstruction.

shall be guilty of an offence.

70.—Any person who intending —

- (a) to prevent or obstruct the transmission or delivery of any message;
- (b) to intercept or to acquaint himself with the contents of any message; or
- (c) to commit mischief,

Intentional damage to message.

damages, removes, tampers with or touches any installation or plant belonging to the Corporation or the contents of the installation or plant or interferes with the radio-communication service of the Corporation, 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 3 years or to both.

Offences by
employee or
agent of
Corporation.

71. Any employee or agent of the Corporation who —
- (a) wilfully secretes, makes away with or alters any message or record of any message;
 - (b) except in obedience to an order of the Minister or an employee specially authorised by him to make the order, wilfully omits to transmit or intercepts or acquaints himself with or detains any message or part thereof or deliberately causes a call or connection to be disconnected or not to be connected;
 - (c) destroys or throws away any postal article in the course of transmission by post or anything contained therein;
 - (d) commits theft in respect of or dishonestly misappropriates or secretes any postal article in the course of transmission by post or anything contained therein;
 - (e) except in obedience to an order of the Minister or the chief executive or the direction of a court, wilfully opens or causes to be opened contrary to his duty any mail bag or postal article in the course of transmission by post or wilfully detains or delays or causes to be detained or delayed the mail bag or postal article;
 - (f) issues a document prescribed for use in connection with the remittance of money with fraudulent intent;
 - (g) fraudulently puts any wrong official mark on a postal article;
 - (h) fraudulently alters, removes or causes to disappear any official mark on a postal article;
 - (i) being entrusted with the delivery of any postal article, knowingly demands or receives any sum

of money which is not chargeable under this Act;

- (j) sends by post, or puts into any mail bag any postal article upon which postage has not been paid or charged intending thereby to defraud the Corporation of the postage on the postal article;
- (k) being entrusted with the preparation or custody of any document relating to the Corporation, fraudulently prepares the document incorrectly, or alters, or secretes or destroys the document; or
- (l) being employed to carry or deliver any mail bag or postal article in the course of transmission by post and required while so employed to keep any register, makes or causes to be made any false entry in the register with intent to induce the belief that he has visited a place, or delivered a postal article or mail bag, which he has not visited or delivered,

shall be guilty of an offence and shall be liable on conviction for —

- (i) an offence under paragraph (a), (b), (c), (d), (e) or (f) to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both; and
- (ii) an offence under paragraph (g), (h), (i), (j), (k) or (l) to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding one year or to both.

72. Any person who —

- (a) dishonestly uses or permits another person to use any information communication service provided by the Corporation with intent to avoid payment; or
- (b) sends any postal article bearing any facsimile, imitation or representation of postage stamps or purporting to be prepaid with any postage stamp which has previously been used to prepay any other postal article or which has otherwise been previously used,

Fraudulently using information communication service or sending postal article.

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 3 years or to both.

Sending
false
message.

73. Any person who transmits or causes to be transmitted a message which he knows to be false or fabricated 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 3 years or to both.

Fraudulent
retention of
message or
postal
article.

74.—(1) Any person who —

- (a) fraudulently retains or wilfully secretes, makes away with or detains a message or record of a message which ought to have been delivered to some other person or being required by an employee of the Corporation to deliver up any such message or record thereof neglects or refuses to do so;
- (b) except in accordance with this Act or unless authorised by the Corporation, wilfully retains or secretes or makes away with or keeps or detains or, when required by an employee of the Corporation, neglects or refuses to deliver up in the course of transmission by post any postal article or any mail bag containing any postal article; or
- (c) except in accordance with this Act or unless authorised by the Corporation, wilfully opens or causes to be opened any letter which ought to have been delivered, or does any act whereby the due delivery of a letter to any person is prevented or impeded,

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 3 years or to both.

(2) Nothing in subsection (1) (c) shall apply to a person who does any act to which that subsection applies where he is a parent, or in the position of a parent or guardian, of the person to whom the letter is addressed and the addressee is a minor or his ward.

