



THE STATUTES OF THE REPUBLIC OF SINGAPORE

NATIONAL PARKS BOARD ACT 1996

2020 REVISED EDITION

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National Parks Board Act 1996

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An Act to reconstitute the National Parks Board and to provide for the transfer of the property, rights and liabilities of the Parks and

Recreation Department to the National Parks Board, and for matters connected therewith.

[1 July 1996]

PART 1
PRELIMINARY

Short title

1. This Act is the National Parks Board Act 1996.

Interpretation

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

“animal” includes a mammal (other than a human being), a bird, a reptile, an amphibian, a fish, a mollusc, an arthropod, and the young or egg of any animal;

“animal-related services” includes any of the following activities:

- (a) bathing, grooming or clipping of animals;
- (b) treatment, vaccination or inoculation of animals;
- (c) providing accommodation or boarding to or training of animals;
- (d) exhibiting (whether or not for sale) of animals;
- (e) trapping, restraining or immobilising animals;

“animal-related services industry” means an industry consisting of persons carrying out any animal-related services in the course of business;

“Board” means the National Parks Board established under the repealed National Parks Act (Cap. 198A, 1991 Revised Edition) in force before 1 July 1996 and continued by section 3;

“Chairperson” means the Chairperson of the Board and includes any acting Chairperson of the Board;

“Chief Executive” means the Chief Executive of the Board and includes any person acting in that capacity;

“landscape industry” means an industry comprising persons who carry on any business or engage in any commercial activity in connection with one or more, or any part, or any combination, of the following:

- (a) landscaping works and services;
- (b) the supply of plants or landscaping or related products;
- (c) the growing and supply of flowers and ornamental plants;

“landscaping works and services” includes the provision of services in landscape design, landscape architecture, planting and landscaping, arboriculture maintenance, horticulture maintenance and turf maintenance;

“member” means a member of the Board;

“national park” has the meaning given by the Parks and Trees Act 2005;

“nature reserve” has the meaning given by the Parks and Trees Act 2005;

“organism” has the meaning given by the Parks and Trees Act 2005;

“Parks and Recreation Department” means the Parks and Recreation Department of the Ministry of National Development;

“plant” has the meaning given by the Parks and Trees Act 2005;

“public authority” means a body corporate established by a public Act for the purposes of a public function;

“public park” has the meaning given by the Parks and Trees Act 2005;

“subdelegate” means a person to whom a delegate under section 10(2) further delegates the performance or exercise of any of the Board’s functions, duties or powers;

“transfer date” means 1 April 2019;

“veterinary establishment” means any premises or place in which veterinary medicine is practised or veterinary services are provided;

“veterinary medicine” means any branch or art of veterinary medicine and includes veterinary surgery;

“veterinary product” means any chemical, substance or equipment used or designed for use in the practice of veterinary medicine or the provision of veterinary services;

“veterinary science industry” means an industry consisting of persons carrying on business, or who engage in commercial activity, involving all or any of the following:

- (a) the practice of veterinary medicine;
- (b) the provision of veterinary services;
- (c) the management of a veterinary establishment;
- (d) the supply of veterinary products;

“veterinary service” means a service provided in relation to an animal in the control or the possession of a person for any of the following purposes:

- (a) assessing, recording, maintaining or improving the health, welfare, comfort or wellbeing of the animal;
- (b) diagnosing or treating an illness, disability, disorder or condition of the animal;
- (c) examining or attending to the animal, including administering a veterinary product to or performing any surgical procedure on the animal;
- (d) performing any cosmetic procedure (including surgery) on the animal;
- (e) castrating or spaying of the animal;

- (f) giving advice based on a diagnosis or an examination mentioned in paragraph (b) or (c) or connected with a procedure in paragraph (d) or (e), including prescribing treatment, drugs, medications or medical appliances.

[9/2017; 10/2019]

PART 2

RECONSTITUTION OF BOARD

Reconstitution of National Parks Board

3. As from 1 July 1996, the Board continues in existence and continues to be a body corporate with perpetual succession and capable of —

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

Common seal

4.—(1) As from 1 July 1996, the Board continues to have a common seal and the seal may be broken, changed, altered and made anew as the Board thinks fit.

(2) All deeds and other documents requiring the seal of the Board must be sealed with the common seal of the Board and every document to which the common seal is affixed must be signed by any 2 members generally or specially authorised by the Board for the purpose or by one member so authorised and the Chief Executive.

(3) Any document purporting to be a document duly executed under the seal of the Board is to be received in evidence and is, unless the contrary is proved, deemed to be a document so executed.

(4) The Board may, by resolution or otherwise in writing, appoint an officer of the Board or any other agent either generally or in a 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.

Constitution of Board

5. The First Schedule has effect with respect to the Board and its members.

PART 3

FUNCTIONS AND POWERS OF BOARD

Functions of Board

- 6.—(1) The functions of the Board are —
- (a) to control, administer and manage the national parks and nature reserves;
 - (b) to plan, design, develop, manage and maintain public parks;
 - (c) to provide, manage and maintain park and recreational infrastructure and facilities in the national parks, nature reserves and public parks;
 - (d) to propagate, protect and preserve the animals, plants and other organisms of Singapore and, within the national parks, nature reserves and public parks, to preserve objects and places of aesthetic, historical or scientific interest;
 - (e) to promote and protect the welfare, safety and health of animals, including controlling the following:
 - (i) the use of animals in research, testing or teaching;
 - (ii) the supply of veterinary products;
 - (iii) the trapping or killing of animals in a wild state;
 - (f) to manage the animal population in Singapore;
 - (g) to prevent and manage threats and risks —
 - (i) to animal health, animal welfare or plant health or all of them;

