

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**VOCATIONAL AND INDUSTRIAL TRAINING BOARD ACT  
(CHAPTER 345)**

Act  
4 of 1979

**REVISED EDITION 1985**

# Vocational and Industrial Training Board Act

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An Act to establish the Vocational and Industrial Training Board and for matters connected therewith.

[1st April 1979\*]

## PART I

## PRELIMINARY

1.—(1) This Act may be cited as the Vocational and Industrial Training Board Act. Short title and commencement.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

2. In this Act, unless the context otherwise requires — Interpretation.
- “Board” means the Vocational and Industrial Training Board established under section 3;
- “Chairman” means the Chairman of the Board appointed under section 5 (2);
- “commerce or industry” includes any trade, manufacturing or service industry, business or other related activities;

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\* Part V was not in operation when this Revised Edition was brought into force.

“Deputy Chairman” means the Deputy Chairman of the Board appointed under section 5 (2);

“Director” means the Director appointed under section 38 (1);

“further education” means —

(a) adult education; and

(b) such other education for young persons who are not in attendance at any school or other educational institution as will enable them to develop their various aptitudes and capacities and will prepare them for gainful employment and the responsibilities of citizenship;

“Industrial Training Board” means the Industrial Training Board established under the repealed Industrial Training Board Act 1972;

36/72.

“Lembaga” means the Lembaga Gerakan Pelajaran Dewasa established under the repealed Lembaga Gerakan Pelajaran Dewasa Act;

1970 Ed.  
Cap. 177.

“member” means a member of the Board and includes the Chairman, the Deputy Chairman and the Director;

“National Trades Union Congress” means the National Trades Union Congress registered under the Trade Unions Act;

Cap. 333.

“vocational training institution” means any of the following:

(a) an institution at which instruction or training in any subject, skill or trade for employment in commerce or industry or in any vocation therein is provided for 10 or more persons;

(b) in the case of an institution providing such instruction or training for 10 or more persons by correspondence, the place where lessons or instructions are prepared or where answers are examined or corrected.

## PART II

ESTABLISHMENT, INCORPORATION AND  
CONSTITUTION OF BOARD

3. There is hereby established in accordance with the provisions of this Act a body to be called the Vocational and Industrial Training Board which shall be a body corporate with perpetual succession and 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 as bodies corporate may by law perform, and to exercise such other powers as are conferred under this Act.

Establishment of Board.

4. The principal objects of the Board shall be —

Objects.

- (a) to provide for, promote, assist in and regulate the training or apprenticeship of persons employed in or intending to be employed in commerce or industry, and to upgrade the skills of such persons by providing advanced training in skilled work or otherwise;
- (b) to establish the nature and length of the training for any employment in commerce or industry, and the further education to be associated with the training, the persons by and to whom the training ought to be given, the standards to be attained as a result of the training and the methods of ascertaining whether those standards have been attained;
- (c) to conduct such programmes of further education as may be required from time to time.

5.—(1) The Board shall consist of the following members:

Constitution of Board.

- (a) a Chairman;
- (b) a Deputy Chairman;
- (c) the Director;
- (d) 3 persons representing the Government;
- (e) 3 persons appearing to the Minister to be representative of employers engaged in commerce and industry;

(f) 3 persons representing the National Trades Union Congress; and

(g) such other persons as the Minister may consider necessary.

(2) The members other than the Director shall be appointed by the Minister and shall, unless the Minister otherwise directs, hold office for a period of 3 years from the date of their respective appointments and shall be eligible for reappointment.

(3) The Minister may appoint a person to be a temporary member during the absence from Singapore, or incapacity owing to illness or otherwise, of a member.

(4) The Minister may at any time revoke the appointment of a member without assigning any reason therefor.

(5) A member may resign from his appointment at any time by giving written notice to the Minister.

Salaries, fees and allowances payable to members.

6. There shall be paid to the members out of the funds of the Board such salaries, fees and allowances as the Minister may, from time to time, determine.

Vacation of office of member.

7. The office of a member shall be vacated if he —

(a) becomes of unsound mind;

(b) becomes a bankrupt or suspends payment to, or makes any arrangement or composition with, his creditors;

(c) is convicted of an offence involving dishonesty or fraud;

(d) has been absent, without leave of the Board, from 3 consecutive meetings of the Board; or

(e) resigns from his office.

Filling of vacancy in the office of a member.

8.—(1) If a vacancy occurs in the membership of the Board, the Minister may appoint any person to fill the vacancy and the person so appointed shall hold office for the unexpired period of the term of office of the member in whose place he is appointed.

(2) Where the member in whose place a person is appointed under subsection (1) was a representative of a

person or class of persons, the member so appointed shall be a representative of the same person or class of persons.

**9.—(1)** The Chairman shall summon meetings as often as may be required. Meetings of Board.

(2) At every meeting of the Board, a quorum shall consist of 6 members.

(3) Decisions at meetings of the Board shall be adopted by a simple majority of the votes of the members present and voting, except that in the case of an equality of votes the Chairman or in his absence the Deputy Chairman shall have a casting vote.

