

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**CIVIL AVIATION AUTHORITY OF SINGAPORE ACT  
(CHAPTER 41)**

**Act  
12 of 1984**

**Amended by  
32 of 1986**

**REVISED EDITION 1985**

# Civil Aviation Authority of Singapore Act

## ARRANGEMENT OF SECTIONS

### PART I

#### PRELIMINARY

Section

1. Short title.
2. Interpretation.

### PART II

#### ESTABLISHMENT, INCORPORATION AND CONSTITUTION OF AUTHORITY

3. Establishment and incorporation of Civil Aviation Authority of Singapore.
4. Common seal.
5. Constitution of Authority.

### PART III

#### FUNCTIONS AND POWERS OF AUTHORITY

6. Functions of Authority.
7. Powers of Authority.
8. Appointment of committees and delegation of powers.
9. Directions by Minister.
10. Annual report.

### PART IV

#### PROVISIONS RELATING TO STAFF

11. Appointment of chief executive officer and other employees.
12. Protection from personal liability.
13. Public servants for purposes of Penal Code.

PART V

FINANCIAL PROVISIONS

Section

- 14. Expenses.
- 15. Power to borrow.
- 16. Grants.
- 17. Bank accounts and application of revenue.
- 18. Investment.
- 19. Financial provisions.

PART VI

TRANSFER OF ASSETS AND LIABILITIES AND OF EMPLOYEES

- 20. Transfer to Authority of property, assets and liabilities of Department of Civil Aviation.
- 21. Transfer of employees.
- 22. Pension rights, etc., of Government employees to be preserved.
- 23. No benefits in respect of abolition or re-organisation of office.
- 24. Existing contracts.
- 25. Pending proceedings.
- 26. Continuation and completion of disciplinary proceedings.
- 27. Misconduct or neglect of duty by employee before transfer.

PART VII

GENERAL

- 28. Compulsory acquisition of land.
- 29. Damage to property.
- 30. Owner or person in charge of aircraft answerable for damage.
- 31. Remission of charges.
- 32. Power to distrain for non-payment of charges, etc.
- 33. Authority's symbol.
- 34. Obstructing employees of Authority.
- 35. Sanction of Public Prosecutor.
- 36. Offences committed by body corporate.
- 37. Returns and information.
- 38. Power to remove persons, vehicles, etc.
- 39. Power to require evidence of identity.
- 40. Power of arrest.
- 41. Money to be paid to Authority.
- 41A. Compounding of offences.
- 42. Regulations.
- 43. Transitional provisions.

First Schedule — Constitution and proceedings of Authority.

Second Schedule — Financial provisions.

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An Act to establish and incorporate the Civil Aviation Authority of Singapore, to provide for its functions, and for matters connected therewith.

[1st September 1984]

## PART I

### PRELIMINARY

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

2. In this Act, unless the context otherwise requires — Inter-pretation.
- “aerodrome” means any area of land or water including any building, installation and equipment intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;
  - “Authority” means the Civil Aviation Authority of Singapore established under section 3;
  - “Authority’s aerodrome” means any aerodrome vested in or acquired by the Authority under this Act and includes any aerodrome maintained or managed by the Authority;
  - “Chairman” means the Chairman of the Authority and includes any temporary Chairman of the Authority;
  - “chief executive officer” means the chief executive officer of the Authority and includes any person acting in that capacity;
  - “Deputy Chairman” means the Deputy Chairman of the Authority and includes any temporary Deputy Chairman of the Authority;
  - “member” means a member of the Authority;
  - “Singapore Flight Information Region” means the area within which air navigation services are provided by the Government in accordance with the International Civil Aviation Organisation Asia/Pacific Regional Air Navigation Plan;
  - “Singapore Search and Rescue Region” means the Singapore Flight Information Region and any area within which search and rescue services are provided by the Government.