- (ii) to terrestrial and aquatic environments arising from animals or plants, or pests or diseases carried by animals or plants; and
 - (iii) to public health and safety from animals or plants, or pests or diseases carried by animals or plants;
- (h) to regulate trade in endangered species of animals and plants;
- (i) to regulate veterinary establishments, practitioners of veterinary medicine and persons who provide veterinary services in the course of business;
- (j) to cooperate and collaborate in particular with —
 - (i) any public officer, public authority or Health Officer in the administration of the Infectious Diseases Act 1976;
 - (ii) the Health Sciences Authority in the administration of the Health Products Act 2007;
 - (iii) the Director-General of Public Health and the Director-General, Food Administration in the administration of the Environmental Public Health Act 1987; and
 - (iv) the Director-General, Food Administration in the discharge of functions or powers under any written law;
- (k) to provide and control facilities for the study of and research into matters relating to animals, plants and other organisms in Singapore and the physical conditions in which they live;
- (l) to exhibit objects illustrative of the life sciences, applied sciences, history, technology and industry;
- (m) to promote the study, research and dissemination of knowledge in veterinary medicine, animal-related services, botany, horticulture, biotechnology, arboriculture, landscape architecture, parks and recreation management and natural and local history;

- (n) to provide, manage and promote recreational, cultural, historical, research and educational facilities and resources in national parks, nature reserves and public parks and encourage their full and proper use by members of the public;
- (o) to advise the Government on all matters relating to animal health and welfare, plant health, veterinary medicine, animal-related services, nature conservation and the planning, development and management of public parks;
- (p) to manage on behalf of the Government any State land used or to be used by the landscape industry, animal-related services industry or veterinary science industry in Singapore and to promote the optimisation of the use of such land;
- (q) to promote the development, productivity and efficiency of the landscape industry, animal-related services industry or veterinary science industry in Singapore;
- (r) to promote the advancement of skills and expertise of individuals in relation to any subject mentioned in paragraph (m) and of individuals employed in the landscape industry, animal-related services industry or veterinary science industry in Singapore;
- (s) to represent the Government internationally on matters that relate to animal health and welfare, plant health, wildlife trade control and biodiversity, and matters connected with the landscape industry, animal-related services industry and veterinary science industry in Singapore; and
- (t) to carry out such other functions and duties as are imposed upon the Board by or under this Act or any other written law.

[9/2017; 10/2019]

(2) In addition to the functions of the Board under subsection (1), the Board may undertake any other functions that the Minister may, by notification in the *Gazette*, assign to the Board and in so doing the

Board is deemed to be fulfilling the purposes of this Act and the provisions of this Act apply to the Board in respect of those functions.

[10/2019]

(3) Nothing in this section imposes on the Board, directly or indirectly, any form of duty or liability enforceable by proceedings before any court to which the Board would not otherwise be subject.

[10/2019]

Powers of Board

7.—(1) The Board may, for the purposes of this Act, carry on any activity that appears to the Board to be advantageous, necessary or convenient for it to carry on for or in connection with the discharge of its duties and functions under this Act, or which is incidental or conducive to the discharge of those duties and functions, and, in particular, may exercise any of the powers specified in the Second Schedule.

[10/2019]

(2) This section is not to be construed as limiting any power of the Board conferred by or under any other written law.

Directions of Minister

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

[5/2018]

(2) The Board must provide the Minister with such information or facilities for obtaining information with respect to its property and activities in such manner and at such times as the Minister may require.

Appointment of committees

9. The Board may appoint from among its own members or other persons who are not members any 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 those committees.

Ability to delegate, etc.

10.—(1) The Board may delegate the performance or exercise of any of its functions, duties or powers under this Act or any other Act, either generally or specially, to any of the following persons by resolution and written notice to the person or persons:

- (a) a member of the Board;
- (b) the Chief Executive, any employee of the Board or any other person performing duties in the Board;
- (c) a committee of the Board appointed under section 9;
- (d) a wholly-owned subsidiary company of the Board;
- (e) a person engaged as a contractor by the Board.

[10/2019]

(2) A delegation by the Board under subsection (1) of the performance or exercise of any of its functions, duties or powers —

- (a) to a person in subsection (1)(a), (b) or (c) may authorise the delegate to subdelegate the performance or exercise of the function, duty or power to another member, an appropriately qualified employee of the Board or person performing duties in the Board (called in this Act a subdelegate); or
- (b) to a person in subsection (1)(d) or (e) may authorise the delegate to subdelegate the performance or exercise of the function, duty or power to an appropriately qualified employee of that delegate (also called in this Act a subdelegate),

but subject to the same restrictions, and with the same effect, as if the subdelegate were the delegate.

[10/2019]

(3) Subsections (1) and (2) do not apply to —

- (a) the power to borrow money;
- (b) the power to raise or grant loans or advances to or subscribe to stocks, shares, bonds or debentures of a company or corporation; or

- (c) any other function, duty or power under this Act or any other Act administered by the Board that is declared by this Act or that Act to be non-delegable.

[10/2019]

(4) A subdelegate to whom a function, duty or power of the Board is subdelegated under this section is not authorised to further delegate that function, duty or power to anyone else.

[10/2019]

(5) A delegation or subdelegation in accordance with this Act is not affected by any change in the membership of the Board or of any committee or by any change in the Chief Executive or any employee.

[10/2019]

(6) A delegate (or subdelegate) who purports to perform a function or duty or exercise a power under delegation (or subdelegation) —

(a) is taken to do so in accordance with the terms of a delegation (or subdelegation) under this section, unless the contrary is shown; and

(b) must produce evidence of the delegate's (or subdelegate's) authority to do so, if reasonably requested to do so.

