



THE STATUTES OF THE REPUBLIC OF SINGAPORE

NATIONAL PARKS BOARD ACT

(CHAPTER 198A)

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National Parks Board Act

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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.

[1st July 1996]

PART I
PRELIMINARY

Short title

1. This Act may be cited as the National Parks Board Act.

[4/2005]

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;

[Act 10 of 2019 wef 01/04/2019]

“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;

[Act 10 of 2019 wef 01/04/2019]

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

[Act 10 of 2019 wef 01/04/2019]

“Board” means the National Parks Board established under the repealed National Parks Act (Cap. 198A, 1991 Ed.)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

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

[Act 10 of 2019 wef 01/04/2019]

[Act 9 of 2017 wef 20/11/2017]

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

[Act 9 of 2017 wef 20/11/2017]

“member” means a member of the Board;

“national park” has the same meaning as in the Parks and Trees Act;

“nature reserve” has the same meaning as in the Parks and Trees Act;

“organism” has the same meaning as in the Parks and Trees Act;

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

“plant” has the same meaning as in the Parks and Trees Act;

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

[Act 10 of 2019 wef 01/04/2019]

“public park” has the same meaning as in the Parks and Trees Act;

[Act 10 of 2019 wef 29/03/2019]

“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;

[Act 10 of 2019 wef 29/03/2019]

“transfer date” means a date specified by the Minister by order in the *Gazette* for the purposes of Part VII;

[Act 10 of 2019 wef 29/03/2019]

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

[Act 10 of 2019 wef 29/03/2019]

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

[Act 10 of 2019 wef 29/03/2019]

“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;

[Act 10 of 2019 wef 29/03/2019]

“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;

[Act 10 of 2019 wef 29/03/2019]

“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.

[Act 10 of 2019 wef 29/03/2019]

[4/2005]

PART II

RECONSTITUTION OF BOARD

Reconstitution of National Parks Board

3. As from 1st July 1996, the Board shall continue in existence and shall continue 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 1st July 1996, the Board shall continue to have a common seal and the seal may, from time to time, be broken, changed, altered and made anew as the Board thinks fit.

(2) All deeds and other documents requiring the seal of the Board shall be sealed with the common seal of the Board and every document to which the common seal is affixed shall 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 shall be received in evidence and shall, unless the contrary is proved, be 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 shall have effect as respects the Board and its members.

PART III**FUNCTIONS AND POWERS OF BOARD****Functions of Board**

6.—(1) The functions of the Board shall be —

- (a) to control, administer and manage the national parks and nature reserves;
- (b) to plan, design, develop, manage and maintain public parks;

- (ba) to provide, manage and maintain park and recreational infrastructure and facilities in the national parks, nature reserves and public parks;
- (c) 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;
- (ca) 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;
- [Act 10 of 2019 wef 01/04/2019]*
- (cb) to manage the animal population in Singapore;
- [Act 10 of 2019 wef 01/04/2019]*
- (cc) 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;
- [Act 10 of 2019 wef 01/04/2019]*
- (cd) to regulate trade in endangered species of animals and plants;
- [Act 10 of 2019 wef 01/04/2019]*
- (ce) to regulate veterinary establishments, practitioners of veterinary medicine and persons who provide veterinary services in the course of business;
- [Act 10 of 2019 wef 01/04/2019]*

- (cf) to cooperate and collaborate in particular with —
- (i) any public officer, public authority or Health Officer in the administration of the Infectious Diseases Act (Cap. 137);
 - (ii) the Health Sciences Authority in the administration of the Health Products Act (Cap. 122D);
 - (iii) the Director-General of Public Health and the Director-General, Food Administration in the administration of the Environmental Public Health Act (Cap. 95); and
 - (iv) the Director-General, Food Administration in the discharge of functions or powers under any written law;
- [Act 10 of 2019 wef 01/04/2019]*
- (d) 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;
- (e) to exhibit objects illustrative of the life sciences, applied sciences, history, technology and industry;
- (f) 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;
- [Act 10 of 2019 wef 01/04/2019]*
- (g) 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;
- (h) 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;

[Act 9 of 2017 wef 20/11/2017]

[Act 10 of 2019 wef 01/04/2019]

- (i) 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;

[Act 9 of 2017 wef 20/11/2017]

[Act 10 of 2019 wef 01/04/2019]

- (j) to promote the development, productivity and efficiency of the landscape industry, animal-related services industry or veterinary science industry in Singapore;

[Act 9 of 2017 wef 20/11/2017]

[Act 10 of 2019 wef 01/04/2019]

- (k) to promote the advancement of skills and expertise of individuals in relation to any subject mentioned in paragraph (f) and of individuals employed in the landscape industry, animal-related services industry or veterinary science industry in Singapore;

[Act 9 of 2017 wef 20/11/2017]

[Act 10 of 2019 wef 01/04/2019]

- (ka) 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

[Act 10 of 2019 wef 01/04/2019]

- (l) to carry out such other functions and duties as are imposed upon the Board by or under this Act or any other written law.