## PART II

ESTABLISHMENT, INCORPORATION AND CONSTITUTION  
OF AUTHORITY

Establishment and incorporation of Civil Aviation Authority of Singapore.

**3.** There is hereby established a body to be known as the Civil Aviation Authority of Singapore which shall be a body corporate with perpetual succession and a common seal and shall, by that name, be capable of —

- (a) suing and being sued;
- (b) acquiring, owning, holding and developing or disposing of property, both movable and immovable; and
- (c) doing and suffering such other acts or things as bodies corporate may lawfully do and suffer.

Common seal.

**4.—(1)** All deeds and other documents requiring the seal of the Authority shall be sealed with the common seal of the Authority and every instrument to which the common seal is affixed shall be signed by any two members generally or specially authorised by the Authority for the purpose or by one member and the chief executive officer.

(2) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Authority affixed to any document and shall presume that it was duly affixed.

Constitution of Authority.

**5.—(1)** The Authority shall consist of —

- (a) a Chairman; and
- (b) not less than 6 nor more than 10 other members as the Minister may from time to time determine.

(2) The First Schedule shall have effect with respect to the Authority, its members and proceedings.

## PART III

## FUNCTIONS AND POWERS OF AUTHORITY

Functions of Authority.

**6.** The functions of the Authority shall be —

- (a) to maintain and manage the Authority's aerodrome and to provide such services and facilities as are necessary or expedient for its operations;
- (b) to provide air traffic control service, flight information service, alerting service and aeronautical

- information service within the Singapore Flight Information Region;
- (c) to provide or co-ordinate search and rescue services to aircraft in distress within the Singapore Search and Rescue Region;
  - (d) to provide adequate fire fighting and rescue services and facilities at the Authority's aerodrome;
  - (e) to regulate, and to promote the development of, air transport;
  - (f) to encourage, promote, facilitate and assist in the development and improvement of aerospace industries;
  - (g) to advise the Government on all matters relating to civil aviation;
  - (h) to act internationally as the national authority or body representing Singapore in respect of matters relating to civil aviation; and
  - (i) to perform such other functions as may be delegated to the Authority by the Minister under the Air Navigation Act.

Cap. 6.

7.—(1) The Authority shall have power to do anything for the purpose of discharging its functions under this Act, or which is calculated to facilitate the discharge of those functions and in particular may —

Powers of Authority.

- (a) provide or acquire or assume the maintenance or management of any aerodrome in Singapore in addition to the aerodrome vested in or acquired by the Authority under this Act;
- (b) with the approval of the Minister, take up and subscribe for or otherwise acquire shares in any company or form or participate in the formation of a company;
- (c) with the approval of the Minister, enter into a partnership or an arrangement for the sharing of profits;
- (d) provide information relating to air safety by means of publications issued by the Authority or by any other means;

- (e) engage in any activity, either alone or in conjunction with other civil aviation authorities or international agencies or organisations, for the purposes of promoting and developing civil aviation;
- (f) provide technical advice or assistance, including training facilities, for any person as respects any matter in which the Authority has skill or experience;
- (g) enter into all contracts for the supply of goods, services or materials or for the execution of works or any other contracts as may be necessary for the discharge of its duties and functions under this Act;
- (h) utilise all the property of the Authority, movable and immovable, in such manner as the Authority may think expedient including the raising of loans by mortgaging such property;
- (i) carry out such other works or activities as may appear to the Authority requisite, advantageous or convenient, with a view to making the best use of any of the assets of the Authority;
- (j) recover any expenses incurred by the Authority in connection with bilateral air services negotiations and consultations from the airline designated by the Government for the purpose of those negotiations and consultations;
- (k) make charges for the use of any facility or service provided by the Authority;
- (l) grant loans to employees of the Authority for any purposes specifically approved by the Authority;
- (m) provide recreational facilities for employees of the Authority; and
- (n) provide training for employees of the Authority or other civil aviation organisations and to award scholarships or otherwise pay for the training.