[10/2019]

(7) In this section —

(a) a reference to a wholly-owned subsidiary company of the Board includes a company limited by guarantee the sole member of which is the Board; and

(b) a reference to a person performing duties in the Board includes a person performing duties in the Board under a contract, or under an arrangement making available temporarily to the Board the services of public officers (or secondment).

[10/2019]

Protection from personal liability

11. No liability shall lie against any member, any committee member, the Chief Executive or any employee, delegate or subdelegate of the Board, or any other person acting under the direction of the Board, for anything which is done or purported to be

done, or omitted to be done, in good faith and with reasonable care in —

- (a) the exercise or purported exercise of any power under this Act; or
- (b) the performance or purported performance of any function under this Act.

[10/2019]

PART 4

PROVISIONS RELATING TO STAFF

Chief Executive, officers and employees, etc.

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

[5/2018]

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

- (a) is absent from duty or Singapore; or
- (b) is, for any reason, unable to perform the duties of the office.

[5/2018]

(3) The Board 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.

[13

[5/2018]

Public servants

13. Without affecting sections 20 and 21 of the Public Sector (Governance) Act 2018, every subdelegate of the Board —

- (a) is taken to be a public servant for the purposes of the Penal Code 1871 in relation to the subdelegate's performance or

exercise of the Board's functions, duties or powers under this Act or any other written law; and

(b) is, in relation to the administration, assessment, collection or enforcement of payment of —

(i) any financial penalty imposed under any written law administered by the Board; or

(ii) any composition sum collected under this Act or any other written law administered by the Board,

taken to be a public officer for the purposes of the Financial Procedure Act 1966; and section 20 of that Act applies to each of the subdelegates even though the subdelegate is not or was not in the employment of the Government.

[14

[10/2019]

PART 5

FINANCIAL PROVISIONS

Grants

14. For the purpose of enabling the Board to carry out its functions under this Act, the Minister may, from time to time, make grants to the Board of such sums of money as the Minister may determine out of moneys to be provided by Parliament.

[15

Issue of shares, etc.

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

[15A

Bank accounts and payments

16.—(1) The Board may open and maintain an account or accounts with such bank or banks as the Board thinks fit and every such account must be operated as far as practicable by cheque signed by such person or persons authorised to do so by the Board.

(2) The moneys of the Board are to be applied only in payment or discharge of the expenses, obligations and liabilities of the Board and in making any payment that the Board is authorised or required to make.

Power of investment

17. The Board may invest its moneys in accordance with the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act 1965.

Minister's approval of estimates

18.—(1) A copy of all annual estimates of revenue and expenditure and supplementary estimates must, upon their adoption by the Board, be sent without delay to the Minister.

[5/2018]

(2) The Minister may approve or disallow any item or portion of any item shown in the annual estimates or supplementary estimates.

[5/2018]

(3) The Minister must return the annual estimates or supplementary estimates as amended under subsection (2) to the Board, and the Board is bound by the Minister's decision.

[5/2018]

Financial year

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

[5/2018]

PART 6**TRANSFER OF ASSETS, LIABILITIES AND
EMPLOYEES TO BOARD****Transfer to Board of property, assets and liabilities**

20.—(1) As from 1 July 1996, all movable property vested in the Government immediately before that date for the purposes of the Parks and Recreation Department, and all assets, rights or interests vested in, and all outstanding debts, liabilities and obligations incurred by, the Government in connection therewith are transferred to and vest in the Board without further assurance.

(2) If any question arises as to whether any particular movable property vested in the Government, or whether any particular asset, right, interest, liability or obligation of the Government has been transferred to or vested in the Board under subsection (1), a certificate under the hand of the Minister for Finance is conclusive evidence that the property, asset, right, interest, liability or obligation was or was not so transferred or vested.

Transfer of employees

21.—(1) As from 1 July 1996, such persons employed immediately before that date in the Parks and Recreation Department as the Minister may determine are transferred to the service of the Board on terms no less favourable than those enjoyed by them immediately prior to their transfer.

(2) The provisions relating to the transfer of employees set out in the Third Schedule have effect.

Existing agreements and pending proceedings

22. All deeds, bonds, agreements, instruments and arrangements subsisting immediately before 1 July 1996 affecting any movable property transferred under section 20 or any person transferred to the service of the Board under section 21 continue in full force and effect on and after that date and are enforceable by or against the Board instead of the Government or any person acting on its behalf as if the Board had been named therein or had been a party thereto.

PART 7

TRANSFER OF AVA VETERINARY UNDERTAKINGS

[10/2019]

Interpretation of this Part

23. In this Part, unless the context otherwise requires —

“Agri-Food and Veterinary Authority” or “AVA” means the Agri-Food and Veterinary Authority established by section 3 of the Agri-Food and Veterinary Authority Act (Cap. 5, 2012 Revised Edition);

“asset”, in relation to the transferor, means property of any kind (whether tangible or intangible, whether arising from, accruing under, created or evidenced by or the subject of, an instrument or otherwise and whether actual or contingent) of the transferor on the eve of the transfer date and includes, without limitation, any —

- (a) legal or equitable interest in real or personal property;
- (b) chose in action;
- (c) security;
- (d) money;
- (e) intellectual property;
- (f) infrastructure, plant and equipment;
- (g) records and information (including data) in any form;
and
- (h) right;

“AVA veterinary undertaking” means the departments of the transferor as follows:

- (a) the Community Animal Management Group;
- (b) the Corporate Development Group 2;
- (c) the Industry and Biosecurity Management Group;

- (d) the office of the Director-General, Agri-Food and Veterinary Services;
- (e) the Plant Science and Health Group;
- (f) the Professional and Scientific Services Group;
- (g) the Wildlife Management Group;

“liability”, in relation to the transferor, means any liability, duty or obligation (whether actual or contingent, liquidated or unliquidated, and whether owed alone or jointly, or jointly and severally, with any other person) of the transferor on the eve of the transfer date;

“records”, in relation to the transferor, means registers, papers, documents, minutes, receipts, books of account and other records, however compiled, recorded or stored, of that transferor existing on the eve of the transfer date;

“right”, in relation to the transferor, means any right, power, privilege or immunity of the transferor on the eve of the transfer date;

“transferor” means the Agri-Food and Veterinary Authority;

“transferring employee” means an employee of the transferor who, on the eve of the transfer date, is deployed in the AVA veterinary undertaking.