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

(5) The Board shall not be precluded from holding a meeting or acting in any matter merely by reason of any vacancy in its membership.

(6) Subject to the provisions of this Act, the Board may make standing orders to regulate its own procedure, and in particular, the holding of meetings, the notice to be given of such meetings, the proceedings thereat, the keeping of minutes and the custody, production and inspection of such minutes.

**10.—(1)** A member who is directly or indirectly interested in a contract made, or proposed to be made, by the Board or any other matter which is before any meeting of the Board, shall disclose the nature of his interest at the first meeting of the Board at which he is present after the relevant facts have come to his knowledge. Member's interest in contract to be made known.

(2) A disclosure under subsection (1) shall be recorded in the minutes of the Board and, after the disclosure, that member —

- (a) shall not take part in any deliberation or discussion of, and shall not vote on any question with respect to, that contract or other matter; and
- (b) shall be disregarded for the purpose of constituting a quorum of the Board for such deliberation or discussion or vote, as the case may be.

(3) No act or proceeding of the Board shall be questioned on the ground that a member has contravened this section.

Validity of  
acts of  
members.

**11.** The acts of a member shall be valid notwithstanding any defect that may afterwards be discovered in his appointment or qualifications.

Directions by  
Minister.

**12.—(1)** The Minister may, after consultation with the Board, give such general directions not inconsistent with the provisions of this Act as to the policy to be followed by the Board in the performance of its functions under this Act as appear to the Minister to be necessary and the Board shall, as soon as possible, give effect to any such direction.

(2) The Board shall give the Minister such information or facilities for obtaining information with regard to the exercise of its powers and functions in such manner and at such times as the Minister may reasonably require.

### PART III

#### TRANSFER OF ASSETS, LIABILITIES, FUNCTIONS AND EMPLOYEES

Transfer to  
Board of  
property,  
assets and  
liabilities.

**13.—(1)** Upon the commencement of this Part —

(a) all lands, buildings and other properties, movable or immovable, rights, interests, privileges, obligations and liabilities vested in, belonging to or incurred by the Lembaga or the Industrial Training Board; and

(b) such lands, buildings and other properties, movable or immovable, vested in or belonging to the Government as the Minister may, after consultation with the Minister for Finance, determine,

shall be transferred to and vest in the Board without further assurance.

(2) All rights, interests, privileges, obligations and liabilities which immediately before the date of commencement of this Part were held, enjoyed or incurred in connection with or appertaining to the lands, buildings and other properties, movable or immovable, transferred under subsection (1) (b) shall be deemed to be the rights, interests, privileges, obligations and liabilities of the Board.

(3) If any question arises as to which property, movable or immovable, has been transferred to and vested in the Board under subsection (1), a certificate under the hand of the Minister shall be conclusive evidence of the vesting of that property in the Board.

14. All deeds, bonds, agreements, instruments and working arrangements subsisting immediately before the date of commencement of this Part affecting the lands, buildings and other properties, movable or immovable, transferred under section 13 (1) or any employee of the Lembaga or the Industrial Training Board transferred to the service of the Board under section 16 shall be of full force and effect against or in favour of the Board and enforceable as fully and effectually as if, instead of the Lembaga or the Industrial Training Board or any person acting on behalf thereof, the Board had been named therein or had been a party thereto. Existing contracts.

15. Any proceedings or cause of action pending or existing immediately before the date of commencement of this Part by or against the Government, the Lembaga or the Industrial Training Board or any person acting on behalf of the Government, the Lembaga or the Industrial Training Board in respect of the lands, buildings and other properties, movable or immovable, transferred under section 13 (1) and the rights, interests, obligations and liabilities in connection therewith or appertaining thereto may be continued and enforced by or against the Board as it might have been by or against the Government, the Lembaga or the Industrial Training Board, or such person, as the case may be, as if this Act had not been enacted. Pending proceedings.

16.—(1) Upon the date of commencement of this Part, every person employed by the Lembaga or the Industrial Training Board immediately before that date shall be transferred to the service of the Board at the same rate of pay and, as near as may be, on the same conditions of service as those on which he was employed by the Lembaga or the Industrial Training Board, as the case may be, immediately prior to that date. Transfer of employees.

(2) Until such time as schemes and terms and conditions of service are drawn up by the Board, the regulations

relating to salaries, and terms and conditions of service in the Lembaga or the Industrial Training Board shall continue to apply to every person employed by the Lembaga or the Industrial Training Board, as the case may be, who has been transferred to the service of the Board under subsection (1).

Cap. 350. (3) Where any person who is transferred to the service of the Board under subsection (1) 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 Board and for the purposes of that Act his service with the Board shall be deemed to be service with the Government; and the Board shall have the right to make deductions from the salary of that person to be paid as contributions under that Act.

36/72. (4) Where any person who is transferred to the service of the Board under subsection (1) was an employee of the Government transferred to the service of the Industrial Training Board under the provisions of the Industrial Training Board Act 1972 or to the service of the Lembaga with his superannuation benefits in respect of that employment preserved, the Government shall be liable to pay to the Board such portion of any gratuity, pension or allowance payable to that person on his retirement 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 the Government, the Lembaga or the Industrial Training Board, and the Board.