(2) The Minister may delegate to the Authority any of his functions and powers under the Air Navigation Act or the subsidiary legislation made thereunder.

**8.—(1)** The Authority may appoint from among its own members or other persons who are not members 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 Authority, would be better regulated and managed by means of those committees.

Appointment of committees and delegation of powers.

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

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

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

**9.—(1)** The Minister may, after consultation with the Authority, give such directions, not inconsistent with the provisions of this Act, to the Authority as to the exercise and performance by the Authority of its functions and powers, and the Authority shall give effect to any such directions.

Directions by Minister.

(2) The Authority shall furnish the Minister with such information or facilities for obtaining information with respect to its property and activities as the Minister may from time to time require.

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

Annual report.

**PART IV**

**PROVISIONS RELATING TO STAFF**

Appointment of chief executive officer and other employees.

**11.—**(1) The Authority shall, after consultation with the Public Service Commission and with the approval of the Minister, appoint a chief executive officer on such terms and conditions as the Authority may determine.

(2) The chief executive officer shall —

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

(3) If the chief executive officer is temporarily absent from Singapore, or is temporarily unable to perform his duties by reason of illness or otherwise, another person may be appointed by the Authority to act in the place of the chief executive officer during any such period of absence from duty.

(4) The Authority may from time to time appoint such other employees and agents as it thinks fit for the effective performance of its functions on such terms and conditions as the Authority may determine.

Protection from personal liability.

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

Public servants for purposes of Penal Code. Cap. 224.

**13.** All members, officers and employees of the Authority shall be deemed to be public servants for the purposes of the Penal Code.

**PART V**

**FINANCIAL PROVISIONS**

Expenses.

**14.—**(1) Except as otherwise provided, all expenses incurred in carrying out the purposes of this Act shall be met from the funds of the Authority.

(2) Notwithstanding any other provisions of this Act, the Minister may, at any time before 1st September 1984, do all such acts and incur all such expenses as he may consider necessary in connection with the establishment of the Authority and upon that date all such acts and expenses shall be deemed to have been done and incurred by the Authority.

15. The Authority may from time to time for the purposes of this Act raise loans from the Government or, with the consent of the Minister, from any other source.

Power to borrow.

16. For the purpose of enabling the Authority to carry out its functions under this Act, the Minister may from time to time make grants-in-aid to the Authority of such sums of money as the Minister may determine out of moneys to be provided by Parliament.

Grants.

17.—(1) The Authority shall open and maintain an account or accounts with such bank or banks as the Authority thinks fit; and every such account shall be operated upon as far as practicable by cheque signed by such person or persons as may from time to time be authorised in that behalf by the Authority.

Bank accounts and application of revenue.

(2) The moneys of the Authority shall be applied only in payment or discharge of the expenses, obligations and liabilities of the Authority and in making any payments that the Authority is authorised or required to make.

18. Moneys belonging to the Authority may, with the approval of the Minister, be invested in such securities as trustees may by any written law be authorised to invest.

Investment.

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

Financial provisions.

## PART VI

### TRANSFER OF ASSETS AND LIABILITIES AND OF EMPLOYEES

20.—(1) As from 1st September 1984, all movable and immovable property vested in the Government immediately before that date and used or managed by the Department of Civil Aviation, including all movable and immovable property at the Changi Airport and leased out by the Government, and all assets, rights, interests, privileges, liabilities and obligations of the Government

Transfer to Authority of property, assets and liabilities of Department of Civil Aviation.

relating to that Department shall, subject to subsection (2), be transferred to and shall vest in the Authority without further assurance.

(2) Any immovable property to be transferred to and vested in the Authority under subsection (1) shall be held by the Authority upon such tenure and subject to such terms and conditions as the President may determine.

(3) If any question arises as to whether any particular movable or immovable property, or whether any particular asset, right, interest, liability or obligation has been transferred to or vested in the Authority under subsection (1), a certificate under the hand of the Minister for Finance shall be conclusive evidence that the property, asset, right, interest, liability or obligation was or was not so transferred or vested.

