



THE STATUTES OF THE REPUBLIC OF SINGAPORE

SINGAPORE ACADEMY OF LAW ACT

(CHAPTER 294A)

(Original Enactment: Act 18 of 1988)

REVISED EDITION 1997

(20th December 1997)

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT (CHAPTER 275)

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

1997

Singapore Academy of Law Act

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An Act to establish the Singapore Academy of Law and for matters connected therewith.

[1st November 1988]

PRELIMINARY

Short title

- 1. This Act may be cited as the Singapore Academy of Law Act.

Interpretation

- 2. In this Act, unless the context otherwise requires —
 - “Academy” means the Singapore Academy of Law established under section 3;
 - “advocate and solicitor” means an advocate and solicitor of the Supreme Court but shall not include any person admitted ad hoc under section 21 of the Legal Profession Act (Cap. 161);
 - “Board” means the Board of Legal Education established under section 3 of the Legal Profession Act;
 - “Constitution” means the Constitution of the Republic of Singapore;
 - “Faculty” means the Faculty of Law of the National University of Singapore;

“Judge of the Supreme Court” includes —

- (a) a person designated to sit as a Judge of the High Court or as a Judge of Appeal under Article 94(3) of the Constitution; and
- (b) a Judicial Commissioner appointed under Article 94(4) of the Constitution;

“Law Society” means the Law Society of Singapore established under section 36 of the Legal Profession Act (Cap. 161);

“legal officer” means a person appointed as a legal officer in the Singapore Legal Service;

“member” includes a Fellow, honorary member, ordinary member and associate member of the Academy;

“President” means the President of the Academy;

“qualified person” shall have the meaning assigned to it by section 2 of the Legal Profession Act;

“Senate” means the Senate of the Academy established under section 5;

“Vice-President” means a Vice-President of the Academy.

[34/95]

ESTABLISHMENT, FUNCTIONS AND POWERS OF SINGAPORE ACADEMY OF LAW

Establishment of Singapore Academy of Law

3. There shall be established a body to be called the Singapore Academy of Law which shall be a body corporate with perpetual succession and a common seal, with power to sue and be sued in its corporate name and to acquire and dispose of property, both movable and immovable, and to perform such other acts which bodies corporate may by law perform.

Functions and powers of Academy

4.—(1) The functions of the Academy shall be as follows:

- (a) to promote and maintain high standards of conduct and learning of the members of the legal profession in Singapore and the standing of the profession in the region and elsewhere;
- (b) to promote the advancement and dissemination of knowledge of the laws and the legal system;
- (c) to promote legal research and scholarship and the reform and development of the law;
- (d) to provide continuing legal education for its members;
- (e) to provide for the training, education and examination, by the Academy or by any other body, of persons intending to practise the profession of law;
- (f) to consider proposals and suggestions regarding matters which are referred to the Academy by the Law Society or the Board ;
[8/2011]
- (g) to refer to the Law Society or the Board proposals and suggestions regarding matters which in the opinion of the Senate require consideration by the Law Society or the Board;
[8/2011]
- (h) to promote good relations and social interaction amongst members and between members and law students and persons concerned in the administration of law and justice in Singapore;
- (i) to appoint persons as notaries public or commissioners for oaths and to authenticate their signatures;
- (j) to undertake activities and projects relating to the study, development and operation of laws and legal systems and the facilities, information technology and infrastructure in support thereof;

- (k) to provide consultancy and other services relating to the study, development and operation of laws and legal systems and the facilities, information technology and infrastructure in support thereof; and
- (l) to exercise the functions and duties conferred on the Academy under any written law.

[34/95]

(2) The Academy may for the purpose of performing its functions —

- (a) provide such training and educational facilities for persons practising and intending to practise the profession of law;
- (b) provide training in subjects of study relating to law, the practice of law or the administration of justice;
- (c) appoint trustees of, and to receive, manage and administer, scholarship and other funds;
- (d) establish a library and common rooms for its members;
- (e) grant prizes and scholarships and establish and subsidise lectureships in educational institutions in subjects of study relating to law;
- (f) contribute a collegiate element in the training of students and young lawyers by organising moots, lectures, talks and practical exercises;
- (g) provide facilities for social interaction amongst its members and between its members and law students;
- (h) purchase or lease any land or building required for any of the purposes of the Academy;
- (i) sell, surrender, lease, exchange or mortgage any land or building as may be found most convenient or advantageous;
- (j) receive grants from the Government or donations and gifts from the Law Society or any source;

- (k) borrow money, whether by way of bank overdraft or otherwise, for such of the purposes of the Academy as the Senate may from time to time consider desirable;
- (l) invest the moneys and funds of the Academy in such shares, funds, securities or investments as may be authorised by the Senate;
- (m) enter into such arrangements, agreements or joint ventures as are necessary for the attainment of its functions;
- (n) form or participate in the formation of any company for the purpose of carrying out all or any of the functions of the Academy;
- (o) levy and charge fees;
- (p) exercise such powers as may be conferred on the Academy or the Senate under any written law; and
- (q) do all such other things as are incidental or conducive to the attainment of the functions of the Academy.