Continuation  
and comple-  
tion of  
disciplinary  
proceedings.

17.—(1) Where, on the date of commencement of this Part, any disciplinary proceedings were pending before the Lembaga or the Industrial Training Board, the proceedings shall be taken up and continued under and in conformity with the provisions of this Act so far as consistently may be; but where on that date any matter was in the course of being heard or investigated by the Lembaga or the Industrial Training Board or had been heard or investigated by the Lembaga or the Industrial Training Board, but no order or decision had been made thereon, the Lembaga or the Industrial Training Board shall continue to exist, notwithstanding

this Act, for the purpose of completing the hearing or investigation and the making of an order or decision, as the case may be.

(2) For the purposes of completing a hearing or investigation before it, or making an order or rendering a decision on a matter heard or investigated before that date, the Lembaga or the Industrial Training Board shall complete the hearing or investigation in accordance with the authority vested in the Lembaga or the Industrial Training Board immediately before that date and make such order, rule or direction as the Lembaga or the Industrial Training Board should have made under the authority vested in it immediately before that date.

(3) Any order, rule or direction made or given by the Lembaga or the Industrial Training Board pursuant to this section shall be entered as an order or a rule or direction of the Board and shall have the same force or effect as if it had been made by the Board pursuant to the authority vested in the Board under this Act.

18. The Board may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person who has, whilst he was in the employment of the Lembaga or the Industrial Training Board, 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 by the Lembaga or the Industrial Training Board or any other person acting under its authority or direction, as if this Act had not been enacted.

Misconduct or neglect of duty whilst in the employment of Lembaga or Industrial Training Board.

#### PART IV

##### FUNCTIONS AND POWERS OF BOARD

19.—(1) The Board —

(a) shall manage and maintain the establishments and institutions transferred to the Board by this Act and such other establishments and institutions as the Board may establish under this Act for the training of persons employed or intending to be employed in commerce or industry or for purposes connected therewith;

Functions of Board.

- (b) shall provide or secure the provision of such courses and other facilities (which may include residential accommodation) for the training of persons employed or intending to be employed in commerce or industry as may be required, having regard to any courses or facilities otherwise available to such persons;
- (c) may approve such courses and facilities provided by other persons;
- (d) may from time to time publish recommendations with regard to the nature and length of the training for any occupation in commerce or industry and the further education to be associated with the training, the persons by and to whom the training ought to be given, the standards to be attained as a result of the training and the methods of ascertaining whether those standards have been attained;
- (e) may apply or make arrangements for the application of selection or other tests and of other methods of ascertaining the attainment of the standards recommended by the Board and may award certificates of the attainment of those standards;
- (f) may assist persons in finding facilities for being trained for employment in commerce or industry;
- (g) may carry on or assist other persons in carrying on research into any matter relating to training for employment in commerce or industry;
- (h) may promote further education in Singapore;
- (i) may publish works concerning further education and act as a clearing house for information concerning such education; and
- (j) shall carry out such other functions and duties as are imposed upon the Board by this Act.

(2) The Board may enter into contracts of service or apprenticeship with persons who intend to be employed in commerce or industry and to attend courses or avail themselves of other facilities provided or approved by the Board.

(3) The Board may —

- (a) pay maintenance and travelling allowances to persons attending courses provided or approved by the Board;
- (b) make grants or loans to persons providing courses or other facilities approved by the Board;
- (c) pay fees to persons providing further education in respect of persons who receive it in association with their training in courses provided or approved by the Board.

**20.** For the purpose of carrying out the functions set out in section 19, the Board may — Powers.

- (a) provide for any occupation in commerce or industry such educational or training schemes, whether by itself or with the co-operation of other persons, as it thinks fit;
- (b) carry on any trade or business whether by arrangement with other persons or by itself for the purpose of providing facilities for the training of persons employed or intending to be employed in commerce or industry;
- (c) acquire, hire, procure, construct, erect, manufacture, provide, operate, maintain or repair anything whether movable or immovable, required by the Board for the purposes of this Act;
- (d) levy such rates and charges for training and other services performed under this Act as the Board may consider expedient;
- (e) receive donations and contributions from any source and raise funds by all lawful means;
- (f) make loans to persons employed by the Board (including loans to assist them to acquire housing accommodation) and guarantee loans made to persons so employed (including loans made by building societies and other bodies for housing purposes);
- (g) promote recreational activities for, and activities conducive to the welfare of, persons who are or have been engaged in the employment of the Board and assist the promotion by others of such activities; and

(h) do all such other things as are incidental to, or necessary for, the performance of its functions.

Appointment  
of com-  
mittees and  
delegation of  
powers.

**21.**—(1) The Board may, in its discretion, appoint from among its own members or other persons who are not members of the Board such number of committees consisting of members or other persons or members and other persons for purposes which, in the opinion of the Board, would be better regulated and managed by means of such committees.