[Act 9 of 2017 wef 20/11/2017]

(2) In addition to the functions of the Board under subsection (1), the Board may undertake such other functions as the Minister may, by notification in the *Gazette*, assign to the Board and in so doing the Board shall be deemed to be fulfilling the purposes of this Act and the

provisions of this Act shall apply to the Board in respect of such functions.

[Act 10 of 2019 wef 01/04/2019]

(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.

[Act 10 of 2019 wef 01/04/2019]

Powers of Board

7.—(1) The Board may, for the purposes of this Act, carry on such activities as appear 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.

[Act 10 of 2019 wef 01/04/2019]

(2) This section shall not 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.

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

(2) The Board shall furnish 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, in its discretion, appoint from among its own members or other persons who are not members 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.

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.

(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.

(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.
- (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.
- (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.
- (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 his authority to do so, if reasonably requested to do so.
- (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).

[Act 10 of 2019 wef 29/03/2019]

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.

[Act 10 of 2019 wef 29/03/2019]

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

PART IV

PROVISIONS RELATING TO STAFF

Chief Executive, officers and employees, etc.

13.—(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.

(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.

(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.

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

Public servants

14. Without affecting sections 20 and 21 of the Public Sector (Governance) Act 2018 (Act 5 of 2018), every subdelegate of the Board —

- (a) is taken to be a public servant for the purposes of the Penal Code (Cap. 224) 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 (Cap. 109); 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.

[Act 10 of 2019 wef 29/03/2019]

PART V

FINANCIAL PROVISIONS

Grants

15. 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.

Issue of shares, etc.

15A. 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 shall issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

[5/2002]

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 shall be operated upon as far as practicable by cheque signed

by such person or persons as may, from time to time, be authorised in that behalf by the Board.

(2) The moneys of the Board shall 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 (Cap. 1).

[45/2004]

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.

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

(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.

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

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.

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

PART VI

TRANSFER OF ASSETS, LIABILITIES AND EMPLOYEES TO BOARD

Transfer to Board of property, assets and liabilities

20.—(1) As from 1st 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 shall be transferred to and shall 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 shall be 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 1st July 1996, such persons employed immediately before that date in the Parks and Recreation Department as the Minister may determine shall be 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 Fourth Schedule shall have effect.

Existing agreements and pending proceedings

22.—(1) All deeds, bonds, agreements, instruments and arrangements subsisting immediately before 1st July 1996 affecting any movable property transferred under section 20 or any person transferred to the service of the Board under section 21 shall continue in full force and effect on and after that date and shall be 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.

(2) Any proceedings or cause of action relating to any movable property transferred under section 20 or any person transferred to the service of the Board under section 21 pending or existing immediately before 1st July 1996 by or against the Government may be continued and shall be enforced by or against the Board.

PART VII

TRANSFER OF AVA VETERINARY UNDERTAKINGS

[Act 10 of 2019 wef 01/04/2019]

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);

“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.

[Act 10 of 2019 wef 01/04/2019]

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.

(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.

(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.

(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.

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

[Act 10 of 2019 wef 01/04/2019]

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.

(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 stops being employed by the transferor.

(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.

(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 employment then applicable.

(5) To avoid doubt, section 18A of the Employment Act (Cap. 91) does not apply to the transfer under this Part of any transferring employee to the Board.

(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.

[Act 10 of 2019 wef 01/04/2019]

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.

(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.

(3) For any conduct of a transferred employee when he 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.

(4) Where, on the eve of the transfer date, any matter about the conduct of a transferred employee during his 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.

(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 employment with the transferor on the eve of the transfer date.

(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.

(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.

[Act 10 of 2019 wef 01/04/2019]

Transfer of records

26A. 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.

[Act 10 of 2019 wef 01/04/2019]

Confirmation of undertaking transferred

26B.—(1) If any dispute arises —

- (a) as to whether an asset or a liability or a record is transferred under section 24 or 26A; 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 26A,

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

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

[Act 10 of 2019 wef 01/04/2019]

PART VIII
GENERAL

Symbol of Board

27.—(1) The Board shall have the exclusive right to the use of such symbols or representations as it may select or devise (referred to in this section as 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.

Exclusion of liability for information supplied by Board

28. 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 such employees.

All moneys recovered to be paid to Board

29.—(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.

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

[Act 9 of 2017 wef 20/11/2017]

30. to 39. *[Repealed by Act 4 of 2005]*

Power to make regulations

40.—(1) The Board may, with the approval of the Minister, make regulations for carrying out the purposes and provisions of this Act.
[4/2005]

(2) Without prejudice to the generality of 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.

