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The following Act was passed by Parliament on 27th August 2002 and assented to by the President on 5th September 2002:—

REPUBLIC OF SINGAPORE

No. 26 of 2002.

I assent.

(LS)

S R NATHAN,
President.
5th September 2002.

An Act to amend the National Science and Technology Board Act
(Chapter 201A of the 1991 Revised Edition).

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

Short title and commencement

1.—(1) This Act may be cited as the National Science and Technology Board (Amendment) Act 2002 and shall, with the exception of sections 6, 8(b), 9 and 10, be deemed to have come into operation on 1st January 2002.

(2) Sections 6, 8(b), 9 and 10 shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of long title

2. The long title to the National Science and Technology Board Act (referred to in this Act as the principal Act) is amended by deleting the words “National Science and Technology Board” and substituting the words “Agency for Science, Technology and Research”.

Amendment of section 1

3. Section 1 of the principal Act is amended by deleting the words “National Science and Technology Board” and substituting the words “Agency for Science, Technology and Research”.

Amendment of section 2

4. Section 2 of the principal Act is amended —

(a) by deleting the definition of “Board” and substituting the following definition:

“ “Agency” means the Agency for Science, Technology and Research established under section 3;”;

(b) by deleting the definition of “Council”.

Amendment of section 3

5. Section 3 of the principal Act is amended —

(a) by deleting the words “National Science and Technology Board” in the 2nd line and substituting the words “Agency for Science, Technology and Research”;

(b) by re-numbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) The Agency may perform any of its functions or carry out any of its duties under the business name of A*STAR, or such other business name as the Minister may, from time to time by notification in the *Gazette*, specify.”; and

- (c) by deleting the words “National Science and Technology Board” in the marginal note and substituting the words “Agency for Science, Technology and Research”.

New section 3A

6. The principal Act is amended by inserting, immediately after section 3, the following section:

“Common seal

3A.—(1) The Agency shall have a common seal and such seal may from time to time be broken, altered or made anew as the Agency thinks fit.

(2) All deeds and other documents requiring the seal of the Agency shall be sealed with the common seal of the Agency in the presence of —

- (a) the Chairman or a Deputy Chairman of the Agency; and
- (b) an employee of the Agency who is authorised by resolution or otherwise in writing (either generally or specially) to act in that behalf,

and shall be signed by these persons.

(3) Such signing shall be sufficient evidence that the common seal of the Agency has been duly and properly affixed and that the seal is the lawful common seal of the Agency.

(4) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Agency affixed to any document and shall presume that it was duly affixed.

(5) The Agency may, by resolution or otherwise in writing, appoint an employee of the Agency or any other agent, either generally or specially, to execute or sign on behalf of the Agency any agreement or other instrument not under seal in relation to any matter coming within the powers of the Agency.

(6) Section 12 of the Registration of Deeds Act (Cap. 269) shall not apply to any instrument purporting to have been executed under subsection (2).”.

Amendment of section 5

7. Section 5 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsection:

“(1) The functions of the Agency are —

(a) to initiate, promote, stimulate, encourage, facilitate and assist in the development of an environment that is conducive —

(i) to the creation and development of world class research and development capabilities in science (including biomedicine), engineering and technology in Singapore;

(ii) to the development and nurture of scientific talent and technical capability in scientific and technological knowledge, research and development that is desirable to support the private sector and public sector and to the creation of intellectual capital in Singapore; and

(iii) to the commercial application of scientific knowledge or technology in Singapore;

(b) to support, direct, stimulate and undertake research and development in the areas of science (including biomedicine), engineering and technology;

(c) to stimulate, encourage, facilitate, co-ordinate and direct scientific and technological research and development by the Government, educational institutions and research communities within and outside Singapore, and to facilitate co-operation, communication, collaboration and exchange of ideas and knowledge between them;

- (d) to provide financial assistance for research and development in the areas of science (including biomedicine), engineering and technology;
 - (e) to promote manpower training and development in the areas of science (including biomedicine), engineering and technology;
 - (f) to provide advice and guidance to the Government in the formulation of its policies and laws on all aspects of science (including biomedicine), engineering and technology, and on any matter relating to or affecting the commercial application of scientific knowledge or technology;
 - (g) to establish, develop and manage public institutes and research institutes in the areas of science (including biomedicine), engineering and technology;
 - (h) to undertake the promotion of science (including biomedicine), engineering and technology among youths and to create, foster and encourage public awareness and understanding of the importance of science and technology in Singapore;
 - (i) to create, develop, apply for, acquire and hold intellectual property and rights and enter into arrangements for the commercial application of any such intellectual property and rights on such terms as to royalties or otherwise as the Agency thinks fit; and
 - (j) to represent Singapore internationally in respect of matters relating to science (including biomedicine), engineering and technology.”; and
- (b) by inserting, immediately after the words “areas of science” in the 2nd line of subsection (2)(b), the words “(including biomedicine), engineering”.