[10/2019]

Transfer of undertaking to Board

24.—(1) On the transfer date, all assets and liabilities of the transferor that relate to the functions of the AVA veterinary undertaking are transferred to the Board.

[10/2019]

(2) When any assets or liabilities are transferred under subsection (1), the following provisions have effect:

- (a) the assets of the transferor that are the subject of the transfer vest in the Board by virtue of this section and without the need for any further conveyance, transfer, assignment or assurance;

- (b) the liabilities of the transferor that are the subject of the transfer become by virtue of this section the liabilities of the Board;
- (c) all legal or other proceedings relating to those assets or liabilities that are started before the transfer date by or against the transferor or a predecessor of the transferor and pending immediately before that date are taken to be proceedings pending by or against the Board;
- (d) any legal or other proceedings relating to those assets or liabilities which could have been started immediately before the transfer date by or against the transferor or a predecessor of the transferor may be started by or against the Board;
- (e) a judgment or order of a court or other tribunal obtained before the transfer date by or against the transferor or a predecessor of the transferor relating to those assets or liabilities may be enforced by or against the Board;
- (f) any document relating to legal or other proceedings relating to those assets or liabilities that has been served on or by the transferor or a predecessor of the transferor before the transfer date is taken, where appropriate, to have been served on or by the Board;
- (g) any act, matter or thing done or omitted to be done before the transfer date in relation to those assets or liabilities by, to or in respect of the transferor or a predecessor of the transferor is (to the extent to which that act, matter or thing has any force or effect) taken to have been done or omitted by, to or in respect of the Board;
- (h) a reference in any written law, in any instrument made under any Act, in any contract, agreement, arrangement or undertaking, or in any document of any kind to the transferor or a predecessor of the transferor, to the extent to which the reference relates to those assets or liabilities, is taken to be, or includes, a reference to the Board;

- (i) a reference in any written law, in any instrument made under any Act, in any contract, agreement, arrangement or undertaking, or in any document of any kind to an officer of the transferor, as regards anything falling to be done or capable of being done on or after the transfer date and to the extent to which the reference relates to those assets or liabilities, is taken to be, or includes, a reference to an officer of the Board whom the Board appoints for that purpose.

[10/2019]

(3) In particular —

- (a) all security deposits deposited with the transferor in relation to any asset or liability transferred under subsection (1) and not forfeited before the transfer date; and
- (b) the benefits of all indemnities, guarantees or warranties given to the transferor in relation to any asset or liability transferred under subsection (1) and not discharged before that date,

are, without further assurance, transferred and deemed deposited with or given to the Board.

[10/2019]

(4) The operation of this section does not —

- (a) constitute a breach of, or default under, an Act or other law, or otherwise a civil wrong or criminal wrong;
- (b) constitute a breach of duty of confidence (whether arising by contract, in equity, by custom, or in any other way);
- (c) constitute a breach of any contractual provision prohibiting, restricting or regulating the assignment or transfer of assets or liabilities or the disclosure of any information;
- (d) terminate an agreement or obligation, or fulfil any condition that allows a person to terminate any agreement or obligation, or give rise to any right or remedy in respect of any agreement or obligation;

- (e) cause any contract or other instrument to be void or otherwise unenforceable;
- (f) frustrate any contract;
- (g) release a surety or other obligor or obligee wholly or in part from an obligation; or
- (h) constitute an event of breach of, or default under, any contract or other instrument.

[10/2019]

(5) No attornment to the Board by a lessee from the transferor is required for the purpose of this section.

[10/2019]

Transferring secondments and employees to Board

25.—(1) On the transfer date, every transferring employee —

- (a) stops being an employee of the transferor; and
- (b) is each transferred to the service, and becomes an employee, of the Board on terms no less favourable than those enjoyed by the employee on the eve of the transfer date.

[10/2019]

(2) The transfer of a transferring employee to the Board —

- (a) does not interrupt continuity of service;
- (b) does not constitute a retrenchment or redundancy; and
- (c) does not entitle any employee so transferred to any payment or other benefit merely because he or she stops being employed by the transferor.

[10/2019]

(3) A certificate purporting to be signed by the Minister certifying that an individual named in the certificate was, with effect from the transfer date, employed by virtue of this section by the Board, is admissible in evidence in any proceedings as evidence of the matters stated in it.

[10/2019]

(4) Nothing in this section prevents —

- (a) any of the terms and conditions of employment of an individual transferred under this section from being altered by or under any law, award or agreement with effect from any time after the transfer date; and
- (b) an individual transferred under this section from resigning from the Board at any time after the transfer date, in accordance with the terms and conditions of his or her employment then applicable.

[10/2019]

(5) To avoid doubt, section 18A of the Employment Act 1968 does not apply to the transfer under this Part of any transferring employee to the Board.

[10/2019]

(6) On the transfer date, every public officer or employee of any other public authority whose services are made available (or is seconded) to any department in the AVA veterinary undertaking pursuant to an agreement or arrangement that —

- (a) is between the Government or that other public authority and the Agri-Food and Veterinary Authority; and
- (b) is in force on the eve of the transfer date,

continues on secondment to the Board.

