

THE STATUTES OF THE REPUBLIC OF SINGAPORE

CENTRAL SIKH GURDWARA BOARD ACT
(CHAPTER 357)

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17 of 1981

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Central Sikh Gurdwara Board Act

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An Act to provide for the amalgamation of the Queen Street Gurdawara Board of Trustees (Incorporated) and the Silat Road Gurdwara Board of Trustees (Incorporated) into a single body corporate to be called the Central Sikh Gurdwara Board and for purposes connected therewith.

[2nd October 1981]

1. This Act may be cited as the Central Sikh Gurdwara Board Act. Short title.

2.—(1) There shall be constituted in Singapore a body corporate under the name of the Central Sikh Gurdwara Board (referred to in this Act as the Board). Incorporation of Board.

(2) The Board may sue and be sued in its said name and shall have perpetual succession and a common seal which seal the Board may from time to time alter or make anew as it shall see fit to do.

(3) All deeds, documents and other instruments requiring the seal of the Board shall be sealed with the common seal of the Board in the presence of the President, the Treasurer and the Secretary of the Board, and shall be signed by the President, the Treasurer and the Secretary of the Board. Such signing shall be taken as sufficient evidence of the due sealing of those deeds, documents and other instruments.

Constitu-
tion of
Board.

3.—(1) The Board shall consist of —

- (a) ten members to be appointed by the Minister; and
- (b) fifteen elective members elected in accordance with subsection (2),

all of whose names shall be on the Membership Register.

(2) The elected members shall be elected by secret ballot biennially by persons whose names are on the Membership Register.

(3) No person shall be appointed or elected a member of the Board unless he is a citizen of Singapore.

Officials
of Board.

4.—(1) The Board shall elect a President, a Treasurer and a Secretary and may elect such other officials as it may consider necessary, all of whom shall be from among the members of the Board except that no member of the Board shall hold office as a Treasurer for more than two years consecutively.

(2) The persons so elected under subsection (1) are in this Act referred to as officials of the Board.

Membership
Register.

5. The Board shall maintain a Membership Register wherein shall be entered the names of persons who have made declarations that —

- (a) they profess the Sikh religion;
- (b) they are not less than 21 years of age; and
- (c) they are ordinarily resident in Singapore.

6.—(1) Any member of the Board who is absent from Singapore for more than 4 months at a time without reasonable cause or otherwise becomes incapable of acting in his office, and any member of the Board who fails to attend 3 consecutive meetings of the Board duly convened shall be deemed to have vacated his office.

Vacation of office of member of Board, etc.

(2) (a) Every appointed member of the Board shall hold office for a term of two years, but may continue in office until the appointment of his successor in office.

(b) Every elected member of the Board shall hold office for a term of two years, but may continue in office until the election of his successor in office.

(3) Every appointed member and every elected member shall be eligible for reappointment or re-election, as the case may be.

(4) If any member of the Board dies, resigns or is declared a bankrupt, or is deemed to have vacated his office in accordance with subsection (1) or is removed by the Minister under section 11, the vacancy so created shall be filled as soon as practicable in accordance with section 3 and every person so appointed or elected shall hold office for the residue of the term for which his predecessor was appointed or elected.

(5) Where the Board is of the opinion that it is not reasonably practicable to fill the vacancy of an elected member in accordance with section 3, the Board may, with the approval of the Minister, appoint a person whose name is on the Membership Register to fill the vacancy so created, and any person so appointed shall hold office for the residue of the term for which his predecessor was elected.

7.—(1) The Board shall act in accordance with the terms of resolutions passed at meetings of the Board. At any such meeting 12 members present shall form a quorum. No business shall be transacted unless a quorum is present.

Duties of Board.

(2) Notwithstanding subsection (1), the Board shall be bound by and shall give effect to any resolution that may be passed at any general meeting of persons whose names are on the Membership Register.

Meetings
of Board.

8.—(1) The President of the Board shall preside at all meetings of the Board. If the President of the Board is not present at any meeting, the members present at the meeting shall elect one of their number to preside at the meeting.

(2) Resolutions of the Board shall be in accordance with the votes of the majority of the members present. In the event of an equality of votes, the President of the Board or the person presiding at the meeting shall have a casting vote.

Board may
exercise
powers
despite
vacancy.

9. The Board may at all times exercise all its powers and carry out all its duties under this Act notwithstanding that there shall be any vacancy or vacancies in the membership of the Board.

Minutes.

10.—(1) The Secretary of the Board shall keep minutes of all meetings of the Board and at every meeting the minutes of the previous meeting, which shall have been previously circulated to members of the Board, shall be confirmed, subject to any amendment which may be required.

(2) The minutes referred to in subsection (1) shall be entered in the minute book of the Board and shall include a full record of every resolution of the Board. A copy of the minutes shall be sent to the Minister.

Removal of
members
from
Board.

11. The Minister may remove any member of the Board —

- (a) if his conduct, whether in connection with the duties of his office or otherwise, is in the opinion of the Minister such as to bring discredit to the Board;
- (b) if for any reason he becomes unable properly to carry out his duties; or
- (c) if the Minister considers it desirable in the public interest to remove him from the Board.

Powers of
Board.

