



THE STATUTES OF THE REPUBLIC OF SINGAPORE

SINGAPORE POLYTECHNIC ACT

(CHAPTER 303)

(Original Enactment: Ordinance 23 of 1954)

REVISED EDITION 1985

(30th March 1987)

Prepared and Published by

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

Informal Consolidation – version in force from 10/6/2016 to 1/4/2018

Singapore Polytechnic Act

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Establishment of Polytechnic
4. Constitution of Board of Governors
5. Vacation of office of a member of Board
6. Filling of vacancy in office of a member of Board
7. Functions of Board
8. Secretary of Board
9. Meetings of Board
10. Power of Board to enter into contracts and to hold property
11. Power of Board to borrow and invest
- 11A. Issue of shares, etc.
12. Use of common seal
13. Establishment of Board of Studies
14. Appointment, powers and duties of Principal
- 14A. Public servants
15. Singapore Polytechnic Students' Union
16. Application of Societies Act to Students' Union
17. Polytechnic's financial year
18. Accounts and financial statements
19. Audit of accounts
20. Failure to furnish information to auditor
21. Presentation of financial statements and auditor's report to Parliament
22. Annual report
23. Regulations

An Act to establish the Singapore Polytechnic and for matters connected therewith.

[27th October 1954]

Short title

1. This Act may be cited as the Singapore Polytechnic Act.

Interpretation

2. In this Act, unless the context otherwise requires —
 - “Board” means the Board of Governors of the Singapore Polytechnic constituted under section 4;
 - “Board of Studies” means the Board of Studies established under section 13;
 - “by-laws” means by-laws made by the Board under section 7;
 - “Chairman” means the Chairman of the Board.

Establishment of Polytechnic

3. For the purpose of providing for studies, training and research in technology, science, commerce and arts there shall be established an institution to be styled the Singapore Polytechnic (referred to in this Act as the Polytechnic).

Constitution of Board of Governors

4.—(1) So soon as may be after the commencement of this Act, there shall be constituted a Board to be known as the Board of Governors of the Singapore Polytechnic, which shall be a body corporate having perpetual succession and a common seal and may sue and be sued in its corporate name.

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

- (a) a Chairman;
- (b) a Deputy Chairman;
- (c) the Principal of the Polytechnic; and
- (d) such other persons, not being less than 9 or more than 15, as the Minister may from time to time determine.

[7/80]

- (3) Every member of the Board, except the Principal of the Polytechnic, shall be appointed by the Minister and shall, unless the

Minister otherwise directs, hold office for a period of 3 years from the date of his appointment and shall be eligible for reappointment.

[7/80]

Vacation of office of a member of Board

5.—(1) The office of a member of the Board shall be vacated if he —

- (a) becomes a bankrupt or suspends payment to, or makes any arrangement or composition with, his creditors; or
- (b) has been absent, without leave of the Board, from 3 consecutive meetings thereof.

(2) The Minister may revoke the appointment of a member of the Board, except that of the Principal of the Polytechnic, if the member becomes in the opinion of the Minister unfit to continue in office or incapable of performing his duties.

(3) A member of the Board, except the Principal of the Polytechnic, may resign from his appointment at any time by giving written notice to the Minister.

[4A
[7/80]

Filling of vacancy in office of a member of Board

6. If the office of a member of the Board, other than that of the Principal of the Polytechnic, is vacant, the Minister may appoint any person to fill the vacancy and the person shall be appointed for the remainder of the term of his predecessor.

[4B
[7/80]

Functions of Board

7.—(1) It shall be the duty of the Board, in the exercise of its powers and in the performance of its functions, to act in such manner as appears to it best calculated to promote the aims and interests of the Polytechnic.