(2) The Board may, subject to such conditions or restrictions as it thinks fit, delegate to any such committee or the Chairman, the Deputy Chairman or the Director all or any of the powers, functions and duties by this Act vested in the Board, except the power to borrow money; and any power, function or duty so delegated may be exercised or performed by that committee or the Chairman, the Deputy Chairman or the Director, as the case may be, in the name and on behalf of the Board.

(3) The Board may, subject to such conditions or restrictions as it thinks fit, delegate to any employee of the Board all or any of its functions and duties by this Act vested in it, except the power to borrow money or to raise or grant loans or advances or subscribe to or underwrite the issue of stocks, shares, bonds or debentures of commercial or industrial enterprises; and any power, function or duty so delegated may be exercised or performed by that employee in the name and on behalf of the Board.

(4) The Board 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.

## PART V\*

### REGISTRATION OF VOCATIONAL TRAINING INSTITUTIONS

Application.

**22.**—(1) The provisions of this Part shall apply to such types of vocational training institutions and their proprietors, managers and training staff as the Minister may, from time to time by notification in the *Gazette*, specify.

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\* Not in operation when this Revised Edition was brought into force.

(2) Nothing in this Part shall apply to —

- (a) any person or body of persons providing instruction or training in any skill, trade or vocation for his or their employees;
- (b) any person or body of persons providing instruction or training in any skill, trade or vocation not for the purposes of gain or profit;
- (c) any school or institution maintained partly or wholly by the Government or the Board; or
- (d) any institution established under any other written law.

23. In this Part —

“proprietor”, in relation to any vocational training institution, means the person or body of persons responsible for the management of the institution, and for the purposes of the provisions of this Part relating to applications for registration of vocational training institutions, includes any person or body of persons proposing to be so responsible;

“teacher”, in relation to any vocational training institution, includes an instructor.

Interpretation of this Part.

24.—(1) The Board shall appoint one of its officers to be the Registrar of Vocational Training Institutions.

Registrar of Vocational Training Institutions.

(2) The Registrar shall keep a register in which shall be entered —

- (a) the name of every vocational training institution registered under this Act; and
- (b) the names of the proprietor and the manager of every such registered institution.

(3) The Registrar shall enter in the register such other particulars as may from time to time appear to him to be necessary.

25. If after the expiration of 3 months from the date of commencement of this Part any person conducts a vocational training institution which is not registered or exempted from registration under this Part he shall be guilty of an offence and shall be liable on conviction to a fine not

Compulsory registration.

exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

Application  
for registra-  
tion.

**26.**—(1) An application for the registration of a vocational training institution shall be made to the Registrar by the person intending to become the proprietor or manager of the institution.

(2) Every such application shall be made on such form and shall be accompanied by such particulars as the Registrar may require.

Powers of  
Registrar to  
register a  
vocational  
training  
institution  
and to  
impose  
conditions.

**27.**—(1) Upon an application being made under section 26 the Registrar shall, after such inquiry as may be necessary —

- (a) register the institution;
- (b) inform the applicant in writing of the conditions, if any, under which the institution may be registered; or
- (c) if the application is refused specify the provision of this Act under which the application was refused.

(2) The conditions which may be imposed by the Registrar under subsection (1) (b) may specify —

- (a) the training or education and the standards thereof to be provided by the institution;
- (b) the syllabi to be adopted by the institution;
- (c) the minimum qualifications of the teachers of the institution;
- (d) the ratio of trainees and teachers;
- (e) the minimum conditions to ensure the health and safety of the persons receiving training at the institution; and
- (f) the fees to be charged for any training course provided by the institution.

(3) Where conditions are imposed under this section in respect of the registration of a vocational training institution the proprietor thereof shall comply with those conditions.

(4) The proprietor of a vocational training institution who fails to comply with any of the conditions under which

the institution is registered under this Part 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.

(5) Any person who is dissatisfied with a decision of the Registrar under this section may appeal to an Appeals Board constituted in accordance with the provisions of this Part.

**28.—**(1) When a vocational training institution is registered the Registrar shall issue to the proprietor or manager thereof a certificate of registration in such form as the Registrar may adopt.

Certificate of registration.

(2) The certificate shall specify the premises in which the institution may be situated; and the proprietor or manager shall cause a copy of the certificate to be exhibited in a conspicuous place in the premises in which the institution is to be situated.

**29.** The Registrar may refuse to register a vocational training institution if —

Grounds for refusing registration.

- (a) the premises of the proposed institution or any parts of the premises are unsuitable for the proposed institution;
- (b) the fee to be charged for any training course provided by the proposed institution is excessive, having regard to the cost of maintaining and conducting the proposed institution and the standard of education or training to be provided; or
- (c) any teacher to be employed in the proposed institution is not a proper person to be a teacher in any vocational training institution.

**30.—**(1) If at any time the Registrar is satisfied that any registered vocational training institution is objectionable upon all or any of the following grounds:

Complaints against vocational training institution.

