

# **SINGAPORE SPORTS COUNCIL ACT**

## **(CHAPTER 305)**

### **PART I**

#### **PRELIMINARY**

##### **Short title.**

**1.** This Act may be cited as the Singapore Sports Council Act.

##### **Interpretation.**

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

"Chairman" means the Chairman of the Council appointed under section 4;

"Council" means the Singapore Sports Council established under section 3;

"member" means a member of the Council and includes the Chairman and the Deputy Chairman;

"National Stadium" means the National Stadium Complex at Kallang.

### **PART II**

#### **ESTABLISHMENT AND CONSTITUTION OF COUNCIL**

##### **Establishment of Singapore Sports Council.**

**3.** —(1) There is hereby established a Council to be known as the Singapore Sports Council.

(2) The Council shall be a body corporate with perpetual succession and a common seal and may acquire, hold or dispose of movable and immovable property, sue and be sued in its corporation name, and do and suffer all such other acts and things as bodies corporate may do and suffer.

##### **Membership of Council.**

**4.** —(1) The Council shall consist of —

(a) a Chairman;

(b) a Deputy Chairman; and

(c) not less than 5 but not more than 12 other members,

all of whom shall be appointed by the Minister.

(2) Every member shall, subject to this section, hold office for a period of 3 years, or for such shorter period as the Minister may determine, and shall be eligible for reappointment.

(3) The Minister may at any time —

(a) accept the resignation of any member; or

(b) revoke the appointment of any member without assigning any reason therefor.

(4) If any member dies, resigns, or has his appointment revoked under subsection (3) another person may be appointed by the Minister for the unexpired period of the term of office of the member in whose place he is appointed.

(5) No vacancy in the membership of the Council shall affect its powers.

**Salaries, fees and allowances payable to members.**

5. There shall be paid to the members out of the funds of the Council such salaries, fees and allowances as the Minister may from time to time determine.

**Meetings of Council.**

6. —(1) Meetings of the Council shall be held at such times and places as the Council or the Chairman may from time to time determine.

(2) At any meeting of the Council 5 members shall constitute a quorum.

(3) The Chairman shall preside at every meeting of the Council at which he is present, and in his absence the Deputy Chairman shall preside at the meeting. In the absence of both the Chairman and the Deputy Chairman the members present shall elect one of their number to preside at the meeting.

(4) Every question before the Council shall be decided by a majority of the votes of the members present at the meeting, and in the event of an equality of votes, the Chairman or the member presiding at the meeting shall have a casting vote in addition to his original vote.

(5) Subject to the provisions of this Act, the Council may make standing orders to regulate its own procedure, and in particular, the holding of meetings, the notice to be given of the meetings, the keeping of minutes and the custody, production and inspection of the minutes.

**Disclosure of interest.**

7. —(1) A member who is directly or indirectly interested in a contract made, or

proposed to be made, by the Council shall disclose the nature of his interest at the first meeting of the Council at which he is present after the relevant facts have come to his knowledge.

(2) A disclosure under subsection (1) shall be recorded in the minutes of that meeting and, after the disclosure, that member —

(a) shall not take part in any deliberation or decision of the Council with respect to that contract; and

(b) shall be disregarded for the purpose of constituting a quorum for any such deliberation or decision.

(3) No act or proceeding of the Council shall be questioned on the ground that a member has contravened this section.

