



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**GOODS AND SERVICES TAX
VOUCHER FUND ACT 2012**

2020 REVISED EDITION

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Goods and Services Tax Voucher Fund Act 2012

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Short title
2. Interpretation

PART 2

GOODS AND SERVICES TAX VOUCHER FUND

3. Establishment of Goods and Services Tax Voucher Fund
4. Purposes of Fund
5. Expenses
6. Withdrawals
7. Dissolution of Fund

PART 3

ADMINISTRATION OF FUND

8. Responsibility for Fund
- 8A. Financial assistance not of right
9. Disclosure of information
10. Confidentiality of information
11. Recovery of sums overpaid, etc.
12. Financial year
13. Accounts
14. Financial statements and audit
15. Presentation of financial statements and auditor's report to Parliament

PART 4

MISCELLANEOUS

Section

16. Offences
 17. Offences by bodies corporate, etc.
 18. Composition of offences
 19. Regulations
-

An Act to establish the Goods and Services Tax Voucher Fund, and for matters connected therewith.

[1 February 2013]

PART 1

PRELIMINARY

Short title

1. This Act is the Goods and Services Tax Voucher Fund Act 2012.

Interpretation

2. In this Act, unless the context otherwise requires —
 - “Fund” means the Goods and Services Tax Voucher Fund established under section 3;
 - “public authority” means a body established or constituted by or under a public Act to perform or discharge a public function.

PART 2

GOODS AND SERVICES TAX VOUCHER FUND

Establishment of Goods and Services Tax Voucher Fund

- 3.—(1) A fund called the Goods and Services Tax Voucher Fund is established, which must be held, managed and administered as a Government fund.

- (2) There must be paid into the Fund —
- (a) all moneys from time to time appropriated from the Consolidated Fund and authorised to be paid into the Fund by any written law;
 - (b) all other revenues of Singapore allocated by any written law to the Fund;
 - (c) all gifts and donations given or made by any person or organisation to the Government for the purposes of the Fund; and
 - (d) all investments out of moneys in the Fund authorised to be made by any written law and the proceeds of any such investment, including the net income from those investments.
- (3) The Fund must be regarded as comprising public moneys for the purposes of any other written law.
- (4) For the purposes of subsection (2)(d), the net income from investments is the amount ascertained by adding to, or deducting from, the income received from investments of moneys in the Fund any profit derived or loss sustained (as the case may be) from the realisation of the investments.
- (5) The Financial Procedure Act 1966 applies to the Fund to the extent that it is not inconsistent with any of the provisions of this Act.

Purposes of Fund

- 4.—(1) The moneys in the Fund may be withdrawn and applied for all or any of the following purposes:
- (a) to provide financial assistance (including cash grants, grants-in-aid, rebates, reliefs, subsidies and credits) under a public scheme to such natural persons as may be prescribed, in order to mitigate the impact of the goods and services tax on their living expenses;
 - (b) the payment of expenses mentioned in section 5;

- (c) for any other purposes that are authorised under this Act to be paid out of the Fund.

[19/2020]

(2) The moneys in the Fund may be deposited in any bank account and invested in any investment authorised under the Financial Procedure Act 1966.

Expenses

5. Unless otherwise provided, all expenses incidental to or arising from the administration, investment and management of moneys in the Fund are charged upon and payable out of the Fund, including but not limited to the following expenses:

- (a) the cost of auditing the accounts of the Fund and the remuneration of the auditor;
- (b) the expenses incurred by any person (other than the remuneration and allowances payable to a public officer) whom the Minister has —
- (i) authorised to perform and discharge any of the functions and purposes of the Fund; or
 - (ii) appointed under section 8 to disburse financial assistance under a public scheme using moneys in the Fund and to do any matter connected therewith or incidental thereto.

Withdrawals

6.—(1) Moneys must not be withdrawn from the Fund unless they are charged upon the Fund or are authorised to be withdrawn or transferred under this Act.

(2) A payment must not be made out of the Fund unless the payment is approved by the Minister or a person authorised, in writing, by the Minister.