12. The Board may —

- (a) acquire, purchase, lease, hold and enjoy movable and immovable property of every description for use in connection with any temple except that the Board shall not exercise such powers in regard to immovable property without a resolution being first passed at a general meeting of

persons whose names are on the Membership Register;

- (b) sell, exchange, convey, assign, surrender, mortgage, demise, reassign, transfer or otherwise dispose of and deal with any of such property except that the Board shall not exercise such powers in regard to immovable property without a resolution being first passed at a general meeting of persons whose names are on the Membership Register;
- (c) erect such buildings on land belonging to the Board or on land acquired by the Board as may appear to the Board necessary or desirable for the purposes of any temple or for use in connection therewith; and
- (d) raise funds by means of voluntary subscriptions for the purposes of exercising its powers, performing its duties and discharging its obligations under this Act.

13.—(1) All funds belonging to the Board shall be kept in a bank or banks as may be approved by the Board. Funds of Board.

(2) The Board's funds shall be preserved, invested, utilised, disposed of and paid out in accordance with the resolutions passed under section 8 (2) and with any rules made under section 16.

14.—(1) The Board shall at least once in every year prepare an account of the funds and other property of the Board and of the way in which such funds and other property have been utilised and disposed of. Accounts.

(2) All such accounts shall be signed by the Treasurer of the Board and shall be audited by two persons whose names are on the Membership Register and have been elected to serve as such at the biennial general meeting of persons whose names are on the Membership Register. The Minister shall appoint the first two auditors.

(3) The Board shall, as soon as possible after its accounts have been audited, submit a copy thereof to the Minister.

Liability
of members
of Board.

15. No member of the Board shall be personally liable for or in connection with any act or omission done or committed in good faith and without gross negligence as such member of the Board nor for any debt, liability, act or omission of the Board.

Rules.

16. The Board may, with the approval of the Minister, make rules not inconsistent with the provisions of this Act for all or any of the following purposes:

- (a) to regulate the keeping, revision and publication of the Membership Register, and to prescribe the conditions required to be complied with, including the payment of fees, to entitle a person to have his name entered on the Membership Register;
- (b) to regulate the election of members of the Board, and to provide for the declaration and publication of the results of such election;
- (c) to regulate the calling and conduct of general meetings of persons whose names are on the Membership Register, and the procedure in the transaction of business thereat;
- (d) to regulate the election of officials of the Board and to provide for the declaration and publication of the results of that election;
- (e) to regulate the proceedings of the Board, the calling of meetings and the procedure for the transaction of business;
- (f) for the appointment of sub-committees;
- (g) to regulate the appointment, conduct, dismissal and remuneration of granthis or priests, ragis or musicians, and such other religious personnel as the Board may think fit;
- (h) to allocate duties to and to regulate the executive power of the Board, sub-committees and officials of the Board;
- (i) to regulate the keeping, audit, presentation and publication of accounts, including quarterly accounts; and to provide for the inspection of accounts by persons whose names are on the Membership Register;

- (j) to regulate the conduct of religious services and other ceremonies customary among the followers of the Sikh religion;
- (k) to regulate the admission of boarders, inmates or visitors;
- (l) to regulate the appointment, conduct, dismissal and remuneration of servants of the Board;
- (m) to regulate the use of any portion of the land and premises vested in the Board for the purposes of education; and
- (n) generally to carry out the purposes of this Act.

17. Any writ of summons or other legal process and any notice may be served on the Board by serving it on an official of the Board or by leaving it at, or sending it by registered post to, the Central Sikh Temple, Singapore. Service of documents.

18. Nothing in this Act shall affect the rights of the Government or of any bodies politic or corporate or of any other persons, except such persons as are mentioned in this Act and those claiming by, from or under them. Saving of other rights.

19. Upon the commencement of this Act, all property, movable and immovable, vested in the Queen Street Gurdawara Board of Trustees (Incorporated) and the Silat Road Gurdwara Board of Trustees (Incorporated) (referred to in this Act as the former Boards) for purposes relating to the Sikh religion or on trust for religious or charitable purposes for the benefit of persons professing the Sikh religion shall vest in the Board without further assurance for the like title, estate or interest and in the like tenure and for the like purposes as the same was vested or held immediately before the commencement of this Act. Vesting of property in Board.

20.—(1) Subject to subsection (2), every agreement, whether in writing or not, to which any of the former Boards was a party immediately before the commencement of this Act, and whether or not of such nature that the rights and liabilities thereunder could be assigned, shall have effect as from the commencement of this Act as if — Transitional provision.

- (a) the Board had been a party to such an agreement; and

(b) for any reference (however worded and whether expressed or implied) to the former Boards there were substituted in respect of anything to be done on or after the commencement of this Act a reference to the Board.

(2) The appointment of any officer or employee of the former Boards subsisting immediately before the commencement of this Act shall, if that officer or employee so agrees, be deemed to be made by the Board, and for the purpose of determining the rate of pension and gratuities on retirement the service of that officer or employee shall be regarded as continuous from the time he was appointed by the former Boards.

(3) Where anything has been commenced by or under the authority of the former Boards before the commencement of this Act, that thing may be carried on and completed by or under the authority of the Board.

(4) All rights, obligations and liabilities which immediately before the commencement of this Act were vested in or incurred by the former Boards shall pass by succession to the Board, and the Board shall have all powers necessary to recover and deal with those rights and discharge those obligations and liabilities. [21