### **PART III**

## **FUNCTIONS AND POWERS OF COUNCIL**

### **Functions of Council.**

**8.** The functions of the Council shall be —

(a) to plan and promote sports in Singapore for both competitive and recreational purposes;

(b) to co-ordinate the activities of, and to facilitate co-operation among, all sports organisations;

(c) to co-ordinate, in consultation with the Ministry of Education, the sports activities of schools with those of national sports organisations;

(d) to encourage and organise, in consultation with the national sports organisations and the Singapore National Olympic Council, national, international and other sports, competitions and games;

(e) to plan and promote physical education in Singapore;

(f) to foster research and study in sports and physical education and to prepare and publish such reports or periodicals on these matters as it thinks fit;

(g) to furnish information, advice and assistance to persons and organisations concerned with sports and physical education;

- (h) to establish any sports stadium or such other sports facilities as it thinks fit and to manage and maintain them;
- (i) to establish any clubs for the promotion of sports and to manage and maintain them;
- (j) to establish and maintain hotels, hostels, restaurants, shops or other conveniences in connection with any sports stadium or other facilities under its control; and
- (k) to prepare, manufacture and supply any sports equipment and other sports items.

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**Powers.**

**9.** The Council may do all things that are necessary or convenient to be done for or in connection with the performance of its functions and, without prejudice to the generality of the foregoing, may —

- (a) recommend minimum standards for participation in international sports competitions and games;
- (b) advise on the planning, promotion and standards of physical education;
- (c) appoint committees consisting of persons who may or may not be members of the Council and delegate to such committees such of its functions as the Council may determine;
- (d) raise funds by all lawful means and receive donations or contributions from any source;
- (e) make grants or contributions to any person or sports organisation subject to such conditions as it thinks fit;
- (f) enter into such contracts as the Council considers necessary for the discharge of its functions;
- (g) lend money to, and enter into guarantees on behalf of, any person in matters relating to sports and physical education; and
- (h) with the approval of the Minister, enter into joint ventures with any person or organisation, or cause to be formed under the provisions of the Companies Act an incorporated company or companies for the purpose of carrying out any of the functions of the Council.

**Directions by Minister.**

**10.** —(1) The Minister may give such directions not inconsistent with the provisions of this Act as to the policy to be followed by the Council in the performance of its functions under this Act and the Council shall give effect to any such directions.

(2) The Council shall give the Minister such information with regard to its property and activities as the Minister may require.

**PART IV**

**TRANSFER TO COUNCIL OF UNDERTAKINGS, ETC.**

**Transfer to Council of undertakings.**

**11.** —(1) Upon the commencement of this Act, all movable and immovable property vested in the National Sports Promotion Board\* or the National Stadium Corporation\* shall be vested in the Council without conveyance, transfer or assignment.

\* Constituted under Acts which were repealed by this Act.

(2) All rights, privileges, obligations and liabilities which immediately before the commencement of this Act were held, enjoyed or incurred by the National Sports Promotion Board or the National Stadium Corporation shall be deemed to be the rights, privileges, obligations and liabilities of the Council.

(3) Where anything has been commenced by the National Sports Promotion Board or the National Stadium Corporation prior to the commencement of this Act, such thing may be carried on and completed by the Council.

**Secondment and transfer of Government employees.**

**12.** —(1) Every person in the service of the Government who immediately before the commencement of this Act was seconded to the National Sports Promotion Board or the National Stadium Corporation shall be deemed to be seconded to the service of the Council on the same terms and conditions as those governing

his secondment to the National Sports Promotion Board or the National Stadium Corporation, as the case may be.

(2) Every such person may be transferred to the service of the Council on such terms and conditions of service as may be agreed upon between the Government, the Council and the officer concerned.

**Transfer of non-Government employees.**

**13.** Every person who immediately before the commencement of this Act was employed by the National Sports Promotion Board or the National Stadium Corporation shall be deemed without further appointment to be employed by the Council on the same terms and conditions as those governing his employment by the National Sports Promotion Board or the National Stadium Corporation, as the case may be.

## **PART V**

### **PROVISIONS RELATING TO STAFF**

**Chief Executive Director.**

**14.** —(1) The Council shall, with the approval of the Minister, appoint a Chief Executive Director on such terms and conditions as the Council may determine.

(2) The Chief Executive Director shall —

(a) be the chief executive officer of the Council; and

(b) be responsible to the members of the Council for the proper administration and management of the affairs of the Council in accordance with the policy laid down by the Council.