[34/95]

CONSTITUTION AND POWERS OF SENATE

Constitution of Senate

5.—(1) The management of the affairs of the Academy and of its properties shall be vested in a Senate which shall consist of —

- (a) the Chief Justice;
- (b) the Judges of the Supreme Court;
- (c) the Attorney-General;
- (d) the Solicitor-General;
- (e) the President of the Law Society;
- (f) the Dean of the Faculty;
- (g) the Chairman of the Board; and

(h) 9 other members who are appointed by the Chief Justice after consultation with the Attorney-General, the President of the Law Society and the Dean of the Faculty.

[20/2007; 34/95]

(2) No person shall be appointed as a member of the Senate pursuant to subsection (1)(h) unless he is a member of the Academy and a citizen of Singapore.

[34/95]

(3) Any person appointed as a member of the Senate pursuant to subsection (1)(h) shall hold office for a term of one year and shall be eligible for reappointment on the expiration of his term of office.

[34/95]

(4) Any person holding office as a nominated member of the Senate immediately before 10th November 1995 shall be deemed to have been appointed under subsection (3).

[34/95]

President and Vice-Presidents

6.—(1) The Chief Justice shall be the President of the Academy.

(2) The Senate may appoint from amongst its members such number of Vice-Presidents of the Academy as it may think fit.

(3) The President may delegate his duties to any of the Vice-Presidents.

(4) The President or in his absence any of the Vice-Presidents shall preside at all meetings of the Senate.

(5) A Vice-President of the Academy who ceases to be a member of the Senate shall cease to be Vice-President.

[34/95]

Powers of Senate

7.—(1) The Senate may perform all such functions and exercise all such powers of the Academy as it thinks fit.

[34/95]

(2) The Senate may on behalf of the Academy accept by way of grant, gift, testamentary disposition or otherwise, property and

moneys in aid of the finances of the Academy on such conditions as the Senate may determine.

Employment of officers

8. The Academy may employ such number of officers as the Senate considers necessary and the duties and salaries of the officers shall be determined by the Senate.

Meetings of Senate

9.—(1) The Senate may meet at such times and places as the Senate or the President may determine.

[34/95]

(2) A majority of the members of the Senate shall constitute a quorum for any meeting of the Senate.

[34/95]

(3) All questions arising at any meeting of the Senate shall be decided by a majority of the votes of the members present.

(4) At any meeting of the Senate, the President or in his absence the Vice-President presiding at the meeting shall have a deliberative vote and shall, in the event of an equality of votes, have a casting vote.

(5) Subject to any rules made under this Act, the Senate may regulate its own procedure and, in particular, the holding of meetings, the notice to be given of meetings, the proceedings thereat and the keeping of minutes and the custody, production and inspection of those minutes.

(6) The validity of the proceedings of the Senate shall not be affected by any vacancy amongst its members or by any irregularity in the appointment of any member.

Appointment of committees and boards

10.—(1) The Senate may appoint one or more committees and boards for any general or special purpose which, in the opinion of the Senate, may be better dealt with or managed by a committee or board.

(2) The Senate may delegate to any committee or board appointed under subsection (1), with or without restrictions or conditions as the Senate thinks fit, any function or power that may be performed or

exercised by the Senate, other than the power to make rules under section 27.

[34/95]

(3) The number and term of office of the members of a committee or board appointed under this section, and the number of those members necessary to form a quorum, shall be fixed by the Senate.

(4) A committee or board appointed under this section may include persons who are not members of the Academy.

[34/95]

(5) Every committee or board appointed under subsection (1) shall have amongst its members at least one person who is a practising advocate and solicitor and who has, for an aggregate period of 7 years, been a practising advocate and solicitor or a legal officer or both, nominated by the Council of the Law Society.

[20/2009]

(6) Subsection (5) shall not apply if one of the members of the committee or board is a member of the Council of the Law Society.

[34/95]

MEMBERSHIP OF ACADEMY

Categories and rights of members

11.—(1) The Academy shall consist of the following categories of members:

- (a) Fellows;
- (b) honorary members;
- (c) ordinary members; and
- (d) associate members.