(2) The functions of the Board shall include the carrying on of all such activities and the doing of all such things as are necessary or

advantageous and proper for the government, control and administration of the Polytechnic and of the assets of the Polytechnic and in particular but without prejudice to the generality of the foregoing, shall include —

- (a) the authorisation of appropriate and necessary expenditure within the funds available to the Polytechnic;
- (b) the preparation of an annual report on the working of the Polytechnic and the preparation of the annual estimates and of such annual statements as are required by this Act or by any regulations made thereunder;
- (c) the appointment of the members of the academic and administrative staffs and in addition the appointment of such advisers as the Board may consider necessary or desirable;
- (d) the making, after consultation with the Board of Studies, of by-laws relating generally to the academic management of the Polytechnic and in particular to —
 - (i) the qualifications necessary for admission to the Polytechnic, the courses of instruction to be provided for students at the Polytechnic, the duration and number of Polytechnic terms, the award of certificates or diplomas to students of the Polytechnic and the revocation of any certificates or diplomas so awarded;
 - (ii) the grant of scholarships and studentships, and the revocation of any such grant;
 - (iii) the making of provision for the connection with the Polytechnic of schools and institutes;
- (e) the making of by-laws relating to —
 - (i) the procedure in regard to meetings of the Board, the Board of Studies and of any committee duly appointed under the provisions of this Act;

- (ii) the setting up, membership and functions of advisory committees and the procedure in regard to the meetings of those advisory committees;
 - (iii) the form and method of keeping the accounts of the Polytechnic;
 - (iv) the powers and functions of the officers of the Polytechnic and of any committee duly appointed under the provisions of this Act;
 - (v) the fees to be payable by students at the Polytechnic;
- (f) the provision of pensions, superannuation or provident fund schemes for the benefit of its employees or any section of its employees and the making of arrangements for the establishment of such schemes;
- (g) the regulation and provisions of residences for officers, teachers, staff and students of the Polytechnic and the welfare and discipline of teachers, staff and students;
- (h) the demand and receipt of such fees as may from time to time be prescribed by by-laws.

(3) The Board may appoint from among its own number such and so many committees either of a general or special nature and consisting of such number of persons as the Board thinks fit for any purposes which in the opinion of the Board would be better regulated by means of such committees. The proceedings of every such committee shall be recorded in writing and shall be open to the inspection of any member of the Board or any member thereof at any time.

(4) Any committee of the Board shall have full power to act on any resolution passed by it within the scope of the powers delegated to it under subsection (3) and all decisions of the committee shall be reported to the Board.

[5

Secretary of Board

8. The Registrar of the Polytechnic shall be the secretary of the Board, and shall attend all meetings thereof unless excused for good cause by the Chairman.

[6
[7/80]

Meetings of Board

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

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

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

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

(5) In the absence of the Chairman and the Deputy Chairman at a meeting of the Board, such member as the members present may elect shall preside at the meeting.

(6) The Board may grant leave of absence from a meeting of the Board to a member thereof.

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

(8) Subject to the provisions of this Act, the Board may make standing orders to regulate its own procedure.

[7
[7/80]

Power of Board to enter into contracts and to hold property

10.—(1) The Board may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Act.

(2) The Board may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Act, and for the same purposes may sell, lease, mortgage, or otherwise alienate or dispose of, any property so acquired.

[8]

Power of Board to borrow and invest

11.—(1) The Board may borrow at interest, on the security of any corporate land or of any funds of the Board, such moneys as it may from time to time think necessary or expedient for carrying into effect the provisions of this Act.

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

[45/2004 wef 15/12/2004]

(3) The Board may do all or any things incidental or appertaining to a body corporate.

[9]

Issue of shares, etc.

11A. 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 wef 15/07/2002]

Use of common seal

12. The common seal of the Board shall be in the custody of the Principal and shall not be affixed to any instrument, other than diplomas or academic certificates, except in the presence of the Chairman or a member of the Board and the Principal nor until the Chairman or the member of the Board and the Principal have signed their names to the instrument in token of their presence.

[10]

[26/71]

Establishment of Board of Studies

13. There shall be established a body to be known as the Board of Studies of the Polytechnic and it shall be the duty of the Board of Studies to advise the Board and the Principal in accordance with the provisions of this Act and any regulations made thereunder.