Transfer of  
employees.

**21.—**(1) As from 1st September 1984, such categories of persons employed immediately before that date in the Department of Civil Aviation as the Minister may determine shall be transferred to the service of the Authority on terms not less favourable than those enjoyed by them immediately prior to their transfer.

(2) Until such time as terms and conditions of service are drawn up by the Authority, the scheme and terms and conditions of service in the Government shall continue to apply to every person transferred to the service of the Authority under subsection (1) as if he were still in the service of the Government.

Pension  
rights, etc.,  
of Govern-  
ment  
employees  
to be  
preserved.

**22.—**(1) The terms and conditions to be drawn up by the Authority shall take into account the salaries and terms and conditions of service, including any accrued rights to leave, enjoyed by the persons transferred to the service of the Authority under section 21 while in the employment of the Government; and any such term or condition relating to the length of service with the Authority shall provide for the recognition of service under the Government by the persons so transferred to be service by them under the Authority.

(2) Nothing in the terms and conditions to be drawn up by the Authority shall adversely affect the conditions that would have been applicable to persons transferred to the service of the Authority as regards any pension, gratuity or allowance payable under the Pensions Act.

(3) In every case where a person has been transferred to the service of the Authority under section 21, the Government shall be liable to pay to the Authority such portion of any gratuity, pension or allowance payable to that person on his retirement or otherwise leaving the service of the Authority 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 both the Government and the Authority.

(4) Where any person in the service of the Authority whose case does not come within the scope and effect of any pension or other schemes established under this section retires or dies in the service of the Authority or is discharged from such service, the Authority may grant to him or to such other person or persons wholly or partly dependent on him, as the Authority thinks fit, such allowance or gratuity as the Authority may determine.

(5) Where any person who is transferred to the service of the Authority under section 21 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 Authority and for the purposes of that Act his service with the Authority shall be deemed to be service with the Government.

Cap. 350.

23. Notwithstanding the provisions of the Pensions Act, no person who is transferred to the service of the Authority under section 21 shall be entitled to claim any benefit under the Pensions Act on the ground that he has been retired from the service of the Government on account of abolition or re-organisation of office in consequence of the establishment and incorporation of the Authority.

No benefits in respect of abolition or re-organisation of office.  
Cap. 225.

24. All deeds, bonds, agreements, instruments and arrangements, subsisting immediately before 1st September 1984, relating to the Department of Civil Aviation or to any person transferred to the service of the Authority under section 21 shall continue in force on and after that date and shall be enforceable by or against the Authority as if the Authority had been named therein or had been a party thereto.

Existing contracts.

Pending proceedings.

**25.** Any proceeding or cause of action pending or existing immediately before 1st September 1984 by or against the Government in respect of the Department of Civil Aviation or any person acting on its behalf may be continued and enforced by or against the Authority.

Continuation and completion of disciplinary proceedings.

**26.—(1)** Where on 1st September 1984 any disciplinary proceedings were pending against any employee of the Government transferred to the service of the Authority, the proceedings shall be carried on and completed by the Authority; but where on that date any matter was in the course of being heard or investigated or had been heard or investigated by a committee acting under due authority but no order or decision had been rendered thereon, the committee shall complete the hearing or investigation and make such order, ruling or direction as it could have made under the authority vested in it before that date.

(2) An order, ruling or direction made or given by a committee pursuant to this section shall be treated as an order, ruling or direction of the Authority and have the same force or effect as if it had been made or given by the Authority pursuant to the authority vested in the Authority under this Act.

Misconduct or neglect of duty by employee before transfer.

**27.** The Authority may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person who had, whilst he was in the employment of the Government, been guilty of any misconduct or neglect of duty which would have rendered him liable to be reprimanded, reduced in rank, retired, dismissed or punished in some other manner if he had continued to be in the employment of the Government as if this Act had not been enacted.