[10/2019]

General preservation of employment terms

26.—(1) The service with the transferor of an employee transferred under section 25 (called in this section a transferred employee) must be regarded for all purposes as having been continuous with the service of the employee with the Board immediately before the transfer date.

[10/2019]

(2) On the transfer date —

- (a) a transferred employee retains all accrued rights as if employment with the Board were a continuation of employment with the transferor;

- (b) the liabilities of the transferor relating to the transferred employee's accrued rights to leave and superannuation become the liabilities of the Board; and
- (c) a reference to the transferor in the contract of employment that had effect in relation to the transferred employee immediately before the transfer date is taken to be, or includes, a reference to the Board.

[10/2019]

(3) For any conduct of a transferred employee when he or she was employed by the transferor which would have rendered the employee liable to be reprimanded, reduced in rank, retired, dismissed or punished by the transferor, the Board may —

- (a) start any disciplinary proceedings against the employee;
- (b) carry on and complete any disciplinary proceedings started by the transferor against the transferred employee if those proceedings are pending on the eve of the transfer date; and
- (c) reprimand, reduce in rank, retire, dismiss or otherwise punish a transferred employee, as if the employee were not transferred.

[10/2019]

(4) Where, on the eve of the transfer date, any matter about the conduct of a transferred employee during his or her employment with the transferor —

- (a) was in the course of being heard or investigated by a committee of the transferor acting under due authority; or
- (b) had been heard or investigated by a committee of the transferor acting under due authority but no order, ruling or direction had been made,

that committee must complete the hearing or investigation and make such order, ruling or direction as it could have made under the authority vested in it before that date, and that order, ruling or direction is to be regarded as an order, ruling or direction of the Board.

[10/2019]

(5) Until such time as conditions of employment are drawn up by the Board for a transferred employee, the transferred employee is to be regarded as being employed by the Board on the same conditions of his or her employment with the transferor on the eve of the transfer date.

[10/2019]

(6) Any condition of employment relating to the length of service with the Board must recognise the length of service of the employees so transferred while in the employment of the transferor (including any previous service of the employee taken to be service with the transferor) to be service with the Board.

[10/2019]

(7) Nothing in section 25(6) —

(a) breaks the continuity of service of the public officer or employee of another public authority whose secondment continues with the Board because of that provision; or

(b) affects any rights, powers or immunities that such a public officer or an employee of a public authority has, or the extent to which such a public officer or an employee (as the case may be) is subject to obligations or liabilities in relation to discipline, by virtue of holding the office or position to which the officer or employee is seconded.

[10/2019]

Transfer of records

27. On the transfer date, every record, or part of any record, of the transferor that relates to —

(a) any asset or liability transferred to the Board under section 24; or

(b) any transferring employee,

becomes the record of the Board.

[26A

[10/2019]

Confirmation of undertaking transferred

28.—(1) If any dispute arises —

- (a) as to whether an asset or a liability or a record is transferred under section 24 or 27; or
- (b) as to whether any, or any part of any, contract or document relates to an asset or a liability, or a record, transferred under section 24 or 27,

the Minister for Finance may determine the matter and is to provide the concerned parties with written notice of that determination.

[10/2019]

(2) The determination of the Minister for Finance under subsection (1) is final and binding on the transferor and the Board.

[26B

[10/2019]

PART 8**GENERAL****Symbol of Board**

29.—(1) The Board has the exclusive right to the use of such symbols or representations as it may select or devise (called in this section the Board's symbols) and thereafter display or exhibit in connection with its activities or affairs.

(2) Any person who, without the permission of the Board, uses a symbol or representation identical with any of the Board's symbols, or which so resembles any of the Board's symbols as to or be likely to deceive or cause confusion, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

[27

Exclusion of liability for information supplied by Board

30. Where the Board provides a service to the public whereby information is supplied to the public on payment of a prescribed fee, neither the Board nor any of its employees involved in the supply of such information shall be liable for any loss or damage suffered by members of the public by reason of any error or omission of whatever nature appearing therein or however caused if made in good faith and in the ordinary course of the discharge of the duties of those employees.

[28]

All moneys recovered to be paid to Board

31.—(1) All moneys recovered or sums collected under this Act or any other Act administered by the Board, other than composition sums, are to be paid into and form part of the general funds of the Board.

[9/2017]

(2) All composition sums collected under any Act administered by the Board are to be paid into the Consolidated Fund.

[29]

[9/2017]

Power to make regulations

32.—(1) The Board may, with the approval of the Minister, make regulations for carrying out the purposes and provisions of this Act.

(2) Without limiting subsection (1), the Board may, with the approval of the Minister, make regulations for or with respect to all or any of the following matters:

- (a) regulating the proceedings of the Board or of the committees of the Board;
- (b) the manner of appointment, conduct and discipline and the terms and conditions of service of the employees of the Board;
- (c) the establishment of funds for the payment of gratuities and other benefits to employees of the Board;

- (d) any other matter which by this Act is required or permitted to be prescribed or is necessary or convenient to be prescribed for carrying out or giving effect to any provision of this Act.