- (a) that the premises of the institution or any parts of the premises are unsuitable for the institution;
- (b) that any accommodation provided at the premises or any parts thereof is inadequate or unsuitable

having regard to the number, ages and sex of the persons attending the institution;

- (c) that efficient and suitable training is not being provided at the institution;
- (d) that the proprietor of the institution or any person employed therein to be a teacher is not a proper person to be the proprietor or a teacher of the institution, as the case may be;
- (e) that there exists in respect of the institution any ground specified in section 29 (a), (b) or (c), whether or not such ground existed at the time of the registration of the institution; and
- (f) that the institution has ceased to exist,

the Registrar shall serve upon the proprietor or manager of the institution a notice of complaint stating the grounds of the complaint together with full particulars of the matters complained of, and, unless any of such matters are stated in the notice to be in the opinion of the Registrar irremediable, the notice shall specify the measures necessary in the opinion of the Registrar to remedy the matters complained of, and shall specify the time, not being less than one month after the service of the notice, within which such measures are thereby required to be taken.

(2) If it is alleged by any notice of complaint served under this section that any person employed as a teacher in the institution is not a proper person to be a teacher of the institution, that person shall be named in the notice and the particulars contained in the notice shall specify the grounds of the allegation, and a copy of the notice shall be served upon him.

(3) Every notice of complaint served under this section and every copy of a notice so served shall limit the time, not being less than one month after the service of the notice or copy, within which the complaint may be referred to an Appeals Board constituted in accordance with the provisions of this Part.

Determina-  
tion of com-  
plaints.

**31.—(1)** Any person upon whom a notice of complaint or a copy of such a notice is served under section 30 may, within the time limited by the notice, appeal therefrom by referring the complaint, in such manner as may be provided

by regulations made under this Act, to an Appeals Board constituted in accordance with the provisions of this Part.

(2) Upon a complaint being referred to an Appeals Board, the Appeals Board may, after affording to all the parties concerned an opportunity of being heard, and after considering such evidence as may be tendered by them or on their behalf —

- (a) order that the complaint be annulled;
- (b) order that the institution in respect of which the complaint was served be struck off the register;
- (c) order that the institution be so struck off unless the requirements of the notice, subject to such modifications, if any, as may be specified in the order are complied with to the satisfaction of the Registrar before the expiration of such time as may be specified in the order;
- (d) if satisfied that the premises alleged by the notice of complaint are unsuitable for use as a vocational training institution or any parts of the premises are in fact unsuitable for such use, by order disqualify the premises or part thereof from being so used, or, if satisfied that the accommodation provided at the premises is inadequate having regard to the number, ages, and sex of the persons attending the institution, by order disqualify the premises from being used as a vocational training institution for persons exceeding such number or of such age or sex as may be specified in the order;
- (e) if satisfied that any person alleged by the notice of complaint to be a person who is not proper to be the proprietor of, or a teacher in, a vocational training institution is in fact such a person, by order disqualify that person from being the proprietor of, or a teacher in, the vocational training institution, as the case may be.

(3) Where a notice of complaint has been served under section 30 on the proprietor or manager of a vocational training institution and the complaint is not referred by him to an Appeals Board within the time limited in that behalf by the notice, the Registrar may make any order which an

Appeals Board would have had power to make if the complaint had been so referred.

(4) If it was alleged by the notice of complaint that any person employed as a teacher in the institution is not a proper person to be a teacher in any vocational training institution and that person has, within the time limited in that behalf by the copy of the notice served upon him, referred the complaint to an Appeals Board, the Registrar shall not make an order requiring his dismissal or disqualifying him from being a teacher in any vocational training institution.

(5) Where by virtue of an order made by an Appeals Board or by the Registrar any person is disqualified either from being the proprietor of, or a teacher in, any vocational training institution, then, unless the order otherwise directs, that person shall, by virtue of the order, be disqualified both from being the proprietor of, and a teacher in, any vocational training institution.

Enforce-  
ment.

**32.—**(1) Where an order is made by the Registrar or by an Appeals Board directing that any vocational training institution be struck off the register, the Registrar shall, as from the date on which the direction takes effect, strike the institution off the register.

(2) If any person uses any premises for purposes for which the premises are disqualified by virtue of an order made under this Part, that person shall be guilty of an offence.

(3) If any person acts as the proprietor of a vocational training institution, or accepts or endeavours to obtain employment as a teacher in any vocational training institution, while he is disqualified from so acting or from being so employed by virtue of an order made under this Part, he shall be guilty of an offence.

Removal of  
disqualifica-  
tion.

**33.—**(1) If on the application of any person the Registrar is satisfied that any disqualification imposed by an order made under this Part is, by reason of any change of circumstances, no longer necessary, the Registrar may by order remove the disqualification.

(2) Any person who is aggrieved by the refusal of the Registrar to remove a disqualification so imposed may, within such time after the refusal has been communicated to him as may be limited by regulations made under this Act, appeal to an Appeals Board.

**34.**—(1) Where an appeal is required to be determined by an Appeals Board under this Part, the Director shall forthwith take all steps necessary for the constitution of an Appeals Board which shall consist of two public officers and one other person, not being a public officer, chosen by the Board from a panel of persons nominated by the Minister.

Constitution  
of Appeals  
Board.

(2) The onus of proving that a decision of the Registrar under this Part is unjustified shall be on the appellant.

