

THE STATUTES OF THE REPUBLIC OF SINGAPORE

NATIONAL ARCHIVES AND RECORDS CENTRE ACT

(CHAPTER 193)

**1970 Ed. Cap. 310
Act
22 of 1967**

REVISED EDITION 1985

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

1986

National Archives and Records Centre Act

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An Act to establish a National Archives and Records Centre for the purpose of providing for the custody and preservation of public records of Singapore.

[7th February 1969]

1. This Act may be cited as the National Archives and Records Centre Act. Short title.

2. In this Act, unless the context otherwise requires — Inter-pretation.
 “Centre” means the National Archives and Records Centre established under section 3;

“Committee” means the Archives and Records Committee established under section 5;

“current records” means those public records that are preserved by the departments producing or receiving them because they are required for reference in order to complete the business to which they relate;

“Director” means the Director of National Archives and Records appointed under section 4;

“intermediate records” means those public records that, although no longer required as current records, cannot be destroyed, either because they possess contemporary value or because they have been assessed as suitable, after further consideration and classification, for eventual inclusion in the Centre;

“public archives” means those public records that —

- (a) are more than 25 years old;
- (b) are specified by the Director as being of enduring national or historical value; and
- (c) have been transferred to the Centre or to such other place as the Director may from time to time determine;

“public office” means any department, office, institution, agency, commission, board, corporation, local authority or statutory body or any other office of the Government or branch or subdivision thereof, and any other body that the President may, by notification in the *Gazette*, declare to be a public office;

“public records” means papers, documents, records, registers, printed materials, books, maps, plans, drawings, photographs, microfilms, cinematograph films and sound recordings of any kind whatsoever, produced or received by any public office in the transaction of official business, or by any officer in the course of his official duties, and includes current records, intermediate records and public archives.

3. There shall be established a National Archives and Records Centre, in which public records shall be stored and preserved.

Establishment of National Archives and Records Centre.

4.—(1) The Minister shall appoint a Director of National Archives and Records who —

Appointment of Director.

- (a) shall direct, manage and control the Centre;
- (b) shall examine the public records in any public office and advise the office as to their care and custody;
- (c) shall preserve, describe and arrange all public archives;
- (d) shall accept, store and preserve any public records transferred to the Centre;
- (e) shall conduct a records management programme for the efficient creation, utilisation, maintenance, retention, preservation and disposal of public records;
- (f) shall, at the request of any administrative head of a public office, return any public records transferred from that office to the Centre for such period as may be agreed upon and subject to such conditions as the Director may prescribe;
- (g) shall publish such guides, inventories and other publications as are required from time to time to make known the holdings of the Centre;
- (h) may, if in his opinion it is necessary for their better preservation, bind or repair any public records that have been transferred to the Centre;
- (i) may, subject to the terms and conditions if any on which they were acquired, reproduce or publish any public archives;
- (j) may make available for inspection, for the purpose of reference or research, any public archives;
- (k) may acquire by purchase, donation, bequest or otherwise any document, book or other material which in the opinion of the Director is or is likely to be of enduring or historical value; and
- (l) may perform such other functions as are necessary for the purpose of the direction, management and control of the Centre.

(2) Subsection (1) (f) shall not be taken to require the Director to return any public records the condition of which does not warrant their removal out of the Centre.

(3) Nothing in this section shall be deemed to authorise the Director to inspect the contents of any public records that are classified as secret or confidential, except with the consent of the administrative head of the public office having the custody thereof.

Establishment of an Archives and Records Committee.

5.—(1) There shall be established an Archives and Records Committee consisting of the Director as chairman and 5 other members to be appointed by the Minister.

(2) A member of the Committee shall hold office for such time as the Minister may direct and shall receive no remuneration for his services.

(3) The function of the Committee is to advise the Director on the carrying out of his functions under this Act.

(4) Three members of the Committee shall form a quorum.

(5) The Committee shall determine its own procedure.

Appointment of officers.