## PART VII

### GENERAL

Compulsory acquisition of land.

**28.—(1)** Where any immovable property, not being State land, is needed for the purpose of the Authority, the President may, if he thinks fit, direct the acquisition of the immovable property; in such a case, the immovable property may be acquired in accordance with the provisions of any written law relating to the acquisition of land for a public purpose, and any declaration required under any

such written law that the property is so needed may be made (notwithstanding that compensation is to be paid out of the funds of the Authority) and the declaration shall have effect as if it were a declaration that the property is needed for a public purpose made in accordance with such written law.

(2) The Authority shall not, without the consent of the Minister, sell, exchange or otherwise dispose of any land or any interest therein acquired by it under this section or vested in it under section 20.

**29.**—(1) If any person wilfully removes, destroys or damages any property belonging to the Authority or hinders or prevents the property from being used or operated in the manner in which it is intended to be used or operated, he 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 6 months or to both, and, on application by the Authority, a court may order the offender to pay compensation to the Authority for any damage done by him.

Damage to property.

(2) Any person may apprehend any other person if that other person commits, within his view, an offence under this section and shall on such apprehension, without unreasonable delay, hand over the person so apprehended to a police officer.

**30.**—(1) In every case in which any damage is done to any property of the Authority by any aircraft or by any person employed in or about the aircraft, the cost of making good such damage may be recovered by the Authority from the owner or person in charge of the aircraft.

Owner or person in charge of aircraft answerable for damage.

(2) The Authority may detain such aircraft until the cost of making good such damage has been paid to the Authority or security has been given to the Authority for the amount thereof.

**31.** The Authority may, if it thinks fit, remit or waive the whole or any part of any charges or fees paid or payable to the Authority.

Remission of charges.

**32.**—(1) If the owner or person in charge of any aircraft in respect of which any charges or penalties are payable under this Act or any regulations made thereunder refuses or neglects to pay the same or any part thereof on demand, the Authority may, without prejudice to any other remedy

Power to distrain for non-payment of charges, etc.

which it may have, distrain or arrest the aircraft and detain the aircraft until the amount so due is paid.

(2) If the costs of distress or arrest, or of the keeping of the aircraft or if the amount due under subsection (1) remains unpaid within 14 days of the date of the distress or arrest, the Authority may cause the aircraft so distrained or arrested to be sold, and may use the proceeds of the sale to satisfy those charges or penalties and costs, including costs of sale, remaining unpaid.

(3) Any surplus proceeds under subsection (2) shall be payable to the owner or person in charge of the aircraft on demand. If the surplus is not claimed within two years, it shall be paid into the funds of the Authority.

Authority's  
symbol.

**33.—**(1) The Authority shall have the exclusive right to the use of such symbol or representation as it may select or devise and thereafter display or exhibit in connection with its activities or affairs.

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

Obstructing  
employees of  
Authority.

**34.** Any person who obstructs or hinders any officer, employee or agent of the Authority acting in the discharge of his duty under this Act or any regulations made thereunder 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 3 months or to both.

Sanction of  
Public  
Prosecutor.

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

Offences  
committed  
by body  
corporate.

**36.** 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.

**37.—**(1) The Authority or any person authorised in that behalf by the Authority may by notice require any person to furnish to the Authority 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 necessary for the Authority under this Act and as are within the knowledge of that person or in his custody or under his control.

Returns and information.

(2) Any person, required by notice under this section to furnish any return or information, who fails to comply with any requirement of the notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

**38.** A police officer may remove from the Authority's aerodrome or any part of such aerodrome —

Power to remove persons, vehicles, etc.

- (a) any person who, in contravention of this Act or any regulations made thereunder, fails or refuses to leave the aerodrome or any part thereof after being requested by such an officer to do so; and
- (b) any vehicle or thing brought to or left within the aerodrome or any part thereof in contravention of any provisions of this Act or regulations made thereunder and any vehicle or thing likely to cause danger or obstruction.