[4/2005]

Transitional provisions

41.—(1) Any scheme, contract, document, licence, permission or resolution prepared, made, granted or approved by the Parks and Recreation Department or under the repealed National Parks Act (Cap. 198A, 1991 Ed.) shall, so far as it is not inconsistent with the provisions of this Act and except as otherwise expressly provided in this Act or in any other written law, continue and be deemed to have been prepared, made, granted or approved by the Board under the corresponding provisions of this Act or any other written law, as the case may be.

(2) Any subsidiary legislation made under the repealed National Parks Act in force immediately before 1st July 1996 shall, so far as it is not inconsistent with the provisions of this Act, continue in force as if made under this Act until it is revoked or repealed by subsidiary legislation made under this Act.

FIRST SCHEDULE

Section 5

CONSTITUTION AND PROCEEDINGS OF BOARD

1. The Board shall consist of —
 - (a) a Chairman; and
 - (b) not less than 6 nor more than 10 other members as the Minister may, from time to time, determine.
- 2.—(1) The Chairman and members of the Board shall be appointed by the Minister.
 - (2) The Minister may appoint one member to be the Deputy Chairman who may, subject to such directions as may be given by the Chairman, exercise all or any of the powers exercisable by the Chairman under this Act.
 - (3) The Minister may appoint the Chief Executive to be a member of the Board.
3. A member shall hold office on such conditions and for such term as the Minister may determine and shall be eligible for reappointment.
 - 3A. The Minister may appoint any member of the Board to be a temporary Chairman or temporary Deputy Chairman during the incapacity from illness or otherwise of the Chairman or the Deputy Chairman, as the case may be.
4. The Minister may, at any time, revoke the appointment of the Chairman or any member without assigning any reason.
5. Any member may resign from his appointment at any time by giving notice in writing to the Minister.
 - 5A. The Minister may appoint a person to be a temporary member of the Board during the incapacity from illness or otherwise of any member.
6. The Chairman may, in writing, authorise any member to exercise any power or perform any function conferred on the Chairman by or under this Act.
7. The office of a member shall be vacated if the member —
 - (a) has been absent, without leave of the Board, from 3 consecutive meetings of the Board; or
 - (b) becomes in any manner disqualified from membership of the Board under paragraph 9.
8. If a member resigns, dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, the Minister may appoint a person to fill the vacancy for the residue of the term of which the vacating member was appointed.

FIRST SCHEDULE — *continued*

9. No person shall be appointed or shall continue to hold office as a member if he —

- (a) is an undischarged bankrupt or has made any arrangement with his creditors;
- (b) has been sentenced to imprisonment for a term of not less than 6 months and has not received a free pardon; or
- (c) is mentally disordered and incapable of managing himself or his affairs.

10. [*Deleted by Act 5 of 2018 wef 01/04/2018*]

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

12.—(1) The Board shall meet for the despatch of business at such times and places as the Chairman may, from time to time, appoint.

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

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

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

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

(6) Where not less than 4 members of the Board request the Chairman by notice in writing signed by them to convene a meeting of the Board for any purpose specified in the notice, the Chairman shall, within 7 days from the receipt of the notice, convene a meeting for that purpose.

13. The Board may act notwithstanding any vacancy in its membership.

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

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

FIRST SCHEDULE — *continued*

15. The validity of any proceedings of the Board shall not be affected by any defect in the appointment of any member.

[4/2005; 21/2008]

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

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.
 - 2A. 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.
 - 2B. To plant plants in public parks.
3. 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.

[Act 9 of 2017 wef 20/11/2017]

[Act 10 of 2019 wef 01/04/2019]

SECOND SCHEDULE — *continued*

4. To receive fees, donations, grants, gifts of movable or immovable property from any source or raise funds by any lawful means.

5. To regulate and control public access to the national parks, nature reserves and public parks.

6. To promote or undertake publicity in any form.

7. 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.

8. To make awards of recognition, grants, scholarships or contributions as the Board considers fit for the purposes of this Act.

8A. To develop, conduct and certify training programmes for any subject matter relating to any function of the Board.

[Act 9 of 2017 wef 20/11/2017]

8B. 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.

[Act 10 of 2019 wef 01/04/2019]

9. 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.

10. 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.

11. 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.

[Act 10 of 2019 wef 01/04/2019]

12. With the approval of the Minister, to raise loans for the purposes of this Act.

12A. 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.

12B. 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.

SECOND SCHEDULE — *continued*

12C. To charge fees or commissions for services rendered by the Board or for any use of any of its facilities.

12D. To carry out promotional activities or publicity in any form.