75.—(1) No person shall, without the written approval of the Corporation —

Protection of installation or plant used by Corporation for information communication.

- (a) lay or carry any mains, pipes, conduits, circuits or wires in, along, through, across, over or under any street or place in a manner which is likely to interfere with or cause damage to any installation or plant belonging to the Corporation;
- (b) make any alteration or connect any device whether physically, electronically, acoustically, inductively or otherwise, to any equipment or telecommunication system belonging to the Corporation;
- (c) perform any work of laying, installing, constructing or maintaining any telecommunication line or equipment used or intended for use with any equipment or telecommunication system belonging to the Corporation; or
- (d) affix any placard, advertisement, notice or other thing in or on, or paint, tar or in any way disfigure any installation or plant belonging to the Corporation.

(2) Any approval under subsection (1) may be granted or withheld at the discretion of the Corporation, or may be granted upon such terms and conditions as the Corporation thinks fit to impose.

(3) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and shall be liable on conviction for an offence under paragraph (a) or (b) of that subsection to a fine not exceeding \$5,000 and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part thereof during which the offence continues after conviction.

76.—(1) No person for whom the Corporation has provided any information communication service shall without the written approval of the Corporation demand, collect or receive payment from any other person for the use of the service by that person.

Charging for use of services provided by Corporation.

(2) Any person who has been granted any approval under subsection (1) shall only demand, collect or receive such charges, rates or fees as may be approved by the Corporation for the use of the service by any other person.

(3) Any person who contravenes or fails to comply with subsection (1) or (2) shall be guilty of an offence.

Prohibition of anything indecent, etc., in information communication.

77. Any person who sends by post —

- (a) any indecent or obscene article or any postal article having any words, marks or designs of an indecent, obscene, seditious, scurrilous, threatening, or grossly offensive character;
- (b) anything which is likely to damage any postal article in the course of transmission by post or any postal equipment or injure any employee or agent of the Corporation; or
- (c) except as otherwise provided by any regulations made under this Act, any explosive, inflammable, dangerous, filthy, noxious or deleterious substance, any sharp instrument not properly protected, or any living creature which is noxious or likely to damage any postal article in the course of transmission by post or any postal equipment or to injure any employee or agent of the Corporation,

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 3 years or to both.

Penalty for taking excess money in provision of services.

78. Any person who, being appointed to provide any information communication service on behalf of the Corporation, by himself or by his agent levies charges, rates or fees higher than those prescribed or approved by the Corporation shall be guilty of an offence.

Penalty for making any facsimile, imitation or representation of any postage stamp.

79.—(1) No person shall —

- (a) make, deal in, distribute, or sell;
- (b) knowingly use for postal purposes or for the purpose of remitting or paying any money;
- (c) have in his possession without any lawful excuse; or
- (d) make or, without any lawful excuse, have in his possession, any die, plate, instrument or material for making,

any facsimile, imitation or representation of any postage stamp or any document used by the Corporation in connection with the remittance or payment of money.

(2) No person shall make, issue or send by post any stamped or embossed envelope, wrapper, card, form or paper in imitation of one issued by the Corporation.

(3) Any person who contravenes or fails to comply with subsection (1) or (2) 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) Any stamp, die, plate, instrument or material found in the possession of any person who has contravened or failed to comply with subsection (1) or (2) may be seized by any employee of the Corporation and forfeited by a Magistrate's Court, and shall be dealt with as the Court directs and the proceeds (if any) shall be paid into the Consolidated Fund.

80. Any person who, with fraudulent intent, erases or removes from a postage stamp any mark put or impressed upon the postage stamp denoting that the same has been used, or sells or uses any such postage stamp for postal purposes 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 one year or to both.

Penalty for erasure with fraudulent intent of mark denoting that postage stamp has been used.

81. Any person who, without the permission of the Corporation, places or maintains in or on any house or place, belonging to him or under his control, any word, letter or mark which signifies or implies or may reasonably lead the public to believe that the house or place is a Corporation's installation or plant shall be guilty of an offence.

