



THE STATUTES OF THE REPUBLIC OF SINGAPORE

INSTITUTE OF TECHNICAL EDUCATION ACT

(CHAPTER 141A)

(Original Enactment: Act 8 of 1992)

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Institute of Technical Education Act

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An Act to establish the Institute of Technical Education, Singapore,
and for matters connected therewith.

[1st April 1992]

PART I
PRELIMINARY

Short title

1. This Act may be cited as the Institute of Technical Education Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“Board” means the Board of Governors established under section 7(1);

“Chairman” means the Chairman of the Board appointed under section 7(3);

“Chief Executive Officer” means the Chief Executive Officer of the Institute, and includes any individual acting in that capacity;

[Act 5 of 2018 wef 01/04/2018]

“commerce or industry” includes any trade, manufacturing or service industry, business or other related activity;

“Deputy Chairman” means the Deputy Chairman of the Board appointed under section 7(4);

“Institute” means the Institute of Technical Education, Singapore established under section 3;

“member” means a member of the Board;

“technical skills” means the skills acquired through technical education and training or other means for employment in commerce or industry;

“Vocational and Industrial Training Board” means the Vocational and Industrial Training Board established under

the repealed Vocational and Industrial Training Board Act [Cap. 345].

PART II

ESTABLISHMENT OF INSTITUTE

Establishment of Institute

3. There is hereby established an Institute to be known as the Institute of Technical Education, Singapore which shall be a body corporate with perpetual succession and a common seal and shall, by that name, be capable of —

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

Common seal

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

(2) All deeds, documents and other instruments requiring the seal of the Institute shall be sealed with the common seal of the Institute and every instrument to which the common seal is affixed shall be signed by a member and shall be countersigned by the Chief Executive Officer 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 Institute.

(3) Section 12 of the Registration of Deeds Act [Cap. 269] shall not apply to any instrument purporting to have been executed under subsection (2).

Functions**5.** The functions of the Institute shall include —

- (a) the provision and conduct of technical education and training, and further education programs, for persons employed in or intending to be employed in commerce or industry;

[Act 24 of 2016 wef 03/10/2016]

- (b) *[Deleted by Act 24 of 2016 wef 03/10/2016]*

- (c) *[Deleted by Act 24 of 2016 wef 03/10/2016]*

- (d) the provision of consultancy services, and the accrediting of programs and qualifications, for training and education in technical skills; and

[Act 24 of 2016 wef 03/10/2016]

- (e) cooperating and collaborating with the SkillsFuture Singapore Agency established by section 3 of the SkillsFuture Singapore Agency Act 2016, and the Workforce Singapore Agency established by section 3 of the Workforce Singapore Agency Act (Cap. 305D), in the discharge of their respective functions under those Acts.

[Act 24 of 2016 wef 03/10/2016]

[Act 20 of 2016 wef 04/10/2016]

- (f) *[Deleted by Act 24 of 2016 wef 03/10/2016]*

Powers**6.** The Institute may, for the purpose of discharging its functions —

- (a) provide for and regulate the holding of examinations, grant of awards, certificates and other qualifications for attainment of technical skills, competency and achievements;
- (b) establish facilities for the provision of training and education in technical skills;
- (c) collaborate with and assist any person in the provision and promotion of training and education in technical skills;

- (d) render professional advice and expertise and other consultancy services to any person involved in the provision and promotion of training and education in technical skills;
 - (e) carry on any trade or business whether with other persons or by itself for the purpose of providing training to persons employed or intending to be employed in commerce or industry;
 - (f) form or participate in the formation of companies having such objects as may be approved by the Minister;
 - (g) acquire, hire, procure, construct, erect, develop, manufacture, operate, maintain and repair any property whether movable or immovable required by the Institute for the purposes of the Act;
 - (h) with the approval of the Minister, dispose of, surrender or sell any immovable property;
 - (i) levy and collect such fees, rates or charges for training and other services, use of facilities and conduct of activities as the Institute may consider expedient;
 - (j) solicit and receive donations and contributions from any source or raise funds by all lawful means;
 - (k) give donations and contributions to any person or organisation;
 - (l) regulate and provide for the welfare and discipline of employees and students of the Institute;
 - (m) inspect, approve and register training institutions conducting or intending to conduct training courses in technical skills;
 - (n) undertake surveys or carry out research about teaching and learning practices;
- [Act 24 of 2016 wef 03/10/2016]*
- (o) promote or undertake publicity in any form; and
 - (p) do all such other things as are incidental to, or necessary for, the attainment of its functions.

