



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**SINGAPORE UNIVERSITY OF
TECHNOLOGY AND DESIGN
ACT 2011**

2020 REVISED EDITION

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Singapore University of Technology and Design Act 2011

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An Act to provide for certain matters relating to the operation of a university known as the Singapore University of Technology and Design.

[18 October 2011]

Whereas a company limited by guarantee has been incorporated under the Companies Act 1967 by the name “Singapore University of Technology and Design” having as its objects the establishment, operation, maintenance and promotion of a university in Singapore under the name and style “Singapore University of Technology and Design”.

And whereas it is desirable that statutory provision be made in relation to the operation of the Singapore University of Technology and Design and certain of the powers of the company.

Short title

1. This Act is the Singapore University of Technology and Design Act 2011.

Interpretation

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

“Board” means the Board of Trustees of the university company mentioned in its constituent documents;

“constituent documents”, in relation to the university company, means the memorandum of association and articles of association of the university company;

“university company” means the company limited by guarantee incorporated under the Companies Act 1967 on 24 July 2009 under the name “Singapore University of Technology and Design”.

Function of university company

3. The function of the university company is to pursue, within the limits of the financial resources available to it, the objects provided by its constituent documents and, in particular, to confer and award degrees, diplomas and certificates, including honorary degrees and other distinctions.

Accountability and evaluation

4.—(1) The university company must comply with the accountability framework set out by way of any written agreement between the university company and the Minister or any person authorised by the Minister.

(2) The university company must evaluate the performance of its activities in accordance with such quality assurance framework as the Minister may determine.

(3) The university company must participate in the evaluation of its activities by any external review panel that the Minister may commission from time to time.

Directions in respect of policies on higher education in Singapore

5.—(1) The Minister may, in consultation with the university company, establish any policies on higher education in Singapore that the Minister thinks fit and may direct the university company to implement those policies.

(2) The university company must comply with any direction given by the Minister under subsection (1).

Appointment to Board

6.—(1) The Board consists of such number of trustees as the Minister may appoint.

(2) The Minister may, at any time, remove or replace any trustee, or appoint new or additional trustees to the Board.

Consent of Minister

7.—(1) The prior written consent of the Minister is required for —

- (a) the admission of any person as a member of the university company and the removal of any such member;
- (b) the disposal of the whole or substantially the whole of the university company's undertaking or property;
- (c) the voluntary winding up of the university company;
- (d) the addition, deletion or alteration of any provision of the constituent documents of the university company; and
- (e) the removal of any trustee from the Board.

(2) The requirements under subsection (1) apply in addition to the requirements prescribed by the Companies Act 1967 and the Insolvency, Restructuring and Dissolution Act 2018 in respect of the matters referred to in subsection (1)(a) to (e).

[40/2018]

(3) Any act done or agreement made in contravention of subsection (1) has no effect and is unenforceable at law.

Provision of funds

8.—(1) The Minister must pay to the university company such moneys as Parliament may provide from time to time for the funding of the university company.

(2) All moneys paid to the university company under subsection (1) may only be applied or expended by the university company for such objects provided by its constituent documents as the Minister may allow.

Access to accounts and summary of financial statements

9.—(1) The Minister or a person authorised by the Minister (called in this section an authorised person) is 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 university company.

(2) The Minister or an authorised person may require any person to provide him or her with any information in that person's possession, or to which that person has access, that the Minister or authorised person considers necessary for ascertaining —

- (a) whether moneys paid to the university company under section 8 were applied or expended in accordance with that section; and
- (b) any other matters that the Minister or authorised person considers necessary.

(3) The university company must make available to the public, at such frequency and in such manner as the Minister may determine, a summary of the financial statements of the university company which must be in such form and contain such information as the Minister may determine.

(4) Any person who, without reasonable excuse, fails to comply with any requirement of the Minister or an authorised person under subsection (2), or who otherwise hinders, obstructs or delays the Minister or an authorised person in the performance of his or her duties or in the exercise of his or her powers under this section, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Application of Societies Act 1966 to student bodies

10.—(1) Despite anything to the contrary in the Societies Act 1966, the provisions of that Act have effect in relation to any student body constituted pursuant to the provisions of the constituent documents of the university company.

(2) The Minister charged with the responsibility for societies may, by order in the *Gazette*, exempt any student body mentioned in subsection (1) from all or any of the provisions of the Societies Act 1966 subject to any conditions specified in the order.

Act to prevail over constituent documents, etc.

11.—(1) Any provision of the constituent documents, or any regulation of the university company made pursuant to any provision of the constituent documents, that is inconsistent with any provision of this Act is, to the extent of the inconsistency, void.

(2) Nothing in this Act is to be construed as excusing or exempting the university company from complying with any written law that, apart from this Act, would apply to the university company.

LEGISLATIVE HISTORY
SINGAPORE UNIVERSITY OF
TECHNOLOGY AND DESIGN
ACT 2011

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

1. Act 14 of 2011 — Singapore University of Technology and Design Act 2011

Bill	:	9/2011
First Reading	:	1 March 2011
Second and Third Readings	:	11 April 2011
Commencement	:	18 October 2011

2. 2012 Revised Edition — Singapore University of Technology and Design Act (Chapter 305E)

Operation	:	31 May 2012
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3. Act 40 of 2018 — Insolvency, Restructuring and Dissolution Act 2018
(Amendments made by section 513 of the above Act)

Bill	:	32/2018
First Reading	:	10 September 2018
Second and Third Readings	:	1 October 2018
Commencement	:	30 July 2020 (section 513)

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