12E. To organise such courses and other programmes as the Board thinks necessary or desirable for the discharge of its functions, objects or duties.

13. To apply for, obtain and hold, whether on its own behalf or jointly with any other person, any intellectual property rights.

[Act 10 of 2019 wef 01/04/2019]

14. To enter into agreements or arrangements for the commercial exploitation of those intellectual property rights, whether by assignment, licensing or otherwise.

[Act 10 of 2019 wef 01/04/2019]

15. 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.

[Act 10 of 2019 wef 01/04/2019]

16. To engage in research, technology development studies or technical cooperation projects.

[Act 10 of 2019 wef 01/04/2019]

THIRD SCHEDULE

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

FOURTH SCHEDULE

Section 21

PROVISIONS RELATING TO TRANSFER OF EMPLOYEES

1. Until such time as terms and conditions of service are drawn up by the Board, the scheme and terms and conditions of service in the Government shall continue to apply to every person transferred to the service of the Board under section 21 as if he were still in the service of the Government.

2. The terms and conditions to be drawn up by the Board shall 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 shall provide for the recognition of

FOURTH SCHEDULE — *continued*

service under the Government by the persons so transferred to be service by them under the Board.

3. Nothing in the terms and conditions to be drawn up by the Board shall 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 (Cap. 225).

4. In every case where a person has been transferred to the service of the Board under section 21, 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 both the Government and the Board.

5. 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 such service, the Board may grant to him or to such other person or persons wholly or partly dependent on him, as the Board thinks fit, such allowance or gratuity as the Board may determine.

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

7. Where on 1st July 1996, any disciplinary proceedings were pending against any employee of the Government transferred to the service of the Board under section 21, the proceedings shall be carried on and completed by the Board; but where on that date any matter was in the course of being heard or investigated or had been heard or investigated by a committee acting under due authority but no order or decision had been rendered thereon, the committee shall 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.

8. Any order, ruling or direction made or given by a committee pursuant to paragraph 7 shall be treated as an order, a ruling or a direction of the Board and have the same force or effect as if it had been made or given by the Board pursuant to the authority vested in the Board under this Act.

9. The Board may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person who had, whilst he was in the employment of the Parks and Recreation Department, been guilty of any misconduct or neglect of duty which

FOURTH SCHEDULE — *continued*

would have rendered him liable to be so reprimanded, reduced in rank, retired, dismissed or punished if he had continued to be in the employment of the Government, and as if this Act had not been enacted.

LEGISLATIVE HISTORY
NATIONAL PARKS BOARD ACT
(CHAPTER 198A)

(Formerly known as the National Parks Act (Cap. 198A, 1997 Ed.))

This Legislative History is provided for the convenience of users of the National Parks Board Act. It is not part of the Act.

1. Act 10 of 1990 — National Parks Act 1990

Date of First Reading : 13 March 1990
(Bill No. 12/90 published on
14 March 1990)

Date of Second and Third Readings : 29 March 1990

Date of commencement : 6 June 1990

2. 1991 Revised Edition — National Parks Act (Chapter 198A)

Date of operation : 1 March 1991

3. G. N. No. S 263/1995 — National Parks Act (Amendment of First Schedule) Order 1995

Date of commencement : 16 June 1995

4. Act 22 of 1996 — National Parks Act 1996

Date of First Reading : 2 May 1996
(Bill No. 13/96 published on
3 May 1996)

Date of Second and Third Readings : 21 May 1996

Date of commencement : 1 July 1996

5. 1997 Revised Edition — National Parks Act (Chapter 198A)

Date of operation : 30 May 1997

6. G.N. No. S 669/2001 — National Parks Act (Amendment of Fifth Schedule) Order 2001

Date of commencement : 1 January 2002

7. 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 (except item (18)
 of the Schedule)

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

Date of commencement : 26 November 2003

9. 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

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

(Consequential amendments made to Act by)

Date of First Reading : 19 October 2004
 (Bill No. 55/2004 published on
 20 October 2004)

Date of Second and Third Readings : 25 January 2005

Date of commencement : 1 August 2005

11. 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 (item 1(34) of the
 Second Schedule —
 Amendment of National Parks
 Board Act)

12. 2012 Revised Edition — National Parks Board Act (Chapter 198A)

Date of operation : 31 July 2012

13. Act 9 of 2017 — Parks and Trees (Amendment) Act 2017

Date of First Reading : 9 January 2017 (Bill No. 4/2017
 published on 9 January 2017)

Date of Second and Third Readings : 7 February 2017
Date of commencement : 20 November 2017

14. 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

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

Date of First Reading : 15 January 2019 (Bill No. 4/2019 published on 15 January 2019)

Date of Second and Third Readings : 12 February 2019

Date of commencement : 29 March 2019
1 April 2019