Prohibition of false notice relating to Corporation's installation or plant.

82.—(1) The Corporation or any person authorised by the Corporation in that behalf may by notice —

Furnishing of information.

(a) require any person to furnish to the Corporation or the person so authorised, within such period as shall be specified in the notice, all such returns or information relating to all such matters as

may be required by the Corporation for the purposes of this Act and as are within the knowledge of that person or in his custody or under his control; or

- (b) require the addressee or sender of a postal article, or his agent to appear before the chief executive or such authorised person at such place and time as may be specified by the Corporation, where the Corporation has reason to believe that the postal article contains anything in respect of which an offence is being committed under this Act.

(2) Any person who on being required by notice under this section to furnish any returns or information or to appear before the chief executive or a person authorised by him in that behalf fails to comply with any requirement of the notice shall be guilty of an offence.

Preservation of secrecy.

83.—(1) Except for the purpose of the performance of his duties or the exercise of his functions or when lawfully required to do so by any court or under the provisions of any written law, no member, officer, employee or agent of the Corporation shall disclose any information relating to the affairs of the Corporation or of any person which has been obtained by the member, officer, employee or agent in the performance of his duties or the exercise of his functions.

(2) 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 one year or to both.

PART XIII

MISCELLANEOUS AND GENERAL

Provision of postage stamps.

84.—(1) The Corporation may, in consultation with the Minister, cause postage stamps to be provided of such kinds and denoting such values as the Corporation may determine for the purposes of this Act.

(2) Any postage stamp provided under this section shall be used for the prepayment of any postage or other sum chargeable under this Act in respect of any postal article,

except where the Corporation determines that prepayment may be made in some other manner.

85.—(1) Any postal article sent by post which is suspected to be sent in contravention of this Act or any regulations made thereunder may be detained and opened by the Corporation.

Power to deal with postal articles posted in contravention of this Act.

(2) The detention of a postal article under subsection (1) shall not exempt the sender from any proceedings which might have been taken if the postal article had been delivered in due course of post.

(3) Any postal article sent in contravention of this Act or any regulations made thereunder shall be destroyed, returned to the sender or dealt with in such manner as the Corporation may direct.

86. Where any postage or other fee or sum is not prepaid or fully prepaid in respect of a postal article posted for delivery in Singapore, the Corporation may refuse to deliver the postal article until the postage or other fee or sum has been paid to or recovered by the Corporation.

Recovery of postage and other sums due in respect of postal articles.

87. In any proceedings for the recovery of any postage or other fee or sum payable under this Act in respect of a postal article —

Official marks to be prima facie evidence of certain facts denoted.

- (a) the production of a postal article having thereon the official mark of the Corporation denoting that the article has been refused or that the addressee is dead or cannot be found shall be prima facie evidence of the fact so denoted; and
- (b) the person from whom any postal article purports to come shall, until the contrary is proved, be deemed to be the sender thereof.

88. The official mark or label on a postal article denoting that any postage or other fee or sum is due in respect thereof to the Corporation or to the postal authority of any foreign country shall be prima facie evidence that the postage or other fee or sum denoted is so due.

Official marks to be evidence of amount of postage due.

Precautions
in execu-
tion of
work.

89. The execution of any work by the Corporation under this Act which may affect any street, railway, river, canal, or other waterway or any system of irrigation, drainage or water supply or any telecommunications, harbour works or any other public or private works, and the erection of any Corporation's installation or plant whether over, on or under the ground shall be carried out in a lawful manner having regard to the safety of any person or property.

Exemption
from dis-
tress and
attachment
of Corpora-
tion's
installation
or plant.

90. No Corporation's installation or plant shall be subject to distress or be liable to be taken in execution under any process of a court in any bankruptcy or insolvency proceedings against any person.

Compensa-
tion for
damages
caused to
Corpora-
tion's
installation
or plant.