(2) Subject to subsection (3), the members of the Academy shall be entitled to the use of the library and other premises of the Academy subject to such terms and conditions as may be determined by the Senate and to such privileges as may be conferred upon them by the Senate.

(3) The Senate may restrict the use of the facilities or any part of the premises of the Academy to any category of members.

(4) No rights or privileges of any member of the Senate or member of the Academy shall be in any way transferable or transmissible, but all such rights and privileges shall cease upon the member of the Senate or the member of the Academy ceasing to be such whether by death, retirement or otherwise.

Fellows of Academy

12. The Fellows of the Academy shall consist of —

- (a) the President and Vice-Presidents of the Academy;
- (b) all other members of the Senate except for those appointed under section 5(1)(h);
- (c) persons who have since 1st January 1980 held office as Chief Justice, Judge of the Supreme Court, Attorney-General or Solicitor-General for not less than 2 years;
- (d) honorary or associate members who are elected by the Senate as Fellows for life or for such period as the Senate may in any case consider appropriate; and
- (e) members who have been appointed as Senior Counsel under the Legal Profession Act (Cap. 161).

[34/95]

Honorary members

13. The Senate may elect as honorary members of the Academy such persons as the Senate may think fit, either for life or for such period as the Senate may in any case consider appropriate.

Ordinary members

14. Every person who —

- (a) is admitted as an advocate and solicitor, whether or not he has in force a practising certificate issued under section 25 of the Legal Profession Act; or
- (b) is a legal officer,

[20/2009; 8/2011]

shall become, by virtue of this section and without election, admission or appointment by the Senate, an ordinary member of

the Academy unless he is disqualified from being a member under section 16 or his membership has been terminated under section 18.

Associate members

15. The Senate may elect as associate members of the Academy persons who may benefit from, or be able to contribute to, the work of the Academy.

Disqualifications for membership of Academy

16.—(1) A person shall not be qualified to be a member of the Academy or, if he is a member, shall cease to be a member if —

- (a) he has been struck off the roll;
- (b) being a legal officer, he has been dismissed from the Singapore Legal Service for misconduct in his professional capacity;
[20/2009]
- (c) being a member of the Faculty, he has been dismissed from the Faculty for misconduct in the discharge of his duties;
[20/2007; 20/2009]
- (d) he has been convicted of an offence involving fraud or dishonesty;
- (e) he is or becomes of unsound mind;
- (f) he is an undischarged bankrupt; or
- (g) he has entered into a composition with his creditors or a deed of arrangement for the benefit of his creditors.
[15/95]

(2) Any question whether a person has ceased to be a member shall be determined by the Senate whose decision shall be final.

(3) Where a member of the Academy has been suspended from practising as an advocate and solicitor for any period, his membership shall be deemed to be suspended for the duration of his suspension.

(4) Where a member being an advocate and solicitor has been struck off the roll, he shall on being reinstated to the roll become a member of the Academy.

(5) Nothing in subsection (4) shall affect the right of the Senate to terminate the membership of any such member pursuant to section 18.

Annual subscriptions payable by members

17.—(1) Every member shall pay to the Academy an annual subscription of an amount determined by the Senate from time to time which shall become due and payable on the day appointed by the Senate.

(2) In fixing the amount of annual subscription, the Senate shall be at liberty —

- (a) to divide members of each category into classes;
- (b) to provide that different amounts shall be paid by different classes and extend over different periods; and
- (c) generally to regulate, and to vary from time to time, the subscriptions payable by members or different classes of members as the Senate may think fit.

(3) If any member fails to pay his annual subscription within 30 days of the subscription becoming due, he shall pay interest (if any) at the rate determined by the Senate.

(4) The Senate may, in its discretion, waive the subscription payable by any member of the Academy.

Termination of membership

18.—(1) The Senate may by resolution terminate the membership of a member if he has been guilty of conduct which in the opinion of the Senate renders him unfit to be a member or would bring the Academy into disrepute.

(2) No termination of membership shall be made unless the member concerned has been given an opportunity to give an explanation in writing as to why his membership should not be terminated under subsection (1).

ACCOUNTS

Proper accounts to be kept

19. The Senate shall cause proper books of accounts to be kept with respect to —

- (a) all sums of moneys received and expended by the Academy and the matters in respect of which the receipt and expenditure take place; and
- (b) all property acquired by the Academy.

Financial statements

20. The Senate shall from time to time cause to be prepared financial statements that will give a true and fair view of the income and expenditure of the Academy and its assets and liabilities.

