



REPUBLIC OF SINGAPORE

**GOVERNMENT GAZETTE**

**BILLS SUPPLEMENT**

*Published by Authority*

---

---

NO. 4]

[1991

---

---

First published in the *Government Gazette*, Electronic Edition, on    at .

**Notification No. B 4** — The Statutes (Miscellaneous Amendments) Bill is hereby published for general information. It was introduced in Parliament on 3rd January 1991.

# **Statutes (Miscellaneous Amendments) Bill**

---

**Bill No. 4/1991.**

*Read the first time on 3rd January 1991.*

A BILL

*i n t i t u l e d*

An Act to amend certain statutes of the Republic of Singapore.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

## Short title and commencement

1. This Act may be cited as the Statutes (Miscellaneous Amendments) Act 1991 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

## 5 Miscellaneous amendments

2. The provisions of the Acts specified in the first column of the Schedule are amended in the manner specified in the second column.

## THE SCHEDULE

10	<i>First column.</i>	<i>Second column.</i>
	(1) The Interpretation Act (Chapter 1)	
	Section 2(1) (definition of “President”)	Delete the words “appointed to perform” and substitute the word “performing”.
15	(2) The Asian Development Bank Act (Chapter 15)	
	(a) Section 6	Insert, immediately after the word “Minister” in the second line, the words “with the President’s concurrence under Article 144(1)(b) of the Constitution”.
20	(b) Section 7	Insert, immediately after the word “Minister”, the words “with the President’s concurrence under Article 144(1)(b) of the Constitution”.
25	(3) The Audit Act (Chapter 17)	
	Section 3	Repeal.
30	(4) The Bretton Woods Agreements Act (Chapter 27)	
	(a) Section 7(2)	Delete the words “is hereby authorised to” in the first line and substitute the words “with the President’s concurrence under

THE SCHEDULE — *continued*

<i>First column.</i>	<i>Second column.</i>	
	Article 144(1)(b) of the Constitution may”.	
(b) Section 9	Insert, immediately after the word “Minister” in the fourth line, the words “with the President’s concurrence under Article 144(1)(b) of the Constitution”.	5
(5) The Central Provident Fund Act (Chapter 36)		10
(a) Section 4	(i) Delete subsection (1) and substitute the following subsection:  “(1) The Minister with the President’s concurrence under Article 22A(1)(b) of the Constitution shall appoint a Chairman of the Board for a term of 3 years, or for such shorter term as the Minister may determine, and the Chairman shall be eligible for reappointment.”.	15  20
	(ii) Insert, immediately after the word “Minister” in the second line of subsection (2), the words “with the President’s concurrence under Article 22A(1)(b) of the Constitution”.	25
	(iii) Insert, immediately after subsection (5), the following subsection:  “(5A) No revocation of the appointment of the Chairman or any other member of the Board shall be made without the President’s concurrence under Article 22A(1)(b) of the Constitution.”.	30  35

THE SCHEDULE — *continued**First column.**Second column.*

5

(iv) Insert, immediately after subsection (11), the following subsection:

10

“(11A) The Board with the President’s concurrence under Article 22A(1)(b) of the Constitution shall appoint a General Manager on such terms and conditions as it may determine.”.

(b) —

Insert, immediately after section 5, the following section:

15

**“Budget**

20

**5A.—**(1) The Board shall in every financial year prepare a budget containing estimates of income and expenditure of the Board for the ensuing financial year and a supplementary budget (if necessary) for any financial year and present them to the President for his approval under Article 22B of the Constitution.

25

(2) The budget and supplementary budget (if any) when approved by the President shall be published in the *Gazette*.”.

30

(6) The Civil List and Pension Act (Chapter 44)

Section 2(2)(b)

Delete the words “appointed under Article 17(4)” and substitute the words “exercising the functions of the office of President pursuant to Article 22N or 22O”.