**39.—**(1) A police officer who reasonably believes that a person has committed an offence under this Act or any regulations made thereunder may require that person to furnish such evidence of his identity as may be required by the officer.

Power to require evidence of identity.

(2) Any person who refuses to furnish any information required of him by a police officer under this section or wilfully mis-states such information shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

Power of  
arrest.

**40.** A police officer may without warrant arrest a person within the Authority's aerodrome —

- (a) if he has reasonable cause to believe that that person has contravened any provisions of this Act or any regulations made thereunder and he does not know or cannot ascertain that person's name and address; or
- (b) if that person, in contravention of this Act or any regulations made thereunder, fails or refuses to leave the aerodrome or any particular part thereof after being requested by such an officer to do so.

Money to  
be paid to  
Authority.  
Cap. 6.

**41.** All moneys collected by the Authority under the Air Navigation Act or any subsidiary legislation made thereunder shall be paid into the funds of the Authority.

Compound-  
ing of  
offences.  
32/86.

**41A.—(1)** The Authority may, in its discretion, compound any offence under this Act or any regulations made thereunder which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$200.

(2) The Authority may, with the approval of the Minister, make regulations to prescribe the offences which may be compounded.

Regulations.

**42.—(1)** The Authority may, with the approval of the Minister, make regulations for carrying out the purposes and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Authority may, with the approval of the Minister, make regulations —

- (a) for prohibiting or restricting access to any part of the Authority's aerodrome;
- (b) for preserving order within the Authority's aerodrome and preventing damage to property therein;
- (c) for prescribing the charges that may be made for services or facilities provided by the Authority;
- (d) for prescribing the fees to be paid in respect of the issue, validation, renewal, extension or variation of any certificate, licence or other document or the undergoing of any examination or

test required by the regulations and in respect of any other matters in respect of which it appears to the Authority to be expedient for the purpose of the regulations to charge fees;

- (e) for the manner of appointment, conduct and discipline and the terms and conditions of service of employees of the Authority; and
- (f) the payment of gratuities and other benefits to employees of the Authority.

**43.—**(1) Any scheme, contract, document, licence, permission or resolution prepared, made, granted or approved by or on behalf of the Department of Civil Aviation 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 Authority under this Act.

Transitional provisions.

(2) All obligations and liabilities of the Department of Civil Aviation immediately before 1st September 1984 shall as from that date be the obligations and liabilities of the Authority and the Authority shall have all necessary powers to discharge them.

(3) Where anything has been commenced by or on behalf of the Department of Civil Aviation before 1st September 1984, that thing may be carried on and completed by the Authority.

(4) In any written law and in any document, unless the context otherwise requires, any reference to the Director of Civil Aviation or the Department of Civil Aviation shall be construed as a reference to the Authority.

## FIRST SCHEDULE

Section 5.

### CONSTITUTION AND PROCEEDINGS OF THE AUTHORITY

1.—(1) The Chairman and other members shall be appointed by the Minister.

Appointment of Chairman, Deputy Chairman and other members.

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

(3) The Minister may appoint the chief executive officer to be a member of the Authority.