[40]

FIRST SCHEDULE

Section 5

CONSTITUTION AND PROCEEDINGS OF BOARD

1. The Board consists of —
 - (a) a Chairperson; and
 - (b) not less than 6 but not more than 10 other members as the Minister may determine.
- 2.—(1) The Chairperson and members of the Board are appointed by the Minister.
 - (2) The Minister may appoint one member to be the Deputy Chairperson who may, subject to such directions as may be given by the Chairperson, exercise all or any of the powers exercisable by the Chairperson under this Act.
 - (3) The Minister may appoint the Chief Executive to be a member of the Board.
3. A member holds office on such conditions and for such term as the Minister may determine and is eligible for re-appointment.
4. The Minister may appoint any member of the Board to be a temporary Chairperson or temporary Deputy Chairperson during the incapacity from illness or otherwise of the Chairperson or the Deputy Chairperson, as the case may be.
5. The Minister may, at any time, revoke the appointment of the Chairperson or any member without giving any reason.
6. Any member may resign from his or her appointment at any time by giving written notice to the Minister.
7. The Minister may appoint a person to be a temporary member of the Board during the incapacity from illness or otherwise of any member.
8. The Chairperson may, in writing, authorise any member to exercise any power or perform any function conferred on the Chairperson by or under this Act.
9. The office of a member is vacated if the member —
 - (a) has been absent, without leave of the Board, from 3 consecutive meetings of the Board; or

FIRST SCHEDULE — *continued*

(b) becomes in any manner disqualified from membership of the Board under paragraph 11.

10. If a member resigns, dies or has his or her appointment revoked or otherwise vacates his or her office before the expiry of the term for which he or she has been appointed, the Minister may appoint a person to fill the vacancy for the remainder of the term of which the vacating member was appointed.

11. A person must not be appointed or continue to hold office as a member if he or she —

- (a) is an undischarged bankrupt or has made any arrangement with his or her creditors;
- (b) has been sentenced to imprisonment for a term of at least 6 months and has not received a free pardon; or
- (c) has a mental disorder and is incapable of managing himself or herself or his or her affairs.

12. There are to be paid to the Chairperson and other members out of the funds of the Board such salaries, fees and allowances as the Minister may determine.

13.—(1) The Board is to meet for the despatch of business at such times and places as the Chairperson may appoint.

(2) At every meeting of the Board, 5 members form a quorum.

(3) A decision at a meeting of the Board is adopted by a simple majority of the members present and voting except that in the case of an equality of votes the Chairperson or member presiding has a casting vote in addition to his or her original vote.

(4) The Chairperson or, in his or her absence, the Deputy Chairperson presides at meetings of the Board.

(5) Where both the Chairperson and the Deputy Chairperson are absent at a meeting of the Board, such member as the members present may elect presides at the meeting of the Board.

(6) Where at least 4 members of the Board request the Chairperson by written notice signed by them to convene a meeting of the Board for any purpose specified in the notice, the Chairperson must, within 7 days from the receipt of the notice, convene a meeting for that purpose.

14. The Board may act despite any vacancy in its membership.

15. Subject to the provisions of this Act and the Public Sector (Governance) Act 2018, the Board may make rules to regulate its own procedure generally, and in particular, regarding the holding and proceedings of meetings, the notice to be

FIRST SCHEDULE — *continued*

given of the meetings, the keeping of minutes and the custody, production and inspection of the minutes.

16. The validity of any proceedings of the Board is not affected by any defect in the appointment of any member.

[5/2018]

SECOND SCHEDULE

Section 7

POWERS OF BOARD

1. To manage the national parks, nature reserves and public parks.
2. To regulate the planting and maintenance of plants in public parks by prescribing guidelines and requirements for the design and maintenance thereof.
3. To lay out, construct, plant, improve, equip, maintain, supervise and control the national parks, nature reserves and public parks and carry out the following activities:
 - (a) erect any pavilion, recreation room, outhouse or other building;
 - (b) provide entertainment or any amenity;
 - (c) set apart any part thereof for the purpose of any game or recreation and exclude the public from such part while it is in actual use for that purpose;
 - (d) provide any apparatus for games and recreation and facilities for boating and charge for the use thereof;
 - (e) place or authorise any person to place chairs or seats and charge or authorise any person to charge for the use thereof;
 - (f) provide and maintain refreshment stalls, food stalls and restaurants and manage them or let them to any person on such conditions as the Board may determine;
 - (g) authorise any person to erect, maintain and operate any facility and charge or authorise any person to charge for the use thereof.
4. To plant plants in public parks.
5. To enter into contracts for the supply of goods, services or materials or for the execution of works or other contracts as may be necessary for the discharge of the duties and functions of the Board under this Act or any other written law which the Board is charged with the responsibility to administer.

SECOND SCHEDULE — *continued*

6. To receive fees, donations, grants, gifts of movable or immovable property from any source or raise funds by any lawful means.
7. To regulate and control public access to the national parks, nature reserves and public parks.
8. To promote or undertake publicity in any form.
9. To make provision for the specialised training of any employee of the Board and in that connection offer scholarships for such training and expenditure incidental thereto.
10. To make awards of recognition, grants, scholarships or contributions as the Board considers fit for the purposes of this Act.
11. To develop, conduct and certify training programmes for any subject matter relating to any function of the Board.
12. To establish, manage and administer any accreditation or certification scheme or a register, for any purpose relating to any function of the Board, including specifying, by notification in the *Gazette*, accreditation marks and certification marks of the Board and controlling the use of those accreditation marks or certification marks.
13. To offer consultancy services, inform, advise and make recommendations or proposals to the Government or any person on any matter relating to the designation, conservation, development and management of parks and other areas reserved for the propagation of plants and animals, or any other function of the Board.
14. To act in combination or association with any person engaged, concerned or interested in the promotion of the functions of the Board, and pay for or contribute to the cost and expenses involved in such combination or association.
15. With the approval of the Minister, to join in the formation of a company, association, trust or partnership or enter into a joint venture with any person.
16. With the approval of the Minister, to raise loans for the purposes of this Act.
17. To collect, analyse, compile, publish or disseminate information relating to such subject matter as may be necessary for the discharge of the functions, objects or duties of the Board.
18. To provide technical, consultancy or advisory services to any Government agency or to any other person or body in Singapore or elsewhere on any matter related to or connected with the functions, objects or duties of the Board.
19. To charge fees or commissions for services rendered by the Board or for any use of any of its facilities.