91.—(1) Any person who removes, destroys or damages, whether wilfully or otherwise, the installation or plant belonging to the Corporation shall be liable to pay compensation for the damage he has done and the compensation shall be recoverable by civil action or suit before any court of competent jurisdiction.

(2) Subject to subsection (1), any court before which a person is charged with an offence under this Act may assess the compensation payable under this section and may make an order for the payment of the same.

(3) Any order under subsection (2) may be enforced as if it were a judgment in a civil action or suit.

Offences
committed
by body
corporate.

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

Power to
compound.

93.—(1) Any police officer not below the rank of inspector specially authorised by name in that behalf by the Minister, or any employee of the Corporation specially authorised by name in that behalf by the chief executive,

may in his discretion compound any such offence under this Act or any regulations made thereunder as may be prescribed as being an offence which may be compounded by collecting from the person reasonably suspected of having committed the offence a sum of money not exceeding \$100.

(2) The Corporation may, with the approval of the Minister, make regulations prescribing the offences which may be compounded and the method and procedure by which such offences may be compounded under this section.

(3) All sums of money received for the composition of offences under this section shall be paid into the funds of the Corporation.

94. Any person guilty of an offence under this Act or any regulations made thereunder for which no penalty is expressly provided shall, in addition to the forfeiture of any article seized, 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 penalties.

95.—(1) No proceedings for an offence punishable under this Act or any regulations made thereunder shall be instituted except by or with the sanction of the Public Prosecutor.

Public Prosecutor to sanction prosecution.

(2) Any employee of the Corporation or any police officer may conduct such a prosecution on behalf of the Corporation.

96. Nothing in this Act shall prevent any person from being prosecuted under any other written law for any act or omission which constitutes an offence under this Act or any regulations made thereunder, or from being liable under that other written law to any punishment or penalty higher or other than that provided by this Act or the regulations, but no person shall be punished twice for the same offence.

Saving of prosecutions under other laws.

97. This Act shall not apply to —

- (a) the licensing of any broadcasting station under the Broadcasting and Television Act or of any broadcasting apparatus or any dealing in broadcasting apparatus under the Singapore Broadcasting Corporation Act; and

Excluded matters.

Cap. 28.

Cap. 297.

Cap. 28.
Cap. 297.

- (b) any other matter relating to broadcasting or television under the Broadcasting and Television Act or the Singapore Broadcasting Corporation Act.

Regula-
tions.

98.—(1) The Corporation may, with the approval of the Minister, make regulations for any purpose for which regulations are required to be made under this Act and generally for carrying out the purposes and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Corporation may, with the approval of the Minister, make regulations for or with respect to all or any of the following matters:

- (a) the proficiency examinations, including the syllabi and the details thereof, for the certification of competency of individuals operating telecommunication services or for the grant of any licence by the Corporation;
- (b) the classes and the conditions for the grant of licences by the Corporation;
- (c) the control and regulation of dealing in and use of telecommunication equipment;
- (d) the control and regulation of interference by electric or other means to telecommunications in Singapore;
- (e) the manner of appointment, conduct and discipline and the terms and conditions of service of the officers and employees of the Corporation;
- (f) the establishment of funds for the payment of gratuities and other benefits to the officers and employees of the Corporation;
- (g) the acceptance, transmission by post, detention and disposal of postal articles;
- (h) the supply, sale and use of postage stamps;
- (i) the limit of amount of money that may be remitted through the Corporation and the manner and conditions under which such money may be remitted;
- (j) the articles or things which may not be transmissible by post;
- (k) the types of articles not to be treated as letters;

- (l) the manner of addressing, receiving, delivering, collecting and distributing mail bags and postal articles;
- (m) the conditions and restrictions for the payment of indemnity for the loss of or damage to postal articles where indemnity is payable under this Act; and
- (n) the registration of postal articles and the cases where insurance of postal articles may be required.

99.—(1) Any scheme, contract, document, licence, permission or resolution prepared, made, granted or approved under the repealed Telecommunication Authority of Singapore Act 1974 or the repealed Post Office Act shall, except as otherwise expressly provided in this Act or in any other written law, continue and be deemed to have been prepared, made, granted or approved by the Corporation under the corresponding provisions of this Act.