35

(7) The Currency Act (Chapter 69)

(a) Section 5

(i) Delete the word “The” in the first line of subsection (1) and substitute

THE SCHEDULE — *continued**First column.**Second column.*

	the words “Subject to subsection (1A), the”.	
	(ii) Insert, immediately after subsection (1), the following subsection:	5
	“(1A) The Board with the President’s concurrence under Article 22A(1)(b) of the Constitution shall appoint a General Manager on such terms and conditions as it may determine.”.	10
(b) Section 6	(i) Delete paragraph (a) of subsection (1) and substitute the following paragraph:	15
	(a) the Chairman who shall be appointed by the President on the recommendation of the Cabinet;”.	
	(ii) Insert, immediately after subsection (1), the following subsections:	20
	“(1A) Subject to subsection (1B), the members of the Board shall be appointed for a term not exceeding 3 years and shall be eligible for reappointment.	25
	(1B) The President, acting in his discretion, may refuse to appoint any person as Chairman, Deputy Chairman or a member of the Board under subsection (1) or to revoke any such appointment if the President does not concur with the advice or recommendation of the Cabinet or a Minister acting under the general authority of the Cabinet.”.	30
(c) —	Insert, immediately after section 26, the following section:	35
	<b>“Budget</b>	

THE SCHEDULE — *continued**First column.**Second column.*

5

10

15

20

25

30

35

*(d)* Section 27(2)(c)(8) The Defamation Act (Chapter 75)  
Section 14(9) The Development Fund Act  
(Chapter 80)*(a)* Section 3*(b)* Section 4

**26A.**—(1) The Board shall in every financial year prepare a budget containing estimates of income and expenditure of the Board for the ensuing financial year and a supplementary budget (if necessary) for any financial year and present them to the President for his approval under Article 22B of the Constitution.

(2) The budget and supplementary budget (if any) when approved by the President shall be published in the *Gazette*.”.

Insert, immediately after the words “this Act”, the words “and the Constitution”.

Insert, immediately after the word “election” in the second line, the words “to the office of President or”.

Delete the words “such resolutions as may from time to time be passed by Parliament, under section 4,” in the third and fourth lines and substitute the words “a Supply or Supplementary Supply law”.

(i) Delete the marginal note and substitute the following marginal note:

“Payment of moneys from Development Fund.”.

(ii) Delete subsections (1), (2) and (3).



THE SCHEDULE — *continued**First column.**Second column.*

5	Section 2(3)	Delete the words “acting on” and substitute the words “acting in his discretion, if he concurs with”.
	(11) The Government Contracts Act (Chapter 118)	
10	Section 4	Insert, immediately after the words “this Act” at the end thereof, the words “and the Constitution”.
	(12) The Housing and Development Act (Chapter 129)	
15	(a) Section 6	(i) Insert, immediately after the word “shall” in the fifth line of subsection (1), the words “, subject to subsection (7A),”.
20		(ii) Insert, immediately after the word “may” in subsections (1A), (6) and (7), in each case the words “, subject to subsection (7A),”.
25		(iii) Insert, immediately after subsection (7), the following subsection:  “(7A) No appointment under this section and no revocation of any such appointment shall be made without the President’s concurrence under Article 22A(1)(b) of the Constitution.”.
30	(b) Section 38(1)	Insert, immediately after the word “Minister”, the words “and the President’s concurrence under Article 22A(1)(b) of the Constitution”.
35	(c) Section 39(1)	Delete the words “by the Minister”.
	(d) Section 69	(i) Insert, immediately after subsection (1), the following subsection:

THE SCHEDULE — *continued**First column.**Second column.*

	“ (1A) Where the Minister has approved the budget pursuant to subsection (1) with or without amendments, the Board shall present the budget to the President for his approval under Article 22B of the Constitution.”.	
	(ii) Insert, immediately after the word “Minister” in subsection (2), the words “and the President”.	
(e) Section 71	(i) Insert, immediately after the words “this Act” in subsection (7)(c), the words “and the Constitution”.	5
	(ii) Insert, immediately after the word “Minister” in subsection (8), the words “and the President”.	
(f) Section 73(1)	Insert, immediately after the word “Minister” at the end thereof, the words “and the President”.	10
(g) Section 76(2)(d)	Insert, immediately after the word “Minister” at the end thereof, the words “and the President”.	
(h) Section 77	Insert, immediately after the word “Minister” in the fourth line, the words “and the President”.	15
(13) The Internal Security Act (Chapter 143)	Insert, immediately after section 13, the following section:	
	<b>“Presidential concurrence</b>	20
	<b>13A.</b> Where any advisory board recommends the release of any person under section 12 or 13, the person shall not be detained or further detained without the President’s concurrence under Article 151(4) of the Constitution.”.	25

THE SCHEDULE — *continued**First column.**Second column.*

(14) The International Finance  
Corporation Act (Chapter 144)

5 Section 5

Insert, immediately after the word  
“Minister” in the second line, the  
words “with the President’s  
concurrence under Article 144(1)(b)  
of the Constitution”.

10 (15) The Jurong Town Corporation  
Act (Chapter 150)

(a) Section 4

Insert, immediately after the word  
“Minister” in the first line, the  
words “with the President’s  
concurrence under Article 22A(1)(b)  
of the Constitution”.