SECOND SCHEDULE — *continued*

20. To carry out promotional activities or publicity in any form.
21. To organise courses and other programmes that the Board thinks necessary or desirable for the discharge of its functions, objects or duties.
22. To apply for, obtain and hold, whether on its own behalf or jointly with any other person, any intellectual property rights.
23. To enter into agreements or arrangements for the commercial exploitation of those intellectual property rights, whether by assignment, licensing or otherwise.
24. To participate in international, regional and bilateral negotiations on matters that relate to animal health and welfare, plant health, wildlife trade control and biodiversity, and to any matters connected with the landscape industry, animal-related services industry and veterinary science industry.
25. To engage in research, technology development studies or technical cooperation projects.

[9/2017; 10/2019]

THIRD SCHEDULE

Section 21

PROVISIONS RELATING TO TRANSFER OF EMPLOYEES

1. The terms and conditions to be drawn up by the Board must take into account the salaries and terms and conditions of service, including any accrued rights to leave, enjoyed by the persons transferred to the service of the Board under section 21 while in the employment of the Government and any term or condition relating to the length of service with the Board must provide for the recognition of service under the Government by the persons so transferred to be service by them under the Board.
2. Nothing in the terms and conditions to be drawn up by the Board is to adversely affect the conditions that would have been applicable to persons transferred to the service of the Board as regards any pension, gratuity or allowance payable under the Pensions Act 1956.
3. In every case where a person has been transferred to the service of the Board under section 21, the Government is liable to pay to the Board such portion of any gratuity, pension or allowance payable to that person on his or her retirement as the same bears to the proportion which the aggregate amount of his or her pensionable emoluments during his or her service with the Government bears to the aggregate amount of his or her pensionable emoluments during his or her service under both the Government and the Board.

THIRD SCHEDULE — *continued*

4. Where any person in the service of the Board whose case does not come within the scope of any pension or other schemes established under this Schedule retires or dies in the service of the Board or is discharged from that service, the Board may grant to him or her or to such other person or persons wholly or partly dependent on him or her, as the Board thinks fit, such allowance or gratuity as the Board may determine.

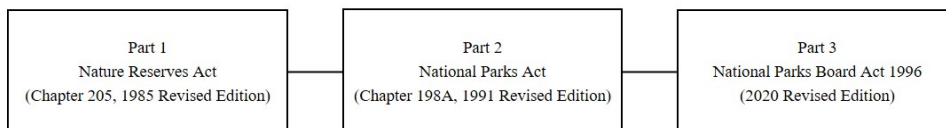
5. Despite the provisions of the Pensions Act 1956, no person who is transferred to the service of the Board under section 21 is entitled to claim any benefit under that Act on the ground that he or she has been retired from the service of the Government on account of abolition or re-organisation of office in consequence of his or her transfer to the service of the Board.

LEGISLATIVE HISTORY

NATIONAL PARKS BOARD ACT 1996

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

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1 NATURE RESERVES ACT (CHAPTER 205, 1985 REVISED EDITION)

1. Ordinance 15 of 1951 — Nature Reserves Ordinance, 1951

Bill	:	G.N. No. S 7/1951
First Reading	:	16 January 1951
Second Reading	:	16 February 1951
Notice of Amendments	:	16 February 1951
Third Reading	:	16 February 1951
Commencement	:	6 March 1951

2. Ordinance 8 of 1955 — Revised Edition of the Laws (Miscellaneous Amendments) Ordinance, 1955

(Amendments made by section 2 read with item 45 of the Schedule to the above Ordinance)

Bill	:	45/1954
First Reading	:	14 December 1954
Second and Third Readings	:	28 January 1955
Commencement	:	4 February 1955 (section 2 read with item 45 of the Schedule)

3. Ordinance 7 of 1956 — Nature Reserves (Amendment) Ordinance, 1956

Bill	:	39/1956
First Reading	:	8 February 1956

- Second and Third Readings : 7 March 1956
- Commencement : 29 March 1956
- 4. 1955 Revised Edition — Nature Reserves Ordinance (Chapter 235)**
- Operation : 1 July 1956
- 5. G.N. No. S 352/1957 — Legislative Assembly Resolution**
- Passed : 4 December 1957
- 6. G.N. No. S 169/1958 — Legislative Assembly Resolution**
- Passed : 16 July 1958
- 7. Ordinance 31 of 1958 — Legislative Assembly (Presentation of Subsidiary Legislation) Ordinance, 1958**
(Amendments made by section 2 read with the Schedule to the above Ordinance)
- Bill : 158/1958
- First Reading : 16 July 1958
- Second Reading : 13 August 1958
- Notice of Amendments : 10 September 1958
- Third Reading : 10 September 1958
- Commencement : 25 September 1958 (section 2 read with the Schedule)
- 8. G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order, 1959**
- Commencement : 20 November 1959
- 9. G.N. No. S 68/1966 — Parliamentary Resolution**
- Passed : 21 April 1966
- 10. G.N. No. S 347/1968 — Parliamentary Resolution**
- Passed : 3 December 1968
- 11. G.N. No. S 21/1972 — Parliamentary Resolution**
- Passed : 30 July 1971
- 12. 1970 Revised Edition — Nature Reserves Act (Chapter 295)**
- Operation : 31 August 1971
- 13. Act 14 of 1973 — Nature Reserves (Amendment) Act, 1973**
- Bill : 6/1973

First Reading	:	16 February 1973
Second and Third Readings	:	7 March 1973
Commencement	:	28 April 1973