(3) An Appeals Board may —

(a) summon any person whom it may consider able to give evidence respecting an appeal to attend at the hearing of the appeal, examine such person as a witness either on oath or otherwise and require that person to produce such books, papers and documents as the Appeals Board may think necessary for the purposes of the appeal;

(b) allow any person so attending an appeal any reasonable expenses necessarily incurred by him in so attending; and such expenses shall form part of the cost of the appeal and, pending and subject to any order by the Appeals Board as to such cost, shall be paid by the appellant or the Registrar, as the Appeals Board may direct.

(4) An Appeals Board shall have the powers of a District Court with regard to the enforcement of attendance of witnesses, hearing evidence on oath and punishment for contempt.

(5) In addition to the powers conferred upon it by section 31 (2), an Appeals Board may, after hearing an appeal, confirm or annul the decision of the Registrar or make such other order as it thinks fit.

(6) On any appeal to an Appeals Board the decision of the Appeals Board shall be final.

Proceedings  
before  
Appeals  
Boards and  
matters  
relating  
thereto.

**35.** The Board may, with the approval of the Minister, make regulations as to the practice and procedure to be followed with respect to the constitution of Appeals Boards, as to the manner of making appeals to, and as to proceedings before, the Appeals Boards and matters incidental to or consequential on such proceedings; and, in particular, such regulations may make provision requiring the Appeals Boards to sit at such places as may be directed in accordance with the regulations and may make provision as to appearance before the Appeals Boards by counsel and as to the payment to members of the Appeals Boards, as part of the expenses thereof under this Act, of such remuneration and allowances as may be provided for by the regulations.

Powers of  
Registrar  
and  
authorised  
officers.

**36.—(1)** For the purpose of carrying out the provisions of this Part and of the regulations made under this Act it shall be lawful for the Registrar or any officer of the Board duly authorised in writing by the Registrar in that behalf to enter any vocational training institution or premises reasonably suspected to be used for the purposes of a vocational training institution and to examine all documents found on such premises and to remove them for further examination.

(2) If the premises or any building therein is closed and if the proprietor or manager or a teacher of the institution cannot be found to open such premises or building, the Registrar or the officer may enter therein using such force as may be necessary.

(3) The Registrar or the officer may, while lawfully carrying out an inspection of a registered vocational training institution under this section, require any proprietor, manager or teacher or any student or trainee of the institution or any person found within the institution to produce for his inspection any document in his possession or under his control which relates to the management of or the teaching provided at the institution and to furnish the Registrar or the officer, as the case may be, such information relating to the management or teaching of the institution as he may demand and which it is within the power of the proprietor, manager, teacher, student or person to furnish.

**37.** The Minister may, subject to such terms and conditions as he may impose, exempt any vocational training institution to which this Part applies from all or any of the provisions thereof. Exemption.

## PART VI

### PROVISIONS RELATING TO STAFF

**38.—**(1) The Board shall, with the approval of the Minister, appoint a Director of Vocational and Industrial Training on such terms and conditions as it may determine. Appointment of Director.

(2) The Director shall —

- (a) be the chief executive officer of the Board;
- (b) be responsible to the members for the proper administration and management of the Board in accordance with the policy laid down by the members; and
- (c) not be removed from office without the consent of the Minister.

(3) If the Director is temporarily absent from Singapore or temporarily incapacitated by reason of illness or for other reasons temporarily unable to perform his duties, any person may be appointed by the Board to act in the place of the Director during any period of such absence from duty.

**39.** The Board may from time to time and subject to such directions as may be given by the Minister appoint such number of employees on such terms as to remuneration and otherwise as the Board may determine. Employment of staff.

**40.—**(1) The Board may, with the approval of the Minister, make regulations for the establishment of a scheme or schemes for the payment of pensions, gratuities, provident fund or other superannuation benefits to such employees or classes of employees of the Board as it may determine, or to their legal personal representatives or dependants, on the death or retirement of such employees from the service of the Board or on their otherwise leaving the service of the Board. Pension schemes, provident fund, etc.

(2) The following provisions shall apply to any scheme established under subsection (1):

- (a) no assurance on the life of any contributor under any such scheme, and no money or other benefit payable under any such assurance, and no payment made under any such scheme to any person who has been employed by the Board shall be assignable or transferable, or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim other than a debt due to the Board or to the Government;
- (b) no donation by the Board or contribution by its employees made under any such scheme and no interest thereon shall be assignable or transferable or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim other than a debt due to the Board or to the Government.
- (c) no such donation, contribution or interest shall be subject to any debt of the contributor, nor shall such donation, contribution or interest pass to the Official Assignee on the bankruptcy of that contributor, but, if the contributor is adjudicated a bankrupt or is declared insolvent by a court, the donation, contribution or interest shall, subject to the provisions of this Act, be deemed to be subject to a trust in favour of the persons entitled thereto on the death of the contributor;
- (d) the bankruptcy of a contributor shall not affect the making of deductions from the salary of the contributor in accordance with any such scheme, but the deductions shall continue to be made notwithstanding the provisions of any other written law, and the portion of salary so deducted shall not be deemed to form part of his after-acquired property;
- (e) subject to the provisions of any such scheme, all moneys paid or payable under any such scheme on the death of a contributor shall be subject to a trust in favour of the persons entitled thereto

under a nomination in such form as may be prescribed in the scheme or, in the absence of any such nomination, the persons entitled thereto under the will or intestacy of the deceased contributor and shall not form part of his estate or be subject to the payment of his debts, but shall be deemed to be property passing on his death for the purposes of the Estate Duty Act;

Cap. 96.