Transitional provisions.
1/74.
1970 Ed.
Cap. 84.

(2) Any subsidiary legislation made under the repealed Telecommunication Authority of Singapore Act 1974 or the repealed Post Office Act and in force immediately before 1st October 1982 shall, so far as it is not inconsistent with the provisions of this Act, continue in force as if made under this Act until it is revoked or replaced by subsidiary legislation made under this Act.

(3) Where anything has been commenced by or on behalf of the former Telecommunication Authority or the Postal Department before 1st October 1982, that thing may be carried on and completed by, or under the authority of the Corporation.

(4) In any written law, any reference to the former Telecommunication Authority or the Postal Department shall be construed as a reference to the Corporation.

FIRST SCHEDULE

Section 5.

CONSTITUTION AND PROCEEDINGS OF THE CORPORATION

- 1.—(1) The Corporation shall consist of —
- (a) a Chairman;
 - (b) the chief executive; and

Constitution of Corporation.

(c) such number of other members, not being less than 5 or more than 7, as the Minister may from time to time determine.

(2) The Chairman and other members of the Corporation shall be appointed by the Minister.

Appoint-
ment of
Deputy
Chairman.

2.—(1) The Minister may in his discretion appoint any of the members of the Corporation to be the Deputy Chairman of the Corporation.

(2) The Deputy Chairman so appointed may, subject to such direction as may be given by the Chairman, exercise all or any of the powers exercisable by the Chairman under this Act.

Tenure of
office of
members
of Cor-
poration.

3. A member of the Corporation shall hold office on such conditions and for such term, not exceeding 3 years, as the Minister may determine and shall be eligible for reappointment.

Temporary
members.

4. The Minister may appoint any person to be a temporary member of the Corporation during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of any member.

Temporary
Chairman
or Deputy
Chairman.

5. The Minister may appoint any member of the Corporation 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 Deputy Chairman, as the case may be.

Revocation
of appoint-
ment.

6. If at any time it appears to the Minister that removal from office of all or any of the members of the Corporation is necessary in the interests of the effective and economical performance of the functions of the Corporation under this Act, or in the public interest, the Minister may remove from office all or so many of those members of the Corporation as he considers necessary in such interests.

Resigna-
tion.

7. A member of the Corporation may resign his office at any time by giving not less than one month's notice to the Minister.

Chairman
may dele-
gate func-
tion.

8. The Chairman may, in writing, authorise any member of the Corporation to exercise any power or perform any function conferred on the Chairman by this Act.

Vacation of
office.

9. The seat of a member of the Corporation shall become vacant —

(a) on his death;

(b) if he, without sufficient cause (the sufficiency thereof to be decided by the Corporation) fails to attend 3 consecutive meetings of the Corporation;

(c) if he becomes in any manner disqualified for membership of the Corporation;

(d) if he resigns his seat; or

(e) if his appointment is revoked.

10. If a vacancy occurs in the membership of the Corporation, the Minister may, subject to paragraph 1, appoint any person to fill the vacancy and the person so appointed shall hold office for so long as the member in whose place he is appointed would have held office.

Filling of vacancies.

11. The Minister may grant to the Chairman or any other member of the Corporation such leave of absence as the Minister may think fit.

Leave of absence.

12. No person shall be eligible to be appointed or to remain a member of the Corporation who —

Disqualification from membership.

(a) is an undischarged bankrupt or has made any arrangement with his creditors;

(b) is incapacitated by physical or mental illness; or

(c) is otherwise unable or unfit to discharge the functions of a member.

13.—(1) Every person appointed to be a member of the Corporation shall, within 3 months after his appointment, sell or dispose of all his shares in any postal or telecommunication enterprise which at the time of his appointment he owns or has an interest in for his own benefit, and it shall not be lawful for any member of the Corporation, whilst he holds office as such, to purchase or acquire an interest in, for his own benefit, any shares in any postal or telecommunication enterprise, and if any member of the Corporation becomes entitled, for his own benefit under any will or succession, to any shares in any postal or telecommunication enterprise, he shall sell or dispose of the same within 3 months after he has become entitled thereto.