PART III**CONSTITUTION AND PROCEEDINGS OF BOARD OF GOVERNORS****Constitution of Board of Governors**

7.—(1) There shall be a Board of Governors of the Institute which shall be the executive body of the Institute and may exercise all the powers conferred on the Institute under this Act.

(2) The Board shall consist of the following members:

(a) a Chairman;

(b) the Chief Executive Officer;

(c) such number of other members, not being less than 9 or more than 18 as the Minister may from time to time determine, representing the Government, employers and trade unions.

(3) The Chairman and other members of the Board 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.

(4) The Minister may, in his discretion, appoint any member of the Board to be the Deputy Chairman of the Board.

(5) The Deputy Chairman so appointed may, subject to such direction as may be given by the Chairman, exercise all or any of the powers exercisable by the Chairman under this Act.

(6) 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.

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

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

Salaries, fees and allowances payable to members

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

Vacation of office

9. The office of a member shall be vacated if the member —

(a) becomes mentally disordered and incapable of managing himself or his affairs;

[21/2008 wef 01/03/2010]

(b) is adjudicated a bankrupt;

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

(d) fails to attend, without leave of the Board, 3 consecutive meetings of the Board; or

(e) resigns from his office.

Filling of vacancies

10.—(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.

Meetings of Board

11.—(1) The Chairman shall summon meetings as often as may be required.

(2) At every meeting of the Board, one-third of the number of members shall constitute a quorum.

(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 and the Public Sector (Governance) Act 2018, 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.

[Act 5 of 2018 wef 01/04/2018]

12. *[Repealed by Act 5 of 2018 wef 01/04/2018]*

Validity of acts of members

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

Directions by Minister

14.—(1) The Minister may, after consulting the Board, give to the Institute any direction under section 5 of the Public Sector (Governance) Act 2018.

[Act 5 of 2018 wef 01/04/2018]

(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.

Appointment of committees and delegation of powers

15.—(1) The Board may, in its discretion, appoint 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 or the Chief Executive Officer, all or any of the powers, functions and duties by this Act vested in the Institute, and a power, function or duty so delegated may be exercised or performed by such committee or the Chairman or the Chief Executive Officer, as the case may be, in the name and on behalf of the Institute.

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

(4) *[Deleted by Act 5 of 2018 wef 01/04/2018]*

PART IV

TRANSFER OF ASSETS, LIABILITIES AND EMPLOYEES

Transfer to Institute of assets and liabilities

16.—(1) As from 1st April 1992, all lands, buildings and other properties, movable or immovable, rights, interests, privileges, obligations and liabilities vested in, belonging to or incurred by the Vocational and Industrial Training Board shall be transferred to and vest in the Institute without further assurance.

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

Existing contracts

17. All deeds, bonds, agreements, instruments and working arrangements subsisting immediately before 1st April 1992 affecting the lands, buildings and other properties, movable or immovable, transferred under section 16 or any employee of the Vocational and Industrial Training Board transferred to the service of the Institute under section 19 shall be of full force and effect against or in favour of the Institute and enforceable as fully and effectually as

if, instead of the Vocational and Industrial Training Board, the Institute had been named therein or had been a party thereto.

Pending proceedings

18. Any proceedings or cause of action pending or existing immediately before 1st April 1992 by or against the Vocational and Industrial Training Board in respect of the lands, buildings and other properties, movable or immovable, transferred under section 16 and the rights, interests, obligations and liabilities in connection therewith or appertaining thereto may be continued and enforced by or against the Institute as it might have been by or against the Vocational and Industrial Training Board as if this Act had not been enacted.

Transfer of employees

19.—(1) As from 1st April 1992, such persons employed by the Vocational and Industrial Training Board immediately before that date as specified by the Minister shall be transferred to the service of the Institute on terms no less favourable than those enjoyed by them immediately prior to their transfer.

(2) Until such time as schemes and terms and conditions of service are drawn up by the Institute, the schemes and terms and conditions of service in the Vocational and Industrial Training Board shall continue to apply to every person transferred to the service of the Institute under subsection (1) as if he were still in the service of that Board.

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

(4) Where any person who is transferred to the service of the Institute under subsection (1) was an employee of the Government transferred to the service of the Vocational and Industrial Training

Board with his pension benefits in respect of that employment preserved, the Government shall be liable to pay to the Institute such portion of any such pension benefits payable 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 former Industrial Training Board, the Vocational and Industrial Training Board and the Institute.