FIRST SCHEDULE — *continued*

- Tenure of office of members. 2. A member shall hold office on such conditions and for such term, as the Minister may determine, and shall be eligible for reappointment.
- Temporary members. 3. The Minister may appoint any person to be a temporary member during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of any member.
- Temporary Chairman or Deputy Chairman. 4. The Minister may appoint any member to be a temporary Chairman or temporary Deputy Chairman during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of the Chairman or the Deputy Chairman, as the case may be.
- Revocation of appointment. 5. The Minister may, at any time, revoke the appointment of the Chairman or the Deputy Chairman or any member; and in exercising his power under this paragraph, the Minister shall not be required to assign any reason for the revocation.
- Resignation. 6. Any member may resign from his appointment at any time by giving notice in writing to the Minister.
- Chairman may delegate functions. 7. The Chairman may, by instrument in writing, authorise any member to exercise any power or perform any function conferred on the Chairman by or under this Act.
- Vacation of office. 8. The office of a member shall be vacated if he —  
 (a) has been absent, without leave of the Authority, from 3 consecutive meetings of the Authority; or  
 (b) becomes in any manner disqualified for membership of the Authority.
- Filling of vacancies. 9. If a member resigns, dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, the Minister may appoint a person to fill the vacancy for the residue of the term for which the vacating member was appointed.
- Leave of absence. 10. The Minister may grant to the Chairman or any member such leave of absence as the Minister may think fit.
- Disqualification from membership. 11. No person shall be appointed or shall continue to hold office as a member if he —  
 (a) is an undischarged bankrupt or has made any arrangement with his creditors; or  
 (b) has been sentenced to imprisonment for a term of not less than 6 months and has not received a free pardon.
- Disclosure of interest by members. 12.—(1) A member who is in any way directly or indirectly interested in a transaction or project of the Authority shall disclose the nature of his interest at a meeting of the Authority; and the disclosure shall be recorded in the minutes of the Authority and the member shall not take part in any deliberation of the Authority with respect to that transaction or project.

FIRST SCHEDULE — *continued*

(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 sub-paragraph (1) he cannot vote or has withdrawn from the meeting.

13. There shall be paid to the Chairman and other members, out of the funds of the Authority, such salaries, fees and allowances as the Minister may from time to time determine. Salaries, etc., payable to members.

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

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

(3) A decision at a meeting of the Authority 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 or member presiding shall have a casting vote in addition to his original vote.

(4) The Chairman or in his absence the Deputy Chairman shall preside at meetings of the Authority.

(5) Where both the Chairman and the Deputy Chairman are absent at a meeting, such member as the members present may elect shall preside at that meeting.

(6) Where not less than 4 members of the Authority request the Chairman by notice in writing signed by them to convene a meeting of the Authority 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.

15. The Authority may act notwithstanding any vacancy in its membership. Vacancies.

16. Subject to the provisions of this Act, the Authority may make rules to regulate its own procedure generally, and in particular, regarding the holding and proceedings of meetings, the notice to be given of such meetings, the keeping of minutes and the custody, production and inspection of such minutes. Procedure at meetings.

17. The validity of any proceedings of the Authority shall not be affected by any defect in the appointment of any member or by any contravention of paragraph 12 by any member. Validity of proceedings.

## SECOND SCHEDULE

Section 19.

## FINANCIAL PROVISIONS

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

2. The Authority 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

SECOND SCHEDULE — *continued*

authorised and that adequate control is maintained over the assets of, or in the custody of, the Authority and over the expenditure incurred by the Authority.

3.—(1) The accounts of the Authority shall be audited by the Auditor-General or such other auditor as may be appointed annually by the Minister in consultation with the Auditor-General.

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

4. The remuneration of the auditor shall be paid out of the funds of the Authority.

5. The Authority shall, as soon as practicable after the close of each financial year, prepare and submit the financial statements in respect of that year to the auditor who shall audit and report on them.

6. The auditor shall in his report state —

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

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

8. The auditor or any person authorised by him shall be entitled at all reasonable times to full and free access to all accounting and other records relating directly or indirectly to the financial transactions of the Authority.

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

10. The auditor 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 considers necessary for the purposes of his functions under this Act.

11. Any person who fails without any reasonable cause to comply with any requirement of the auditor under paragraph 10 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

12. As soon as the accounts of the Authority and the financial statements have been audited in accordance with the provisions of this Act, a copy of the audited financial statements signed by the Chairman, together with a copy of any report made by the auditor, shall be submitted to the Minister.

13. Where the Auditor-General is not the auditor of the Authority, 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 Authority.

14. 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.