14. G.N. No. S 408/1973 — Parliamentary Resolution

Passed	:	30 November 1973
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15. G.N. No. S 9/1986 — Metrication (Nature Reserves Act) Order 1986

Commencement	:	10 January 1986
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16. 1985 Revised Edition — Nature Reserves Act (Chapter 205)

Operation	:	30 March 1987
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17. Act 7 of 1988 — Nature Reserves (Amendment) Act 1988

Bill	:	4/1988
First Reading	:	4 March 1988
Second and Third Readings	:	30 March 1988
Commencement	:	13 May 1988

PART 2
NATIONAL PARKS ACT
(CHAPTER 198A, 1991 REVISED EDITION)

18. Act 10 of 1990 — National Parks Act 1990

Bill	:	12/1990
First Reading	:	13 March 1990
Second and Third Readings	:	29 March 1990
Commencement	:	6 June 1990

19. 1991 Revised Edition — National Parks Act (Chapter 198A)

Operation	:	1 March 1991
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20. G.N. No. S 263/1995 — National Parks Act (Amendment of First Schedule) Order 1995

Commencement	:	16 June 1995
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PART 3
NATIONAL PARKS BOARD ACT 1996
(2020 REVISED EDITION)

21. Act 22 of 1996 — National Parks Act 1996

Bill	:	13/1996
First Reading	:	2 May 1996
Second and Third Readings	:	21 May 1996
Commencement	:	1 July 1996

22. 1997 Revised Edition — National Parks Act (Chapter 198A)

Operation	:	30 May 1997
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23. G.N. No. S 669/2001 — National Parks Act (Amendment of Fifth Schedule) Order 2001

Commencement	:	1 January 2002
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24. Act 5 of 2002 — Statutory Corporations (Capital Contribution) Act 2002
(Amendments made by section 3 read with item (28) of the Schedule to the above Act)

Bill	:	7/2002
First Reading	:	3 May 2002
Second and Third Readings	:	24 May 2002
Commencement	:	15 July 2002 (section 3 read with item (28) of the Schedule)

25. G.N. No. S 534/2003 — National Parks Act (Amendment of Fifth Schedule) Order 2003

Commencement	:	26 November 2003
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26. Act 45 of 2004 — Trustees (Amendment) Act 2004

(Amendments made by section 25(4) read with item (35) of the Schedule to the above Act)

Bill	:	43/2004
First Reading	:	21 September 2004
Second and Third Readings	:	19 October 2004
Commencement	:	15 December 2004 (section 25(4) read with item (35) of the Schedule)

27. Act 4 of 2005 — Parks and Trees Act 2005

(Amendments made by section 65 of the above Act)

Bill	:	55/2004
First Reading	:	19 October 2004
Second and Third Readings	:	25 January 2005
Commencement	:	1 August 2005 (section 65)

Note: The National Parks Act was renamed as the National Parks Board Act by this Act.

28. Act 21 of 2008 — Mental Health (Care and Treatment) Act 2008

(Amendments made by section 33 read with item 1(34) of the Second Schedule to the above Act)

Bill	:	11/2008
First Reading	:	21 July 2008
Second and Third Readings	:	15 September 2008
Commencement	:	1 March 2010 (section 33 read with item 1(34) of the Second Schedule)

29. 2012 Revised Edition — National Parks Board Act (Chapter 198A)

Operation	:	31 July 2012
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30. Act 9 of 2017 — Parks and Trees (Amendment) Act 2017

(Amendments made by section 24 of the above Act)

Bill	:	4/2017
First Reading	:	9 January 2017
Second and Third Readings	:	7 February 2017
Commencement	:	20 November 2017 (section 24)

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

(Amendments made by section 85 of the above Act)

Bill	:	45/2017
First Reading	:	6 November 2017
Second Reading	:	8 January 2018
Notice of Amendments	:	8 January 2018
Third Reading	:	8 January 2018
Commencement	:	1 April 2018 (section 85)

32. Act 10 of 2019 — National Parks Board (Amendment) Act 2019

Bill	:	4/2019
First Reading	:	15 January 2019
Second and Third Readings	:	12 February 2019
Commencement	:	29 March 2019 (sections 2(<i>d</i>), 5 and 6) 1 April 2019 (except sections 2(<i>d</i>), 5, 6 and 12(<i>c</i>) and (<i>d</i>))

Abbreviations

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

COMPARATIVE TABLE
NATIONAL PARKS BOARD ACT 1996

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	2012 Ed.
—	12 [<i>Repealed by Act 5 of 2018</i>]
12	13
13	14
14	15
15	15A
22	22—(1)
<i>[Omitted as spent]</i>	(2)
27	26A
28	26B
29	27
30	28
31	29
—	30 [<i>Repealed by Act 4 of 2005</i>]
—	31 [<i>Repealed by Act 4 of 2005</i>]
—	32 [<i>Repealed by Act 4 of 2005</i>]
—	33 [<i>Repealed by Act 4 of 2005</i>]
—	34 [<i>Repealed by Act 4 of 2005</i>]
—	35 [<i>Repealed by Act 4 of 2005</i>]
—	36 [<i>Repealed by Act 4 of 2005</i>]
—	37 [<i>Repealed by Act 4 of 2005</i>]
—	38 [<i>Repealed by Act 4 of 2005</i>]
—	39 [<i>Repealed by Act 4 of 2005</i>]
32	40
<i>[Omitted as spent]</i>	41—(1)

2020 Ed.	2012 Ed.
[Omitted as spent]	(2)
—	THIRD SCHEDULE [<i>Repealed by Act 5 of 2018</i>]
THIRD SCHEDULE	FOURTH SCHEDULE