Members of Corporation to dispose of interest in any postal or telecommunication enterprise.

(2) The Minister may waive the requirements of sub-paragraph (1) in any specific case.

(3) Any member of the Corporation who purchases, takes or retains an interest in any postal or telecommunication enterprise in contravention of this paragraph shall be disqualified from, and be deemed thereupon to have vacated, his office as a member, and the Chairman shall cause an entry to that effect to be made in the minutes of the Corporation as soon as practicable after the fact of any such contravention comes to his knowledge and shall cause a notification of the vacation of office to be published in the *Gazette*.

(4) The fact of any person disqualified under this paragraph having sat on or taken part in any proceedings of the Corporation before the entry as aforesaid has been made in the minutes shall not invalidate any resolution or proceeding of the Corporation.

(5) In this paragraph “shares in any postal or telecommunication enterprise” means any stock, shares, debentures, debenture stock, bonus or other securities of any company engaged in providing any information communication service, or in the installation, sale or manufacture of any postal or telecommunication equipment, and includes any share or interest in any unincorporated undertaking similarly engaged.

Disclosure
of interest
by
members.

14.—(1) If a member of the Corporation has a pecuniary interest, direct or indirect, in any contract, proposed contract or other matter which is before any meeting of the Corporation, he shall at that meeting declare the nature of his interest and shall not take part in the consideration or discussion of, or vote on any question with respect to that contract or other matter, and if the Chairman or the person presiding at that meeting so directs, he shall withdraw from the meeting during the consideration or discussion.

(2) For the purpose of determining whether there is a quorum, a member shall be treated as being present at a meeting notwithstanding that, under this paragraph, he cannot vote or has withdrawn from the meeting.

Sealing of
documents.

15.—(1) All deeds, documents and other instruments requiring the seal of the Corporation shall be sealed with the common seal of the Corporation in the presence of any two officers of the Corporation duly authorised by the Corporation to act in that behalf and shall be signed by those officers and such signing shall be sufficient evidence that the common seal of the Corporation has been duly and properly affixed and that the seal is the lawful common seal of the Corporation.

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

Cap. 269.

(3) Section 12 of the Registration of Deeds Act shall not apply to any instrument purporting to have been executed under sub-paragraph (1).

Salaries and
fees pay-
able to
members
of Cor-
poration.

16. There shall be paid to the members of the Corporation, out of the funds of the Corporation, such salaries, fees and allowances as the Minister may from time to time determine.

Quorum.

17.—(1) The Corporation shall ordinarily meet for the despatch of business at such times and places as the Chairman may from time to time appoint.

(2) The quorum at every meeting of the Corporation shall consist of 5 members.

(3) A decision at a meeting of the Corporation shall be adopted by a simple majority of the members present and voting except that in the case of an equality of votes the Chairman of the meeting shall have a casting vote.

(4) Where not less than 4 members of the Corporation request the Chairman by notice in writing signed by them to convene a meeting of the Corporation for any purpose specified in the notice, the Chairman shall, within 7 days from the receipt of the notice, convene a meeting for that purpose.

Vacancies.

18. The Corporation may act notwithstanding any vacancy in its membership.

19. Subject to this Act, the Corporation may make rules regulating its own procedure generally and, in particular, regarding the holding of meetings, the notice to be given of such meetings, the proceedings thereat, the keeping of minutes, the custody, production and inspection of such minutes, and the opening, keeping, closing and auditing of accounts.

Procedure
at
meetings.

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

Appoint-
ment of
committees
and delega-
tion of
powers.

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

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

(4) The Corporation may continue to exercise a power conferred upon it, or perform a function or duty under this Act, notwithstanding the delegation of the power, function or duty under this paragraph.

SECOND SCHEDULE

Section 7 (1).