Dissolution of Fund

7. Upon dissolution of the Fund during any term of office of the Government (within the meaning of the Constitution), the balance of

the moneys remaining in the Fund must be transferred to the Consolidated Fund and be added to the reserves of the Government not accumulated by it during that term of office.

PART 3

ADMINISTRATION OF FUND

Responsibility for Fund

8.—(1) The Minister is responsible for the management and administration of the Fund.

(2) The Minister may, by notification in the *Gazette*, appoint any public authority or other person as the Minister thinks fit to disburse financial assistance under a public scheme using moneys in the Fund and to do any matter connected therewith or incidental thereto, and the public authority or other person so appointed must do so in accordance with this Act and, subject to the provisions of this Act, the Minister's directions.

(3) Where a public authority is appointed by the Minister under subsection (2) to disburse financial assistance under a public scheme using moneys in the Fund —

- (a) it is the function and duty of the public authority to do so in accordance with that subsection, in addition to the functions and duties imposed on it under any other written law; and
- (b) the public authority is deemed to be fulfilling the purposes of the relevant Act constituting that public authority, and the provisions of that Act apply to the public authority in respect of that function and duty.

Financial assistance not of right

8A. No person has an absolute right to any financial assistance under a public scheme using moneys from the Fund.

[19/2020]

Disclosure of information

9.—(1) Where the Minister, under his or her hand, certifies that it is necessary for a public authority or person appointed under section 8(2) (called in this section the recipient organisation) to have access to any confidential information in the possession of another public authority, in order to disburse financial assistance under a public scheme using moneys in the Fund —

- (a) the Minister charged with the responsibility for that other public authority may, in addition to any other power conferred by any written law, direct that other public authority to provide so much of the confidential information to the recipient organisation as is necessary for that purpose; and
- (b) that other public authority must comply with the direction under paragraph (a), whether or not it is under any obligation (imposed by written law or otherwise) not to disclose the information.

(2) Despite the provisions of this Act or any other written law —

- (a) no person shall be guilty of an offence under any written law or of any breach of confidence or incur any other civil liability, by virtue merely of the person disclosing any information in accordance with any direction under subsection (1); and
- (b) no officer of a recipient organisation shall be guilty of an offence under any written law or incur any liability, criminal or civil, by virtue merely of the officer accessing, or disclosing to another officer of that recipient organisation, any confidential information mentioned in subsection (1) in the performance of the officer's duties connected with disbursing financial assistance under a public scheme using moneys in the Fund.

(3) Nothing in this section applies to any document, information, return and assessment to which section 6 of the Income Tax Act 1947 applies.

Confidentiality of information

10.—(1) If a public authority or person appointed under section 8(2) in the course of exercising any function or performing any duty under this Act is in possession of or obtains confidential information pursuant to a direction under section 9(1), the public authority or person must not disclose the information to any other person unless the disclosure —

- (a) is made with the written consent of the person to whom the information relates; or
- (b) is for the purpose of the administration or enforcement of this Act.

(2) Any person who contravenes subsection (1) 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 12 months or to both.

Recovery of sums overpaid, etc.

11. Where any amount of money in the Fund is withdrawn and paid —

- (a) to a person as financial assistance under a public scheme and the person is not eligible under the public scheme to any financial assistance or is eligible for financial assistance of a lower amount;
- (b) for any expenses mentioned in section 5, without authorisation or in excess of authorisation;
- (c) to a public authority or person appointed by the Minister under section 8(2) to disburse financial assistance under a public scheme using moneys in the Fund, without authorisation or in excess of authorisation; or
- (d) for any other purposes which are not authorised or in excess of authorisation under this Act,

the amount that has been paid or paid in excess (as the case may be) is recoverable as a debt due to the Government.