[11]

Appointment, powers and duties of Principal

14.—(1) There shall be a Principal of the Polytechnic who shall be appointed by the Board, on such terms and conditions as the Board may determine; and the Principal may for good cause be removed from his office by the Board.

(2) The Principal shall be the chief administrative and academic officer of the Polytechnic and shall be responsible to the Board —

- (a) for the proper administration of the Polytechnic in accordance with the policy of the Board;
- (b) for the academic management of the Polytechnic in accordance with the policy of the Board;
- (c) for the proper enforcement of the by-laws;
- (d) for the discipline of the students of the Polytechnic,

and for such purposes the Principal shall have, subject to the provisions of this Act, all such powers as are necessary or advantageous and proper.

(3) The Principal shall be entitled to be present and speak at any meeting of any committee of the Polytechnic, but shall not be entitled to vote at the meeting unless he is a member thereof.

[12]

Public servants

14A. All members of the Board, and all officers, members of the academic and administrative staff and other employees of the Polytechnic, are deemed to be public servants for the purposes of the Penal Code (Cap. 224).

[Act 16 of 2016 wef 10/06/2016]

Singapore Polytechnic Students' Union

15.—(1) There shall be a students' association to be known as the Singapore Polytechnic Students' Union which shall be constituted by regulations made under section 23(1) and shall consist of such constituent bodies as may be prescribed by those regulations.

(2) The constitution, membership, functions and other matters relating to the Singapore Polytechnic Students' Union and each of its constituent bodies shall be so prescribed.

(3) The Board may impose and collect from the students or any class thereof such fees as it may determine for the benefit of the Singapore Polytechnic Students' Union and its constituent bodies; and such fees may be applied in such manner as the Board thinks fit for the purposes of the Union and its constituent bodies.

(4) The Singapore Polytechnic Students' Union constituted before 1st April 1980 shall be deemed to be dissolved and all its property, assets, rights, liabilities and obligations of every description shall be deemed to vest without any further assurance in the Singapore Polytechnic Students' Union constituted by regulations* made under section 23(1).

[13
[7/80]

Application of Societies Act to Students' Union

16.—(1) Notwithstanding anything to the contrary in the Societies Act [Cap. 311], the provisions of that Act shall apply to the Singapore Polytechnic Students' Union and its constituent bodies constituted by regulations made under section 23(1).

(2) The Minister charged with responsibility for societies may, by order published in the *Gazette*, exempt the Singapore Polytechnic Students' Union and any of its constituent bodies from all or any of the provisions of the Societies Act [Cap. 311] subject to such conditions as may be specified in the order.

[14
[7/80]

*G.N. No. S231/80.

Polytechnic's financial year

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

[15
[7/80]

Accounts and financial statements

18.—(1) The Board shall keep proper accounts and records of the transactions and affairs of the Polytechnic and shall do all things necessary to ensure that all payments out of the moneys of the Polytechnic are correctly made and properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Polytechnic and over the expenditure incurred by the Polytechnic.

(2) The Board shall, as soon as practicable after the close of each financial year, prepare and submit financial statements in respect of that year to the auditor of the Polytechnic.

[16
[7/80]

Audit of accounts

19.—(1) The accounts of the Polytechnic shall be audited by the Auditor-General or such other auditor as may be appointed annually by the Minister in consultation with the Auditor-General.

(2) A person shall not be qualified for appointment as an auditor under subsection (1) unless he is an approved company auditor under the Companies Act [Cap. 50].

(3) The auditor or any person authorised by him shall be entitled at all reasonable times to full and free access to all accounting and other records relating directly or indirectly to the financial transactions of the Polytechnic.

(4) The auditor shall in his report state —

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

- (b) whether proper accounting and other records have been kept, including records of all assets of the Polytechnic whether purchased, donated or otherwise;
- (c) whether the receipts, expenditure, and investment of moneys and the acquisition and disposal of assets by the Polytechnic during the financial year were in accordance with the provisions of this Act; and
- (d) such other matters arising from the audit as he considers necessary.