6. The Minister may from time to time appoint such officers as are necessary to assist the Director in the carrying out of his functions under this Act.

Transfer of public records and intermediate public records.

7.—(1) Any public records which are more than 25 years old and any intermediate public records which in the opinion of the Director are of sufficient value to warrant their preservation shall be transferred to the Centre.

(2) It shall be lawful for the Director to defer the transfer of any public records to the Centre where he is satisfied that by reason of the nature of the records their immediate transfer would unduly prejudice the administration of any public service or would not be in the public interest.

Return of illegally removed public records.

8. The Director shall demand in writing and take steps for the return of any public records belonging to the Government that have been illegally removed from official custody.

9.—(1) No person shall, without the authorisation of the Director under subsection (4), destroy or otherwise dispose of, or authorise the destruction or disposal of, any public records which are in his possession or under his control.

Destruction or disposal of public records only on authority of Director.

(2) Any person intending to destroy or dispose of or to authorise the destruction or disposal of any public records shall first notify the Director of that intention and shall in his notification specify the nature of the public records in question.

(3) The Director may inspect any public records specified in any notification under subsection (2) and shall, if he requires those records to be made available to him, inform the person making the notification of that requirement, and the public records shall be made available to the Director.

(4) The Director may authorise the destruction of any specified classes of public records which —

- (a) by reason of their number, kind or routine nature do not in his opinion possess any enduring value for preservation as public archives; and
- (b) are not required for reference purposes in any public office after action on them is completed or after the expiration of such period of years from the date on which action on them is completed as may be agreed upon between the Director and the administrative head of that public office.

10.—(1) No person, who is not an officer of the Centre, may inspect any public records, other than public archives, which have been transferred to the Centre without the written authority of the Director.

Inspection of public records.

(2) Any person may, for the purpose of reference or research, inspect any public archives made available to the public subject to —

- (a) any conditions or restrictions imposed by the office, officer or person from whom they were acquired; and
- (b) such conditions as the Director may consider necessary for their preservation.

(3) The Centre shall be open for the inspection of public records during such hours as may be fixed by the Director with the approval of the Minister.

Certified
copy of
public
records.

11. Any copy of a public record which is certified by the Director as a true copy of the original document shall be admissible in a court of law.

Delegation of
Director's
powers.

12.—(1) The Director may from time to time delegate in writing, subject to such conditions as he may specify, any of his powers under this Act, and any person to whom those powers are delegated may exercise those powers in the same manner and with the same effect as if they had been conferred on him by this Act.

(2) Every person purporting to act pursuant to any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

(3) Any delegation under this section may be made to a person or class of persons by name or office.

(4) Every delegation under this section may be revoked by the Director at any time, and such delegation shall not prevent the Director from exercising the powers delegated.

Reproduc-
tion of public
records.

13.—(1) No person shall publish or reproduce the whole or any part of the contents of any public records which have been transferred to the Centre except with the written consent of the Director and in accordance with such conditions as may be imposed by the Director or the person from whom they were acquired.

(2) Nothing in this section shall be construed as affecting or extending the law relating to copyright.

Prohibition
of export
of public
records, etc.

14. No person shall —

- (a) without the written permission of the Director, take or send out of Singapore any public record;
- (b) write on, mark, inscribe or otherwise deface any public record; or
- (c) mutilate, excise or otherwise damage any public record.

15.—(1) The Minister may make regulations for any matter which may be prescribed under this Act and generally for the better carrying out of the objects and purposes of this Act. Regulations.

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

- (a) prescribe the fees to be charged by the Director for the certifying of copies of any public records and for the supply of copies of public records in the Centre; and
- (b) provide for the exemption from the payment, in whole or in part, of any fees for the making and certifying of copies of any public records or public archives in the Centre.

16. Any person who contravenes any of the provisions of this Act 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. Penalties.

17.—(1) The Director shall as soon as practicable in each year cause to be made and transmitted to the Minister a report dealing with the activities of the Centre during the preceding year. Annual report.

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