Copies of financial statements for members

21. Copies of the financial statements together with the auditor's report thereon shall be circulated to all members.

Appointment and powers of Academy's auditor

22.—(1) The accounts of the Academy shall be audited by an auditor appointed annually by the Senate.

(2) No person shall be appointed as an auditor of the Academy unless he is an approved company auditor under the Companies Act (Cap. 50).

(3) The Academy's auditor shall report —

- (a) whether the financial statements show fairly the financial transactions and the state of affairs of the Academy; and
- (b) on such other matters arising from the audit as he considers necessary.

(4) The Academy's auditor shall state in his report whether —

- (a) proper accounting and other records have been kept;
- (b) the financial statements are prepared on a basis similar to that adopted for the preceding year; and

(c) the financial statements are in agreement with the accounting and other records.

(5) The Academy's auditor or a person authorised by him shall be entitled to full and free access to all accounting and other records relating, directly or indirectly, to the financial transactions of the Academy and may make copies of, or extracts from, any such accounting and other records.

(6) The Academy's auditor or a person authorised by him may require any person to furnish him with such information which that person possesses or has access to as the auditor or duly authorised person considers necessary for the purposes of the functions of the auditor under this Act.

(7) An officer of the Academy who refuses or fails without any reasonable cause to allow the Academy's auditor access to any accounting and other records of the Academy in his custody or power or to give any information possessed by him as and when required or who otherwise hinders, obstructs or delays the Academy's auditor in the performance of his duties or the exercise of his powers shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 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.

Income of Academy to be exempt from tax, etc.

23. The Academy shall be deemed to be —

- (a) an institution specified in the First Schedule to, and under section 13(1)(e) of, the Income Tax Act (Cap. 134); and
- (b) an institution of a public character approved by the Minister for the purposes of section 37(2) (c) of the Income Tax Act.

[10/2007]

MISCELLANEOUS

Common seal

24.—(1) The common seal of the Academy may, from time to time, be broken, changed, altered and made anew as the Senate thinks fit.

(2) All deeds, documents and other instruments requiring the seal of the Academy shall be sealed with the common seal of the Academy.

(3) Every instrument to which the common seal is affixed shall be signed by a member and shall be countersigned by any 2 members of the Senate duly authorised by the Senate for that purpose, and such signing shall be sufficient evidence that the seal was duly and properly affixed and that the seal is the lawful seal of the Academy.

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

(5) Section 11 of the Registration of Deeds Act (Cap. 269) shall not apply to any instrument purporting to have been executed under subsection (2).

Recovery of subscriptions, moneys due and full costs

25. The Senate may recover any subscription or other moneys due and payable to the Academy and any interest thereon as a debt due to the Academy and the Academy shall be entitled to the payment of its full costs as between solicitor and client.

[24A
[34/95]

No action can be maintained by members against Academy

26. No action shall be maintained against the Academy and the members of the Senate by an advocate and solicitor or by a member or qualified person in respect of any act done by the members of the Senate in their official capacity.

[25

Power to make rules

27.—(1) The Senate may from time to time make such rules as it may consider necessary or expedient to give effect to the provisions and purposes of this Act and for the due administration thereof.

(2) Rules made under this Act may make different provisions for different classes of persons and different circumstances.

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LEGISLATIVE HISTORY
SINGAPORE ACADEMY OF LAW ACT
(CHAPTER 294A)

This Legislative History is provided for the convenience of users of the Singapore Academy of Law Act. It is not part of this Act.

1. Act 18 of 1988 — Singapore Academy of Law Act 1988

Date of First Reading	:	29 July 1988 (Bill No. 15/88 published on 1 August 1988)
Date of Second and Third Readings	:	11 August 1988
Date of commencement	:	1 November 1988

2. 1989 Revised Edition — Singapore Academy of Law Act

Date of operation	:	15 March 1989
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3. Act 15 of 1995 — Bankruptcy Act 1995
(Consequential amendments made by)

Date of First Reading	:	25 July 1994 (Bill No. 16/94 published on 29 July 1994)
Date of Second Reading	:	25 August 1994
Referred to Select Committee	:	Parl 1 of 1995 presented to Parliament on 7 March 1995
Date of Third Reading	:	23 March 1995
Date of commencement	:	15 July 1995

4. Act 34 of 1995 — Singapore Academy of Law (Amendment) Act 1995

Date of First Reading	:	7 August 1995 (Bill No. 27/1995 published on 8 August 1995)
Date of Second and Third Readings	:	27 September 1995
Dates of commencement	:	10 November 1995 (except sections 11 and 12)

5. 1997 Revised Edition — Singapore Academy of Law Act

Date of operation	:	20 December 1997
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