- (f) any contributor may by a memorandum under his hand appoint a trustee or trustees of the moneys payable on his death out of any such scheme and may make provision for the appointment of a new trustee or new trustees of those moneys and for the investment thereof; the memorandum shall be in a form prescribed by such scheme and shall be deposited with the Board;
- (g) if at the time of the death of any contributor or at any time afterwards, there is no trustee of such moneys or it is expedient to appoint a new trustee or new trustees, then and in any such case a trustee or trustees or a new trustee or new trustees may be appointed by the High Court; and
- (h) the receipt of a person duly nominated by a deceased contributor or a trustee or trustees duly appointed or, in default of any such nomination or appointment and of written notice thereof to the Board, the receipt of the legal personal representative of a deceased contributor shall be a discharge to the Board for any moneys payable on his death out of any such scheme.

(3) Where a person in the service of the Board, who does not come within the scope and effect of any pension or other scheme established under this section, retires or dies in the service of the Board or is discharged from such service, the Board may grant to him or to such other person or persons wholly or partly dependent on him, as the Board may think fit, such allowance or gratuity as the Board may determine.

Personal immunity of members and officers of Board.

**41.** No matter or thing done and no contract of any kind entered into by the Board and no matter or thing done by any member or by any employee of the Board or any other person acting under the direction of the Board shall, if the matter or thing was done or the contract was entered into bona fide for the purposes of carrying out the provisions of this Act, subject any such member or employee or any other person acting under the direction of the Board personally to any action, liability, claim or demand in respect thereof.

Public servants.  
Cap. 224.

**42.** The members and employees of the Board of every description shall be deemed to be public servants within the meaning of the Penal Code.

## PART VII

### FINANCIAL PROVISIONS

Financial year.

**43.** The financial year of the Board shall begin on 1st April each year and end on 31st March of the following year.

Estimates.

**44.—(1)** The Board shall in every year cause to be prepared and adopt annual estimates of income and expenditure of the Board for the ensuing financial year.

(2) Supplementary estimates may be adopted by the Board.

(3) A copy of all annual and supplementary estimates shall, upon their adoption by the Board, be sent forthwith to the Minister who may approve or disallow any item or portion of any item shown in the estimates, and shall return the estimates as amended by him to the Board and the Board shall be bound thereby.

Grants.

**45.** For the purpose of enabling the Board to carry out its functions under this Act, the Board may receive grants out of moneys to be provided by Parliament.

Loans.

**46.** The Board 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 source.

47. Moneys belonging to the Board may from time to time, subject to the approval of the Minister, be invested in any of the securities in which trust funds may, by any other written law for the time being in force relating to trustees, be invested. Investment.

48. The Board 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 authorised and that adequate control is maintained over the assets of, or in the custody of, the Board and over the expenditure incurred by it. Accounts to be kept.

49.—(1) The accounts of the Board shall be audited by the Auditor-General or by an auditor appointed annually by the Minister in consultation with the Auditor-General (referred to in this Act as the auditor). Accounts.

(2) The remuneration of the auditor shall be paid out of the funds of the Board.

(3) The Board shall, as soon as practicable after the end of the financial year, prepare and submit the financial statements in respect of that year to the auditor who shall audit and report on them.

(4) The auditor shall report —

(a) whether the financial statements show fairly the financial transactions and the state of affairs of the Board; and

(b) on such other matters arising from the audit as he considers should be reported.

(5) The auditor shall state in his report whether —

(a) proper accounting and other records have been kept; and

(b) the receipt, expenditure and investment of moneys and the acquisition and disposal of assets by the Board during the year have been in accordance with the provisions of this Act.

(6) The auditor may at any other time report to the Minister through the Board upon any matter arising out of the performance of his audit.

Powers of  
auditor.

**50.**—(1) 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 Board.

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

(3) The auditor or any 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 any duly authorised person considers necessary for the purposes of the functions of the auditor under this Act.

(4) Any officer of the Board who refuses or fails without any reasonable cause to allow the auditor access to any accounting and other records of the Board 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 auditor in the performance of his duties or the exercise of his powers under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 and, where the offence is continued after conviction, to a further fine not exceeding \$100 for every day or part thereof during which the offence continues.

Presentation  
of financial  
statements  
and audit  
reports.

**51.**—(1) As soon as the accounts of the Board 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.

(2) Where the Auditor-General has not been appointed to be the auditor 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 as they are submitted to the Board.

(3) The Minister shall cause a copy of the audited financial statements and of the auditor's report to be presented to Parliament.

Annual  
report.