Amendment of section 6

8. Section 6(1) of the principal Act is amended —

(a) by deleting paragraphs (a) to (e) and substituting the following paragraphs:

“(a) appoint committees or councils consisting of persons who may or may not be members of the Agency and delegate to any such committee or council such of its powers and functions which, in the opinion of the Agency, would be better regulated and managed by means of such committees or councils, except the power of delegation conferred by this paragraph;

(b) form or participate in the formation of any company or enter into any joint venture or partnership for the purposes of this Act;

(c) establish institutes for the conduct of research and development in the areas of science (including biomedicine), engineering and technology;

(d) provide financial assistance (including scholarships) —

(i) for the training and development of manpower in Singapore required for or conducive to the conduct of scientific and technological research and development, or to the commercial application of scientific knowledge or technology; or

(ii) to any person in the public or private sector for scientific and technological research and development, or for any commercial application of scientific knowledge or technology, in areas defined by the Agency;

(e) provide or develop incubator facilities for new enterprises, and business support facilities to growing enterprises, which are based on or involved in the commercial application of scientific knowledge or technology developed by any public institute, research institute, educational institution, hospital or other speciality centre, whether or not funded by the Agency;” and

- (b) by deleting the word “and” at the end of paragraph (j), and by inserting immediately thereafter the following paragraph:

“(ja) with the approval of the Minister, establish any scheme for the payment of gratuities, pensions, provident fund or other superannuation benefits to such employees or classes of employees of the Agency as it may determine on their death in or retirement from the service of the Agency or on their otherwise leaving the service of the Agency; and”.

Repeal and re-enactment of section 10

9. Section 10 of the principal Act is repealed and the following section substituted therefor:

“Powers of investment

10. The Agency may —

- (a) invest its moneys in such securities and other investments as it thinks fit, including the deposit of moneys with financial institutions and other business or professional bodies; and
- (b) engage in any financial activity or participate in any financial arrangement for the purpose of managing or hedging against any financial risk that arises or is likely to arise from such investment.”.

Repeal of section 18 and Third Schedule

10. Section 18 and the Third Schedule to the principal Act are repealed.

Miscellaneous amendments

11.—(1) The principal Act is amended by deleting the word “Board” wherever it appears in the following provisions and substituting in each case the word “Agency”:

- (a) sections 2 (definitions of “member” and “chief executive officer”), 4(1), (2) and marginal note, 5(2) (1st line), (3) (2nd, 3rd and penultimate lines), (4) and marginal note, 6(1)(1st line), (2), (3) and marginal note, 7 (1st and 3rd lines), 8, 9(1) (1st, 2nd and last lines) and (2), 11 (1st and 3rd lines), 12, 13(1) (1st, 3rd

and penultimate lines) and (2), 14(1), (2)(a) and (b), (3) (4th line) and (4), 15 (2nd and 3rd lines), 16, 17(1) (5th line) and 19(1), (2) (2nd line) and marginal note;

(b) paragraphs 1(2), 2A(1), 8(a) and (b), 11(1) (2nd, 3rd, 5th and penultimate lines), 12 and 13(2), (3), (4), (6) (1st and 3rd lines), (7), (8) (1st line) and marginal note of the First Schedule; and

(c) paragraphs 1 and marginal note, 2 (1st, penultimate and last lines), 3(1) and (3), 4, 5(1)(a), (b) and (c), (2) and (3), 6(1) and 7(1) and (2) of the Second Schedule.

(2) Section 19(2) of the principal Act is amended by deleting the word “Board’s” in the 3rd line and substituting the word “Agency’s”.

(3) The First Schedule to the principal Act is amended by deleting the word “BOARD” in the heading and substituting the word “AGENCY”.

Saving and transitional provisions

12.—(1) The change of the name of the National Science and Technology Board to the Agency for Science, Technology and Research under this Act shall not —

(a) operate to create a new legal entity;

(b) prejudice or affect the identity of the body corporate constituted by the Board or its continuity as a body corporate;

(c) affect the exercise of any right, or the enforcement of any obligation by or against the Board, or any other person; or

(d) render defective any legal proceedings by or against the Board,

and any legal proceedings that might have been continued or started by or against it by its former name may be continued or started by or against it by its new name “Agency for Science, Technology and Research”.

(2) Any reference in any written law or document to the National Science and Technology Board and to the National Science and Technology Board Act shall be read as a reference to the Agency for Science, Technology and Research and the Agency for Science, Technology and Research Act, respectively.

(3) Any contract, arrangement or other transaction purporting to be entered into by the Agency for Science, Technology and Research, or by

any person on behalf of the Agency, on or after 1st January 2002 but prior to the enactment of this Act shall bind the Agency as if the Agency had been a party to the contract, arrangement or transaction, as the case may be.
