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## No. S 114

### TOWN COUNCILS ACT (CHAPTER 329A)

### TOWN COUNCILS (CARETAKER) RULES 2020

#### ARRANGEMENT OF RULES

##### Rule

1. Citation and commencement
  2. Definition of “caretaker period”
  3. Prohibited actions during caretaker period
  4. Duty to consider whether prohibited actions are necessary
  5. Application to Minister to take prohibited actions
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In exercise of the powers conferred by section 57 of the Town Councils Act, the Minister for National Development makes the following Rules:

#### **Citation and commencement**

1. These Rules are the Town Councils (Caretaker) Rules 2020 and come into operation on 20 February 2020.

#### **Definition of “caretaker period”**

2. In these Rules, unless the context otherwise requires, “caretaker period”, in relation to a Town Council, means the period —

(a) starting on and including the day on which —

(i) Parliament is dissolved; or

(ii) the Town Council ceases to have any elected member; and

(b) ending on and including the day immediately before the day on which a Chairman assumes office for the Town Council.

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**Prohibited actions during caretaker period**

3. During a caretaker period, a Town Council must not take any of the following actions without the Minister's approval on an application under rule 5:

- (a) appoint or revoke the appointment of any key officer;
- (b) engage or appoint a managing agent, or revoke the engagement or appointment of its managing agent;
- (c) despite any provision to the contrary in the Town Councils Financial Rules (R 1) —
  - (i) approve the award of a contract worth more than \$100,000; or
  - (ii) approve the expenditure of more than \$100,000 on a single item;
- (d) terminate any contract between the Town Council and any party.

**Duty to consider whether prohibited actions are necessary**

4. During a caretaker period, a Town Council is under a continuing duty to consider —

- (a) whether it is necessary to take any action prohibited by rule 3 to avoid —
  - (i) injury to human life;
  - (ii) serious damage to property; or
  - (iii) serious jeopardy to the operations or financial position of the Town Council; and
- (b) whether it is prudent or practicable to delay taking the action until the caretaker period is over.

**Application to Minister to take prohibited actions**

5.—(1) A Town Council must apply to the Minister to take an action prohibited by rule 3 if it considers that —

- (a) the action is necessary to avoid —
- (i) injury to human life;
  - (ii) serious damage to property; or
  - (iii) serious jeopardy to the operations or financial position of the Town Council; and
- (b) it is not prudent or practicable to delay taking the action until the caretaker period is over.

(2) The Minister may approve an application under paragraph (1) with or without conditions.

(3) An application under paragraph (1), and the Minister's decision on the application, must be made in writing.

Made on 19 February 2020.

OW FOONG PHENG  
*Permanent Secretary,  
Ministry of National Development,  
Singapore.*

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(To be presented to Parliament under section 57(3) of the Town Councils Act).