15

(b) Section 5

(i) Delete subsection (1) and  
substitute the following subsection:

“(1) The Corporation shall consist  
of —

20

(a) a Chairman;

(b) a Deputy Chairman and 7 other  
members to be appointed by the  
Minister with the President’s  
concurrence under  
Article 22A(1)(b) of the  
Constitution.”.

25

(ii) Insert, immediately after the word  
“Minister” in subsection (9), the  
words “with the President’s  
concurrence under Article 22A(1)(b)  
of the Constitution”.

30

(c) Section 7

(i) Delete subsection (1) and  
substitute the following subsection:

“(1) After consultation with the  
Public Service Commission, the  
Corporation with the President’s  
concurrence under

35

THE SCHEDULE — *continued**First column.**Second column.*

	Article 22A(1)(b) of the Constitution may appoint a chief executive officer on such terms and conditions as it may determine.”.	5
	(ii) Insert, immediately after the word “Minister” at the end of subsection (2)(c), the words “and the President’s concurrence under Article 22A(1)(b) of the Constitution”.	10
(d) Section 17	Delete subsection (2) and substitute the following subsections:	
	“(2) The Corporation shall present the budget which has been approved by the Minister to the President for his approval under Article 22B of the Constitution.	15
	(3) The budget when approved by the President shall be published in the <i>Gazette</i> .”.	20
(e) Section 21	(i) Insert, immediately after the word “Minister” in subsection (2), the words “and the President”.	25
	(ii) Insert, immediately after the words “this Act” at the end of subsection (4)(b), the words “and the Constitution”.	
(f) Section 22(1)	Insert, immediately after the word “Minister”, the words “and the President”.	30
(g) Section 25	Insert, immediately after the word “Minister”, the words “and the President”.	35
(16) The Loans (International Banks) Act (Chapter 164)		

THE SCHEDULE — *continued**First column.**Second column.*

5	Section 7(1)	Insert, immediately after the word “Government” in the first line, the words “with the President’s concurrence under Article 144(1)(b) of the Constitution”.
10	(17) The Local Treasury Bills Act (Chapter 167) Section 3(1)	Delete the words “The Minister whenever authorised thereto by a resolution of Parliament” and substitute the words “Where Parliament by resolution authorises the borrowing of moneys under this Act and the President has given his concurrence under Article 144(1)(a) of the Constitution for such borrowing, the Minister”.
20	(18) The Monetary Authority of Singapore Act (Chapter 186) (a) Section 7(3)	Delete paragraph (a) and substitute the following paragraph:  (a) a chairman who shall be appointed by the President on the recommendation of the Cabinet; and”.
30	(b) Section 9(1)	Delete the words “with the approval” and substitute the words “if he concurs with the advice or recommendation”.
35	(c) —	Insert, immediately after section 11, the following section:  <b>“Presidential concurrence</b>  <b>11A.</b> The President, acting in his discretion, may refuse to appoint any person as chairman, deputy chairman, director or managing

THE SCHEDULE — *continued**First column.**Second column.*

	director or to revoke any such appointment if the President does not concur with the advice or recommendation of the Minister, the Cabinet, a Minister acting under the general authority of the Cabinet or the Public Service Commission, as the case may be.”.	5
(d) —	Insert, immediately after section 32, the following section:  <b>“Budget</b>  32A.—(1) The Authority shall in every financial year prepare a budget containing estimates of income and expenditure of the Authority for the ensuing financial year and a supplementary budget (if necessary) for any financial year and present them to the President for his approval under Article 22B of the Constitution.  (2) The budget and supplementary budget (if any) when approved by the President shall be published in the <i>Gazette</i> .”.	10
(19) The Post Office Savings Bank of Singapore Act (Chapter 237)		15
(a) Section 8	(i) Insert, immediately after the word “Minister” in subsection (1), the words “with the President’s concurrence under Article 22A(1)(b) of the Constitution”.	20
	(ii) Insert, immediately after the word “Minister” in subsection (3), the words “with the President’s concurrence under Article 22A(1)(b) of the Constitution”.	25
		30
		35

THE SCHEDULE — *continued**First column.**Second column.*

(b) Section 9

5

(i) Insert, immediately after the word “Minister” in subsection (1), the words “with the President’s concurrence under Article 22A(1)(b) of the Constitution”.