(3) If the Chief Executive Director is temporarily absent from Singapore or temporarily incapacitated by reason of illness or for other reasons temporarily unable to perform his duties, a person may be appointed by the Council to act in the place of the Chief Executive Director during any such period of absence from duty.

**Employment of staff.**

**15.** The Council may from time to time and subject to such directions as may be

given by the Minister appoint such number of officers and employees as may be necessary for the carrying out of its functions under this Act.

**Pension schemes, provident fund, etc.**

**16.** —(1) The Council may, with the approval of the Minister, make rules for the establishment of a scheme or schemes for the payment of pensions, gratuities, provident fund or other superannuation benefits to such employees or classes of employees of the Council as it may determine, or to their legal personal representatives or dependants, on the death or retirement of such employees from the service of the Council or on their otherwise leaving the service of the Council.

(2) The following provisions shall apply to any scheme established under this section:

(a) no assurance on the life of any contributor under any such scheme, and no moneys or other benefits payable under any such assurance, and no payment made under any such scheme to any person who has been employed by the Council, shall be assignable or transferable, or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim other than a debt due to the Council or to the Government;

(b) no donation by the Council or contribution by its officers and employees made under any such scheme and no interest thereon shall be assignable or transferable or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim other than a debt due to the Council or to the Government;

(c) no such donation, contribution or interest shall be subject to the debts of the contributor, nor shall such donation, contribution or interest pass to the Official Assignee on the bankruptcy of the contributor, but, if the contributor is adjudicated a bankrupt or is declared insolvent by a court, such donation, contribution or interest shall, subject to the provisions of this Act, be deemed to be subject to a trust in favour of the persons entitled thereto on the death of the contributor;

(d) the bankruptcy of a contributor shall not affect the making of deductions from the salary of the contributor in accordance with any such scheme, but the

deductions shall continue to be made notwithstanding the provisions of any written law, and the portion of salary so deducted shall not be deemed to form part of his after-acquired property;

(e) subject to the provisions of any such scheme, all moneys paid or payable under such scheme on the death of a contributor shall be deemed to be subject to a trust in favour of the persons entitled thereto under the will or intestacy of the deceased contributor, or under a nomination in such form as may be prescribed in such scheme, and shall not be deemed to form part of his estate or be subject to the payment of his debts but shall be deemed to be property passing on his death for the purposes of the Estate Duty Act;

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(f) any contributor may, by a memorandum under his hand, appoint a trustee or trustees of the moneys payable on his death out of any such scheme and may make provision for the appointment of a new trustee or new trustees of the moneys and for the investment thereof; the memorandum shall be in the form prescribed in such scheme and shall be deposited with the Council;

(g) if at the time of the death of any contributor or at any time afterwards, there is no trustee of the moneys or it is expedient to appoint a new trustee or new trustees, then and in any such case a trustee or trustees or a new trustee or new trustees may be appointed by the Supreme Court;

(h) the receipt of a trustee or trustees duly appointed, or in default of any such appointment and of written notice thereof to the Council, the receipt of the legal personal representative of a deceased contributor shall be a discharge to the Council for any moneys payable on his death out of any such scheme.

(3) The Council in making, under subsection (1), any pension, provident fund or other superannuation rules which affect any person transferred to the service of the Council under section 12 shall, in such rules, provide for the payment to that person or his dependants of benefits not less in value than the amount of any pension, provident fund, gratuity or allowance for which the person or his dependants would have been eligible under the Pensions Act, had he continued to be in the service of the Government and any such pension, provident fund or superannuation rules relating to length of service of the person shall provide for

the recognition as service under the Council of service by him under the Government.

Cap. 225.

(4) Nothing in any rules made under subsection (1) shall adversely affect any condition that would have been applicable to persons transferred to the service of the Council from their service with the Government under section 12 as regards any pension, gratuity or allowance under the Pensions Act.