Financial year

12. The financial year of the Fund begins on 1 April of each year and ends on 31 March of the succeeding year.

Accounts

13. The Minister must —

- (a) cause to be kept proper accounts and records of all transactions and affairs relating to the Fund;
- (b) do all things necessary to ensure that payments out of the Fund are properly authorised and correctly made; and
- (c) ensure that adequate control is maintained over the assets and receipts of the Fund.

Financial statements and audit

14.—(1) The Minister must, as soon as practicable after the close of each financial year, cause to be prepared and submitted financial statements and accounts of the Fund in respect of the financial year to the Auditor-General who must audit or cause an audit of the statements and accounts and report on them.

(2) As soon as the accounts of the Fund and the financial statements have been audited, a copy of the audited financial statements, together with a copy of any report made by the Auditor-General, must be submitted to the Minister.

(3) Where the Auditor-General is not the auditor of the Fund, a copy of the audited financial statements and any report made by the auditor must be forwarded to the Auditor-General.

Presentation of financial statements and auditor's report to Parliament

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

PART 4

MISCELLANEOUS

Offences

16. Any person who, in relation to any application (whether by the person or on behalf of another) to a public authority or person appointed under section 8(2) for any financial assistance from the Fund or for the purpose of obtaining any financial assistance from the Fund —

- (a) knowingly or recklessly makes any false statement; or
- (b) produces or provides or causes or knowingly allows to be produced or provided any document which the person knows to be false in a material particular,

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 12 months or to both.

Offences by bodies corporate, etc.

17.—(1) Where an offence under this Act committed by a body corporate is proved —

- (a) to have been committed with the consent or connivance of an officer; or
- (b) to be attributable to any neglect on the officer's part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.

(3) Where an offence under this Act committed by a partnership is proved —

- (a) to have been committed with the consent or connivance of a partner; or

(b) to be attributable to any neglect on the partner's part, the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

(a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or

(b) to be attributable to any neglect on the part of the officer or member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) In this section —

“body corporate” includes a limited liability partnership;

“officer” —

(a) in relation to a body corporate, means any director, partner, member of the committee of management, chief executive, manager, secretary or other similar officer of the body corporate and includes any person purporting to act in that capacity; or

(b) in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, or any person holding a position analogous to that of president, secretary or member of such a committee and includes any person purporting to act in that capacity;

“partner” includes a person purporting to act as a partner.

Composition of offences

18.—(1) Any public officer authorised by the Minister may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

- (a) one half of the amount of the maximum fine that is prescribed for the offence;
- (b) \$1,000.

(2) On payment of the sum of money, no further proceedings are to be taken against that person in respect of the offence.

(3) The Minister may make regulations prescribing the offences that may be compounded.

Regulations

19.—(1) The Minister may make regulations for carrying out the purposes and provisions of this Act.

(2) Without limiting subsection (1), the regulations may —

- (a) provide for matters relating to the use of the moneys from the Fund and for all matters connected therewith and incidental thereto, including natural persons or classes of natural persons eligible for financial assistance under a public scheme, and the amount, manner of and the terms and conditions for providing the financial assistance;
- (b) provide for such information, evidence and documents as may be required for carrying out the purposes and provisions of this Act;
- (c) prescribe that any act or omission in contravention of any regulations shall be an offence punishable with a fine not exceeding \$5,000 or with imprisonment for a term not exceeding 12 months or with both; and
- (d) prescribe anything that may be prescribed under this Act.

LEGISLATIVE HISTORY
GOODS AND SERVICES TAX
VOUCHER FUND ACT 2012

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

1. Act 31 of 2012 — Goods and Services Tax Voucher Fund Act 2012

Bill	:	30/2012
First Reading	:	15 October 2012
Second and Third Readings	:	14 November 2012
Commencement	:	1 February 2013

2. 2013 Revised Edition — Goods and Services Tax Voucher Fund Act (Chapter 117C)

Operation	:	31 August 2013
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3. Act 19 of 2020 — Goods and Services Tax Voucher Fund (Amendment) Act 2020

Bill	:	14/2020
First Reading	:	5 March 2020
Second and Third Readings	:	26 March 2020
Commencement	:	22 May 2020

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number