**52.** The Board shall, as soon as practicable after the end of each financial year, submit to the Minister an annual

report on the activities of the Board during that year, and the Minister shall cause a copy of every such annual report to be presented to Parliament.

PART VIII

MISCELLANEOUS

53.—(1) The Board shall have a common seal, and such seal may from time to time be broken, changed, altered and made anew as the Board thinks fit.

Common seal and execution of documents.

(2) All deeds, documents and other instruments requiring the seal of the Board shall be sealed with the common seal of the Board and every instrument to which the common seal is affixed shall be signed by a member and shall be countersigned by the Director or by some other person duly authorised by the Board 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 Board.

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

(4) Section 12 of the Registration of Deeds Act shall not apply to any instrument purporting to have been executed under subsection (2).

Cap. 269.

54. The Board may require any person who attends any of the courses or avails himself of the facilities provided or approved by the Board under this Act to be insured against personal injuries and loss of life.

Compulsory insurance.

55.—(1) In relation to accidents happening to workmen (within the meaning of the Workmen’s Compensation Act) who attend courses or avail themselves of the facilities provided or approved by the Board, that Act shall have effect subject to the following modification.

Accidents happening in relation to training provided or approved by Board. Cap. 354.

(2) For the purposes of the Workmen’s Compensation Act, any act done by a workman for the purposes of and in connection with his training shall, if it is not done for the purposes of and in connection with his employer’s trade or business, be deemed to be so done.

Power to  
obtain infor-  
mation from  
employers.

**56.—**(1) The Director may require employers in commerce and industry to furnish such returns and other information and to keep such records and produce them for examination as appear to the Director to be necessary for the purposes of this Act.

(2) Subject to subsection (3), returns and other information furnished in pursuance of subsection (1) and any information obtained on an examination made in pursuance thereof shall not, without the consent of the employer to whose business the returns or information relate, be disclosed otherwise than to the Board or a committee appointed by the Board, or an officer of the Board or of such committee or any person entitled to take part in the proceedings of the Board.

(3) Subsection (2) shall not apply —

(a) to the disclosure of returns or information in the form of a summary of similar returns or information furnished by or obtained from a number of employers, if the summary is so framed as not to enable particulars relating to any individual business to be ascertained from it;

(b) to any disclosure of information made for the purposes of any legal proceedings pursuant to this Act or any criminal proceedings, whether pursuant to this Act or not, or for the purposes of any report of any such proceedings.

(4) A certificate purporting to be issued by or on behalf of the Director and stating that he has approved any kind of information, return or record for the purposes of subsection (2) shall in any legal proceedings be evidence of the facts stated in the certificate.

(5) If any person fails to comply with any requisition made under subsection (1), he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 and on a second or subsequent conviction to a fine not exceeding \$1,000.

(6) If any person —

(a) knowingly or recklessly furnishes, in pursuance of any requisition made under subsection (1), any return or other information which is false in a material particular;

- (b) wilfully makes a false entry in any record required to be produced under subsection (1) or, with intent to deceive, makes use of any such entry which he knows to be false; or
- (c) discloses any information in contravention of subsection (3),

he shall be guilty of an offence.

**57.** Any person who obstructs or hinders any officer or agent of the Board 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.

Obstructing  
officers of  
Board.

**58.** Proceedings in respect of an offence under this Act or any regulations made thereunder may be conducted by an officer of the Board or an officer of the Government authorised in writing in that behalf by the Director.

Proceedings  
conducted by  
officers of  
Board.

**59.** No prosecution in respect of an offence under this Act or any regulations made thereunder shall be instituted except by or with the consent of the Public Prosecutor.

Consent of  
Public  
Prosecutor.

**60.** Any person who commits an offence under this Act for which no penalty is provided by this Act shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 2 years or to both.

General  
penalties.

**61.** Where an offence under this Act or any regulations made thereunder is committed by a body corporate and it is proved to have been committed with the consent or connivance of, or to be attributable to any act or default 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.

Offence  
by body  
corporate.

**62.—(1)** The Board may, with the approval of the Minister, make such regulations as are necessary for carrying into effect the provisions of this Act.

Regulations.

(2) Without prejudice to the generality of subsection (1), the Board may make regulations for all or any of the following matters:

- (a) the award of scholarships and other financial assistance to persons attending courses of further education or of training for employment in commerce or industry;
- (b) the tests to be conducted in any vocation in commerce or industry;
- (c) the appointment, promotion, conduct, disciplinary control, dismissal and termination of service of all officers and employees of the Board;
- (d) the registration of apprentices and the conduct and supervision of apprenticeship or other forms of on-the-job training in commerce or industry.

Transitional  
provision.  
Cap. 1.  
1970 Ed.  
Cap. 177.  
36/72.

**63.** Without limiting the provisions of the Interpretation Act any document or any thing done under any provision of the Lembaga Gerakan Pelajaran Dewasa Act or the Industrial Training Board Act 1972, repealed by this Act, and every such document or thing so far as it is subsisting or in force on 1st April 1979 shall continue and have effect as if it had been made or done under the corresponding provision of this Act and as if that provision had been in force when the document was made or the thing was done.