(5) Where any person in the service of the Council, whose case does not come within the scope and effect of any pension or other scheme established under this section, retires or dies in the service of the Council or is discharged from such service, the Council may grant to him or to such other person or persons wholly or partly dependent on him, as the Council may think fit, such allowance or gratuity as the Council may determine.

(6) In every case of a person being transferred to the service of the Council under section 12, the Government shall be liable to pay to the Council such portion of any gratuity, pension or allowance payable to that person on his retirement as the same shall bear to the proportion which the aggregate amount of his pensionable emoluments during his service with the Government bears to the aggregate amount of his pensionable emoluments during his service under both the Government and the Council.

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**No entitlement in respect of abolition or re-organisation of office.**

**17.** Notwithstanding the provisions of the Pensions Act, no person who is transferred to the service of the Council under section 12 shall be entitled to claim any benefits under that Act on the ground that he has been retired from the service of the Government on account of abolition or re-organisation of office.

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**Public servants.**

**18.** The members and employees of the Council shall be deemed to be public servants within the meaning of the Penal Code.

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**PART VI**

**FINANCIAL PROVISIONS**

**Funds and property of Council.**

**19.** The funds and property of the Council shall consist of —

- (a) all moneys and property which are vested in the Council by section 11;
- (b) all moneys paid to the Council by way of donations, contributions, fees, subscriptions, rents and interest;
- (c) loans or grants made to the Council by the Government or any person;
- (d) subventions and contributions from Singapore Pools (Private) Limited;
- (e) all moneys and property which may be payable to or vested in the Council in the course of the discharge of its functions.

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**Borrowing powers.**

**20.** —(1) The Council may raise loans —

- (a) from the Government;
- (b) with the approval in writing of the Minister, from any person, and for the purpose of securing such loans may mortgage, charge, or pledge any right, title, estate or interest in any of its property; or
- (c) with the approval in writing of the Minister, by the creation and issue of debentures or bonds.

(2) The Council may borrow, by way of overdraft from a bank or otherwise, any sum which it may temporarily require —

- (a) for the purpose of defraying expenses pending the receipt of revenues receivable by it in respect of the period of account in which those expenses are chargeable; or

(b) for the purpose of defraying, pending the receipt of money due in respect of any loan raised under subsection (1), expenses intended to be defrayed by such loan.

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**Issue of shares, etc.**

**20A.** As a consequence of the vesting of any property, rights or liabilities of the Government in the Council under this Act, or of any capital injection or other investment by the Government in the Council in accordance with any written law, the Council shall issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

**Moneys of Council.**

**21.** —(1) The Council shall open and maintain such accounts with a bank or banks as it considers necessary.

(2) The moneys and property of the Council shall be applied solely for the purpose of making payments in or in connection with the performance of its functions, powers and duties under this Act, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to its members.

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

**Financial provisions.**

**22.** The financial provisions set out in the Schedule shall have effect with respect to the Council.

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## **PART VII**

### **MISCELLANEOUS**

**Protection from liability for bona fide acts.**

**23.** No matter or thing done and no contract of any kind entered into by the Council and no matter or thing done by any member or employee of the Council

shall, if the matter or thing was done or the contract was entered into bona fide for the purpose of carrying out the provisions of this Act, subject any such member or employee to any action, liability, claim or demand.

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### **Regulations.**

**24.** —(1) The Council may, with the approval of the Minister, make regulations with respect to all or any of the following matters:

- (a) prescribing the custody and use of the common seal of the Council;
- (b) prescribing the manner in which documents, cheques and instruments of any description shall be signed or executed on behalf of the Council;
- (c) prescribing the manner and terms relating to the use of the National Stadium and other sports facilities and clubs under the control of the Council;
- (d) prescribing the fees or other charges to be levied for the use of the National Stadium and other sports facilities under the control of the Council;
- (e) providing for the proper and efficient functioning of sports organisations; and
- (f) generally for carrying out the purposes and provisions of this Act.

(2) All regulations made under this Act shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication.

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