[17
[7/80]

Failure to furnish information to auditor

20.—(1) The auditor may require any person to furnish him with such information in the possession of that person or to which that person has access as the auditor considers necessary for the purposes of his functions under this Act.

(2) Any person who fails without reasonable excuse to comply with any requirement of the auditor under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

[18
[7/80]

Presentation of financial statements and auditor's report to Parliament

21.—(1) The Board shall, as soon as the accounts of the Polytechnic and the financial statements have been audited in accordance with the provisions of this Act, send to the Minister a copy of the audited financial statements, signed by the Chairman, together with a copy of the auditor's report.

(2) Where the Auditor-General is not the auditor of the Polytechnic, a copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General when they are submitted to the Board.

(3) The Minister shall as soon as practicable cause a copy of the audited financial statements and of the auditor's report referred to in subsection (1) to be presented to Parliament.

[19
[7/80]

Annual report

22.—(1) The Board shall, as soon as practicable after the end of each financial year, cause to be prepared and transmitted to the Minister a report dealing generally with the activities of the Polytechnic during the preceding financial year and containing such information relating to the proceedings and policy of the Polytechnic as the Minister may, from time to time, direct.

(2) The Minister shall as soon as practicable cause a copy of every such annual report to be presented to Parliament.

[20
[7/80]

Regulations

23.—(1) The Board may, with the approval of the Minister, make regulations for any of the following matters:

- (a) the preparation, audit and submission to the Minister of estimates, budgets, statements and returns;
- (b) the membership and functions of the Board of Studies;
- (c) the conditions of transfer to the Polytechnic of pensionable officers in the public service;
- (d) the appointment, promotion, conduct, disciplinary control, dismissal and termination of service of the academic and administrative staff of the Polytechnic;
- (e) the conduct and disciplinary control of students;
- (f) any other matters which by this Act are required or may be prescribed.

(2) All regulations made under this section shall be published in the *Gazette*.

[21
[7/80]

LEGISLATIVE HISTORY
SINGAPORE POLYTECHNIC ACT
(CHAPTER 303)

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

1. Ordinance 23 of 1954 — Singapore Polytechnic Ordinance 1954

Date of First, Second and Third Readings : Date not available.

Date of commencement : 27 October 1954

2. Ordinance 9 of 1957 — Singapore Polytechnic (Amendment) Ordinance 1957

Date of First, Second and Third Readings : Date not available.

Date of commencement : 17 May 1957

3. Ordinance 71 of 1959 — Transfer of Powers Ordinance 1959

Date of First, Second and Third Readings : Date not available.

Date of commencement : 20 November 1959

4. S(NS) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order 1959

Date of commencement : 20 November 1959

5. 1970 Revised Edition — Singapore Polytechnic Act (Cap. 180)

Date of operation : 31 May 1971

6. Act 26 of 1971 — Singapore Polytechnic (Amendment) Act 1971

Date of First Reading : 19 October 1971
(Bill No. 13/1971 published on 22 October 1971)

Date of Second and Third Readings : 2 December 1971

Dates of commencement : 1 March 1972

7. Act 7 of 1980 — Singapore Polytechnic (Amendment) Act 1980

Date of First Reading : 11 December 1979
(Bill No. 42/1979 published on 17 December 1979)

Date of Second and Third Readings : 26 February 1980

Dates of commencement : 1 April 1980

8. 1985 Revised Edition — Singapore Polytechnic Act

Date of operation : 30 March 1987

9. Act 5 of 2002 — Statutory Corporations (Capital Contribution) Act 2002

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

10. 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

11. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016

Date of First Reading : 14 April 2016 (Bill No. 15/2016
published on 14 April 2016)

Date of Second and Third Readings : 9 May 2016

Date of commencement : 10 June 2016