POWERS OF THE CORPORATION

1. To operate every installation or plant for information communication and all movable and immovable property used in connection therewith which is or which may be acquired by the Corporation under this Act.

2. To utilise all the property of the Corporation, movable and immovable, in such manner as the Corporation may think expedient including the raising of loans by mortgaging such property.

3. To acquire or dispose of, in accordance with this Act, any property movable or immovable, which the Corporation thinks necessary or expedient for the purpose of constructing, extending or maintaining any installation or plant for information communication or otherwise carrying out its functions under this Act.

4. To purchase, construct, reconstruct, install and maintain any installation or plant for information communication.

5. To sell, hire, let or otherwise supply any installation or plant for information communication and install, repair, maintain or remove such installation or plant.

6. To lease or let, with or without taking a premium, any property vested in or acquired by it or to grant easements, rights of way, temporary licences or other rights or privileges over, under, through or in respect of any land or building belonging to or vested in the Corporation upon such terms and conditions as the Corporation may think fit.

7. To subscribe for or acquire any securities, stocks and shares of an incorporated company or other body corporate, to procure its admission to membership of an incorporated company limited by guarantee and not having a share capital, to promote the formation of an incorporated company or participate in the promotion of such company or to acquire an undertaking or part of an undertaking.

8. To levy such rates, charges and fees and to decide such rates or apportionment thereof as between itself and other postal or telecommunication authorities as may in its opinion be appropriate.

9. To carry out such other works or activities as may appear to the Corporation to be requisite, advantageous or convenient, with a view to making the best use of any of the assets of the Corporation.

10. To provide data processing services and other services for the dissemination of information by means of telecommunications.

11. To control and regulate the dealing in and use of telecommunication equipment.

12. To control and regulate interference to telecommunications in Singapore by electric or other means.

13. To conduct or to supervise the conduct of proficiency examinations leading to certificates of competency for any person for the purpose of operating any information communication service or for the grant of a licence by the Corporation.

14. To engage alone or in conjunction with other corporations, in the production, manufacture or sale of equipment whether in Singapore or elsewhere.

15. To engage in conjunction with other authorities, or international agencies or organisations for the purposes of promoting information communication services.

16. To grant loans to employees of the Corporation for such purposes specifically approved by the Corporation as are likely to increase the efficiency of employees.

17. To grant or guarantee loans to any employee of the Corporation for the purchase of a house, land or a flat for the use or occupation of the employee and his family (if any).

18. To make provision for the specialised training of any employee of the Corporation, and, in that connection, may offer scholarships to intending trainees or otherwise pay for the cost of the training and all expenditure incidental thereto.

19. To enter into all such contracts for the supply of goods or materials or for the execution of works or any other contract as may be necessary for the discharge of its duties and functions under this Act.

20. To operate such agency services as the Corporation thinks fit.

21. To operate services for the remittance of money and to prescribe documents for use in connection therewith.

THIRD SCHEDULE

Section 19.

FINANCIAL PROVISIONS

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

2. The Corporation 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 custody of, the Corporation and over the expenditure incurred by the Corporation.

3. The accounts of the Corporation shall be audited by the Auditor-General or by an auditor appointed annually by the Minister in consultation with the Auditor-General.

4. A person shall not be qualified for appointment as an auditor under paragraph 3 unless he is an approved company auditor under the Companies Act.

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5. The auditor shall be paid out of the funds of the Corporation.

6. The Corporation 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.

7. The auditor shall in his report state —

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

8. The auditor may at any other time report to the Minister through the Corporation upon any matter arising out of the performance of his audit.

9. The auditor or any person authorised by him is entitled at any reasonable time to full and free access to all accounting and other records relating directly or indirectly to the financial transactions of the Corporation.

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

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

12. Any person who fails without any reasonable cause to comply with any requirement of the auditor under paragraph 11 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 \$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.

13. As soon as the accounts of the Corporation and the financial statements have been audited in accordance with 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.

14. Where the Auditor-General is not 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 Corporation.

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