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COVID-19 (TEMPORARY MEASURES) ACT 2020 (ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES) (ALTERNATIVE ARRANGEMENTS FOR MEETINGS FOR REGISTERED SOCIETIES) (AMENDMENT) ORDER 2020

In exercise of the powers conferred by section 27 of the COVID-19 (Temporary Measures) Act 2020, the Minister for Law makes the following Order:

Citation and commencement

1. This Order is the COVID-19 (Temporary Measures) (Alternative Arrangements for Meetings for Registered Societies) (Amendment) Order 2020 and comes into operation on 29 September 2020.

Deletion of paragraph 3

2. Paragraph 3 of the COVID-19 (Temporary Measures) (Alternative Arrangements for Meetings for Registered Societies) Order 2020 (G.N. No. S 324/2020) (called in this Order the principal Order) is deleted.

Amendment of paragraph 5

3. Paragraph 5(2) of the principal Order is amended by deleting the words “30 September 2020” and substituting the words “30 June 2021”.

Amendment of Schedule

4. The Schedule to the principal Order is amended —

- (a) by deleting the words “30 September 2020” in the second paragraph in the second column of item 1 and substituting the words “31 December 2020”;

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- (b) by inserting, immediately after the first paragraph in the second column of item 4, the following paragraphs:

“In addition to (but not in place of) post and electronic mail, a registered society may also provide for a member, before the meeting, to send to the chairman of the meeting the matters which the member wishes to raise at the meeting by such other electronic means as the registered society considers appropriate, and each such matter, if substantial and relevant and sent within a reasonable time before the meeting, is to be responded to at or before the meeting by electronic means.

To avoid doubt, in addition to (but not in place of) post and electronic mail, a registered society may provide for any matter to be raised by a member at a meeting and for the matter to be responded to at the meeting through real-time electronic communication such as video conferencing, tele-conferencing or live chat.”;

- (c) by deleting the words “or a meeting of a governing body of a registered society” in the first column of item 6 and substituting the words “held or conducted before 1 October 2020”;
- (d) by inserting, immediately after the words “notice of the meeting.” in the first paragraph in the second column of item 6, the words “In addition to (but not in place of) post and electronic mail, a registered society may provide for a member to appoint the chairman of the meeting as the member’s proxy to vote at the meeting by depositing with the registered society an instrument of appointment by such other electronic means as the registered society considers appropriate.”;
- (e) by deleting the third paragraph in the second column of item 6;
- (f) by inserting, immediately after item 6, the following items:

“6A. Provision for a member to vote at a general meeting of a registered society held or conducted on or after 1 October 2020

A registered society may provide for a member to appoint the chairman of the meeting as the member’s proxy to vote at a general meeting of a registered society by depositing with the registered society an instrument of appointment by post, or by electronic mail to an electronic mail address stated in the notice of the meeting.

In addition to (but not in place of) providing for a member to appoint the chairman of the meeting as the member’s proxy to vote at the meeting by depositing with the registered society an instrument of appointment by post, or by electronic mail to an electronic mail address, a registered society may also provide for either or both of the following:

- (a) provide for the member to appoint the chairman of the meeting as the member’s proxy to vote at the meeting by depositing with the registered society an instrument of appointment by such other electronic means as the registered society considers appropriate;
- (b) provide for the member —
 - (i) to vote at the meeting by electronic means through an electronic voting system; and

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- (ii) (where the written law or legal instrument relating to the meeting also provides for the appointment of any person as the member's proxy to vote at the meeting) to appoint any person (other than the chairman) as the member's proxy to vote at the meeting by electronic means through an electronic voting system, by depositing with the registered society an instrument of appointment appointing a proxy and any other supporting documents by post or by electronic mail to an electronic mail address stated in the notice of the meeting; and, in addition to (but not in place of) post and electronic mail, by such other electronic means as the registered society considers appropriate.

However, voting at a general meeting by electronic means through an electronic voting system may be used only if the following are satisfied:

- (a) the electronic voting system that is used accurately counts all votes cast at the meeting;
- (b) the electronic voting system that is used is capable of providing records from which the operation of the electronic voting system may be audited and for verification of the accuracy of the recording and counting of votes;
- (c) each vote that is cast is verified by the registered society as cast by the member (or the member's proxy) entitled to vote;
- (d) the chairman of the meeting must, during the meeting, declare, by electronic means, the result of any matter put to a vote at the meeting.

6B. Provision for a member of a governing body to vote at a meeting of a governing body of a registered society

A member of a governing body of a registered society may vote at a meeting of the governing body by electronic means.”; and

(g) by inserting, immediately after sub-paragraph (e) of the first paragraph in the second column of item 8, the following sub-paragraph:

“(ea) in the case of a general meeting of a registered society, if voting by electronic means through an electronic voting system is to be used, must set out —

- (i) how a member entitled to vote at the meeting may vote by electronic means through the electronic voting system; and

- (ii) (where applicable) how a member entitled to vote at the meeting may appoint any person (other than the chairman) as the member's proxy to vote at the meeting by electronic means through the electronic voting system and how the member's proxy may vote at the meeting by electronic means through the electronic voting system;”.

Made on 28 September 2020.

LOH KHUM YEAN
Permanent Secretary,
Ministry of Law,
Singapore.

[LAW 63/009 COVID Relief-V1; AG/LEGIS/SL/65C/2020/1 Vol. 1]