Continuation and completion of disciplinary proceedings

20.—(1) Where on 1st April 1992 any disciplinary proceedings against any person transferred to the service of the Institute under section 19 were pending before the Vocational and Industrial Training Board, the proceedings against the person 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 Vocational and Industrial Training Board or had been heard or investigated by that Board, but no order or decision had been made thereon, that 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 1st April 1992, the Vocational and Industrial Training Board shall complete the hearing or investigation in accordance with the authority vested in that Board immediately before that date and make such order, ruling or direction as the Board could have made under the authority vested in it immediately before that date.

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

Misconduct or neglect of duty whilst in former employment

21. The Institute 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 Vocational and 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 that Board or any other person acting under its authority or direction, as if this Act had not been enacted.

PART V**PROVISIONS RELATING TO STAFF****Chief Executive Officer**

22.—(1) There must be a Chief Executive Officer of the Institute, whose appointment, removal, discipline and promotion must be in accordance with the Public Sector (Governance) Act 2018.

(2) The Board may, subject to the Public Sector (Governance) Act 2018, appoint an individual to act temporarily as the Chief Executive Officer during any period, or during all periods, when the Chief Executive Officer —

(a) is absent from duty or Singapore; or

(b) is, for any reason, unable to perform the duties of the office.

[Act 5 of 2018 wef 01/04/2018]

Employment of staff

23. The Institute may, subject to the Public Sector (Governance) Act 2018, appoint and employ, on such terms and conditions as it may determine, such other officers, employees, consultants and agents as may be necessary for the effective performance of its functions.

[Act 5 of 2018 wef 01/04/2018]

Protection from personal liability

24. No suit or other legal proceedings shall lie against any member or any employee of the Institute or other person acting under the

direction of the Institute for anything which is in good faith done or intended to be done in the execution or purported execution of this Act.

25. *[Repealed by Act 5 of 2018 wef 01/04/2018]*

PART VI

FINANCIAL PROVISIONS

Financial year

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

Grants

27. For the purpose of enabling the Institute to carry out its functions under this Act, the Minister may, from time to time, make grants-in-aid to the Institute out of moneys to be provided by Parliament.

Loans

28. The Institute 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.

Issue of shares, etc.

28A. As a consequence of the vesting of any property, rights or liabilities of the Government in the Institute under this Act, or of any capital injection or other investment by the Government in the Institute in accordance with any written law, the Institute shall issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

[5/2002 wef 15/07/2002]

Power of investment

29. The Institute may invest its moneys in accordance with the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act (Cap. 1).

[45/2004 wef 15/12/2004]

30. [Repealed by Act 5 of 2018 wef 01/04/2018]

31. [Repealed by Act 5 of 2018 wef 01/04/2018]

32. [Repealed by Act 5 of 2018 wef 01/04/2018]

33. [Repealed by Act 5 of 2018 wef 01/04/2018]

34. [Repealed by Act 5 of 2018 wef 01/04/2018]

PART VII

MISCELLANEOUS

Symbol of Institute

35.—(1) The Institute shall have the exclusive right to the use of such symbol, design or representation as it may select or devise in connection with its activities or affairs.

(2) Any person or body corporate who uses a symbol, design or representation identical with that of the Institute or which so resembles the symbol, design or representation thereof as to deceive or cause confusion or to be likely to deceive or cause confusion shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Titles of certificates issued by Institute

36.—(1) The Institute shall have the exclusive right in the form and presentation of its titles of certificates or other qualifications issued by the Institute to any person who attains the standard set by the Institute.

(2) Any person who issues or uses, or causes or permits the use of, titles of certificates or other qualifications identical with those of the Institute shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Compulsory insurance

37. The Institute may require any person who attends any course or avails himself of any facility provided or approved by the Institute under this Act to be insured against personal injuries and loss of life.

Accidents happening to employees during training provided or approved by Institute

38.—(1) In relation to accidents happening to employees (within the meaning of the Work Injury Compensation Act) who attend courses or avail themselves of the facilities provided or approved by the Institute, that Act shall have effect subject to subsection (2).

[5/2008 wef 01/04/2008]

(2) For the purposes of the Work Injury Compensation Act [Cap. 354], any act done by an employee for the purposes of and in connection with his training referred to in subsection (1) 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.

[5/2008 wef 01/04/2008]

Power to obtain information from employers

39.—(1) The Chief Executive Officer may require employers in commerce or industry to furnish such returns and other information and to keep such records and produce them for examination as appear to the Chief Executive Officer 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 Institute or a committee appointed by the Institute, or an officer of the Institute or of such committee or any person entitled to take part in the proceedings of the Institute.