(ii) Insert, immediately after section 9, the following section:

10

**“Presidential concurrence**

**9A.** No revocation of the appointment of the Chairman of the Board or any director shall be made without the President’s concurrence under Article 22A(1)(b) of the Constitution.”.

15

(c) Section 12

20

Insert, immediately after the word “Minister” in the fourth line, the words “with the President’s concurrence under Article 22A(1)(b) of the Constitution”.

(d) Section 18

25

(i) Insert, immediately after the word “Minister” in subsection (1), the words “and the President’s concurrence under Article 22A(1)(b) of the Constitution”.

(ii) Insert, immediately after the word “Minister” at the end of subsection (2)(c), the words “and the President’s concurrence under Article 22A(1)(b) of the Constitution”.

30

(e) Section 37

35

Repeal and substitute the following section:

**“Budget**

**37.—(1)** The Bank shall in every financial year prepare a budget containing estimates of income and expenditure of the Bank for the

THE SCHEDULE — *continued**First column.**Second column.*

	ensuing financial year and a supplementary budget (if necessary) for any financial year.	5
	(2) A copy of all such budgets and supplementary budgets (if any) shall be sent forthwith to the Minister who may approve or disallow any item or portion of any item shown in the budget.	10
	(3) The Bank shall present the budget or supplementary budget (if any) as approved or amended by the Minister under subsection (2) to the President for his approval under Article 22B of the Constitution.	15
	(4) The budget and the supplementary budget when approved by the President shall be published in the <i>Gazette</i> .”.	20
(f) Section 43	Delete the words “and to” in the fifth line and substitute the words “, the President and”.	
(g) Section 44(1)	Insert, immediately after the word “Minister” in the second line, the words “and the President”.	25
(20) The Prevention of Corruption Act (Chapter 241)		
Section 3(1)	Delete the full-stop at the end thereof and substitute a colon, and insert immediately thereafter the following proviso:	30
	“Provided that the President acting in his discretion may refuse to appoint or revoke the appointment of the Director if he does not concur with the advice or recommendation of the	35

THE SCHEDULE — *continued**First column.**Second column.*

		Cabinet or a Minister acting under the general authority of the Cabinet.”.
5	(21) The Statutory Corporations (Contributions to Consolidated Fund) Act (Chapter 319A)	
	Section 2 (definition of “Consolidated Fund”)	Delete the words “Article 143” and substitute the words “Article 145”.
10	(22) The Treasury Deposit Receipts Act (Chapter 335)	
	Section 3(1)	Insert, immediately after the word “Parliament” in the proviso, the words “with which the President concurs under Article 144(1)(a) of the Constitution”.
15		
	(23) The Maintenance of Religious Harmony Act 1990 (Act 26 of 1990)	
	Section 3	Insert, immediately after subsection (4), the following subsection:
20		
		“(4A) The President, acting in his discretion, may refuse to appoint any person as chairman or member of the Council or to revoke any such appointment if he does not concur with the advice or recommendation of the Council.”.
25		

---

EXPLANATORY STATEMENT

This Bill seeks to make consequential amendments to the various statutes set out in the Schedule which are necessary as a result of the amendments made to the Constitution by the Constitution of the Republic of Singapore (Amendment) Act 1991 to give the President a safeguard role over the financial reserves of Singapore and the integrity of the public services. The principal amendments are as follows:

- (a) to provide that no person can be appointed as chairman, member or chief executive of the Board of Commissioners of Currency, Singapore, the Central Provident Fund Board, the Housing and Development Board, the Jurong Town Corporation, the Monetary Authority of Singapore and the Post Office Savings Bank of Singapore without the President's concurrence under Article 22A(1) of the Constitution;
- (b) to empower the President to appoint any person as the Chairman of the Board of Commissioners of Currency, Singapore, and of the Monetary Authority of Singapore if he, acting in his discretion, concurs with the recommendation of the Cabinet;
- (c) to provide that no person can be appointed as chairman or member of the Presidential Council for Religious Harmony without the President's concurrence;
- (d) to provide that no person can be appointed as Director of the Corrupt Practices Investigation Bureau without the President's concurrence;
- (e) to require the abovementioned statutory boards to obtain the approval of the President for their budgets before their adoption; and
- (f) to provide that any loans, debts or guarantees shall not be raised, incurred or given thereunder by the Government under the Asian Development Bank Act (Cap. 15), the Bretton Woods Agreements Act (Cap. 27), the External Loans Act (Cap. 102), the International Finance Corporation Act (Cap. 144) and the Loans (International Banks) Act (Cap. 164) without the President's concurrence.

## EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.

---