(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 Chief Executive Officer 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) Any person who fails to comply with any requisition made under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$2,000.

(6) Any person who —

- (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 (2),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Obstructing officers of Institute

40. Any person who obstructs or hinders any officer, employee or agent of the Institute 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.

Proceedings conducted by employees of Institute

41. Proceedings in respect of any offence under this Act or any regulations made thereunder may, with the authorisation of the Public Prosecutor, be conducted by an employee of the Institute.

[15/2010 wef 02/01/2011]

Consent of Public Prosecutor

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

[15/2010 wef 02/01/2011]

Offence by body corporate

43. 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.

Regulations

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

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

- (a) the collection of fees, rates or charges and the award of scholarships and other financial assistance to persons attending training and education in technical skills;
- (b) *[Deleted by Act 24 of 2016 wef 03/10/2016]*
- (c) *[Deleted by Act 24 of 2016 wef 03/10/2016]*
- (d) the registration of apprentices and the conduct and supervision and regulation of apprenticeship programs and schemes; and
- (e) the appointment, promotion, conduct, disciplinary control, dismissal and termination of service of employees of the Institute.

Transitional provisions

45.—(1) Any document or thing done under any provision of the repealed Vocational and Industrial Training Board Act [Cap. 345], and every such document or thing so far as it is subsisting or in force on 1st April 1992 shall continue and have effect as if it had been made or done under the corresponding provisions of this Act.

(2) As from 1st April 1992, all references in any written law to the Vocational and Industrial Training Board shall be read as references to the Institute of Technical Education, Singapore.

LEGISLATIVE HISTORY
INSTITUTE OF TECHNICAL EDUCATION ACT
(CHAPTER 141A)

This Legislative History is provided for the convenience of users of the Institute of Technical Education Act. It is not part of the Act.

1. Act 8 of 1992 — Institute of Technical Education Act 1992

Date of First Reading : 13 January 1992
(Bill No. 3/1992 published on
14 January 1992)

Date of Second and Third Readings : 27 February 1992

Date of commencement : 27 March 1992

2. 1993 Revised Edition — Institute of Technical Education Act

Date of operation : 15 March 1993

3. Act 5 of 2002 — Statutory Corporations (Capital Contribution) Act 2002
(Consequential amendments made to Act by)

Date of First Reading : 3 May 2002
(Bill No. 7/2002 published on
4 May 2002)

Date of Second and Third Readings : 24 May 2002

Dates of commencement : 15 July 2002

4. Act 45 of 2004 — Trustees (Amendment) Act 2004
(Consequential amendments made to Act by)

Date of First Reading : 21 September 2004
(Bill No. 43/2004 published on
22 September 2004)

Date of Second and Third Readings : 19 October 2004

Date of commencement : 15 December 2004

5. Act 5 of 2008 — Workmen's Compensation (Amendment) Act 2008
(Consequential amendments made to Act by)

Date of First Reading : 12 November 2007
(Bill No. 50/2007 published on
13 November 2007)

Date of Second and Third Readings : 22 January 2008

Date of commencement : 1 April 2008

6. Act 21 of 2008 — Mental Health (Care and Treatment) Act 2008
(Consequential amendments made to Act by)

Date of First Reading	: 21 July 2008 (Bill No. 11/2008 published on 22 July 2008)
Date of Second and Third Readings	: 16 September 2008
Date of commencement	: 1 March 2010

7. Act 15 of 2010 — Criminal Procedure Code 2010
(Consequential amendments made to Act by)

Date of First Reading	: 26 April 2010 (Bill No. 11/2010 published on 26 April 2010)
Date of Second and Third Readings	: 19 May 2010
Date of commencement	: 2 January 2011

8. Act 24 of 2016 — SkillsFuture Singapore Agency Act 2016

Date of First Reading	: 11 July 2016 (Bill No. 24/2016 published on 11 July 2016)
Date of Second and Third Readings	: 16 August 2016
Date of commencement	: 3 October 2016

**9. Act 20 of 2016 — Singapore Workforce Development Agency
(Amendment) Act 2016**

Date of First Reading	: 11 July 2016 (Bill No. 19/2016 published on 11 July 2016)
Date of Second and Third Readings	: 16 August 2016
Date of commencement	: 4 October 2016

10. Act 5 of 2018 — Public Sector (Governance) Act 2018

Date of First Reading	: 6 November 2017 (Bill No. 45/2017 published on 6 November 2017)
Date of Second and Third Readings	: 8 January 2018
Date of commencement	: 1 April 2018