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Notification No. B 18 — The National Council of Social Service (Amendment) Bill is hereby published for general information. It was introduced in Parliament on the 22nd day of May 2000.

National Council of Social Service (Amendment) Bill

Bill No. 18/2000.

Read the first time on 22nd May 2000.

A BILL

intituled

An Act to amend the National Council of Social Service Act
(Chapter 195A of the 1993 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. This Act may be cited as the National Council of Social Service
5 (Amendment) Act 2000 and shall come into operation on such date
as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the National Council of Social Service Act (referred to in this Act as the principal Act) is amended —

- (a) by inserting, immediately after the definition of “Board”, the following definition: 5

“ “Board member” means any person appointed or elected to the Board under section 5 (1);”;

- (b) by deleting the definition of “chief executive officer” and substituting the following definition:

“ “Chief Executive Officer” means the Chief Executive 10
Officer of the Council appointed under section 22 (1);”;

- (c) by inserting, immediately after the definition of “Council”, the following definition:

“ “Council member” means any organisation or person 15
granted membership of the Council under section 15;”; and

- (d) by deleting the definition of “member”.

Repeal and re-enactment of section 5

3. Section 5 of the principal Act is repealed and the following 20
section substituted therefor:

“Board of Council

5.—(1) The management of the affairs of the Council and of its properties shall be vested in a Board which shall consist of the following members: 25

- (a) a President to be appointed by the Minister;

- (b) 2 Vice-Presidents —

- (i) one of whom is to be a person elected at the annual general meeting of the Council from among the Council members; and 30

- (ii) the other of whom is to be a person appointed by the Minister in consultation with the President;

- (c) an Honorary General Secretary to be appointed by the President; 35

(d) an Honorary Treasurer to be appointed by the President;

(e) the Chairman of the Community Chest;

(f) 5 persons to be appointed by the President;

5 (g) 8 persons, each from a different full Council member referred to in section 15 (1) (a), to be elected at the annual general meeting of the Council;

10 (h) 2 persons, each from a different associate Council member referred to in section 15 (1) (b), to be elected at the annual general meeting of the Council;

(i) the Director of Social Welfare or his representative; and

(j) the Director of Medical Services or his representative.

15 (2) The President and the Vice-President appointed under subsection (1) (b) (ii) shall each hold office for such term not exceeding 2 years as the Minister thinks fit and shall be eligible for reappointment.

20 (3) The Vice-President elected under subsection (1) (b) (i) shall hold office for a term of 2 years and shall be eligible for re-election, except that no person shall be elected under subsection (1) (b) (i) to hold office as Vice-President for more than 3 consecutive terms.

25 (4) The Honorary General Secretary and the Honorary Treasurer shall each hold office for such term not exceeding 2 years as the President thinks fit and shall be eligible for reappointment, except that no person shall be appointed to hold office as Honorary Treasurer for more than 2 consecutive terms.

(5) A Board member appointed under subsection (1) (f) shall hold office for a term not exceeding 2 years as the President thinks fit and shall be eligible for reappointment.

30 (6) A Board member elected under subsection (1) (g) or (h) shall hold office for a term of 2 years and shall be eligible for re-election, except that no person shall be elected under subsection (1) (g) or (h) to hold office as a Board member for more than 3 consecutive terms.

35 (7) The Minister may at any time revoke the appointment of the President or the Vice-President appointed under subsection (1) (b) (ii) without assigning any reason.

(8) If for reason of illness, leave of absence or other cause, the President is unable to exercise his powers and perform his functions under this Act or any regulations made thereunder —

- (a) one of the Vice-Presidents as determined by the Board; or
- (b) if both the Vice-Presidents are unable to do so, any other Board member as determined by the Board with the approval of the Minister,

shall act as the President and shall exercise the powers and perform the functions of the President.

(9) The office of any Board member shall be vacated if he —

- (a) is adjudicated a bankrupt; or
- (b) has been convicted of an offence involving dishonesty, fraud or moral turpitude.

(10) No person who is an employee of the Council or of a full or associate Council member shall —

- (a) be elected or appointed as a Board member; or
- (b) nominate or second the nomination of any person for election to the Board.”.

Amendment of section 6

4. Section 6 of the principal Act is amended by deleting subsections (1) and (2) and substituting the following subsection:

“(1) All Board members shall have the right to vote on any issue at the meetings of the Council and of the Board, except in relation to the election of Board members under section 5 (1) (b) (i), (g) and (h).”.

Amendment of section 7

5. Section 7 of the principal Act is amended —

- (a) by deleting the words “member of the Board or a member of the Council” in the 1st and 2nd lines of subsection (1) and substituting the words “Board member, Council member or official representative of a Council member”;
- (b) by deleting the words “the member” in the 5th line of subsection (1) and substituting the words “such member or official representative, as the case may be,”; and

- (c) by deleting the words “of its members” in subsection (2) and substituting the words “Board member, Council member or official representative of a Council member”.

Amendment of section 10

5 **6.** Section 10 (1) of the principal Act is amended —

- (a) by deleting paragraph (a) and substituting the following paragraph:

10 “(a) to provide leadership and direction to the volunteer movement and co-ordinate social service activities between Council members and with other organisations;” and

- (b) by deleting paragraph (d) and substituting the following paragraph:

15 “(d) to establish and maintain the standards and guidelines for the management and administration of, and the provision of social service by, Council members;”.

Amendment of section 11

7. Section 11 of the principal Act is amended —

- 20 (a) by deleting the word “and” at the end of paragraph (g) of subsection (1), and by inserting immediately thereafter the following paragraph:

25 “(ga) with the approval of the Minister, form or participate in the formation of any incorporated or unincorporated body or organisation or enter into any joint venture with any person or organisation for the purpose of carrying out any function of the Council; and”; and

- 30 (b) by deleting subsection (2) and substituting the following subsection:

 “(2) Nothing in this section shall authorise the Council to engage in any matter of religious or party political controversy.”.

Amendment of section 13

8. Section 13 (6) of the principal Act is amended by deleting the words “The office of the Chairman shall be vacated if the Chairman” in the 1st and 2nd lines and substituting the words “The office of the Chairman, any Vice-Chairman or any other member appointed under subsection (2) shall be vacated if he”. 5

Amendment of section 14

9. Section 14 of the principal Act is amended by deleting subsections (2) and (3).

Amendment of section 15

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10. Section 15 of the principal Act is amended by deleting subsections (4) and (5) and substituting the following subsection:

“(4) Where the Council is of the opinion that any organisation or person has rendered outstanding social service, the Council may invite such organisation or person to be an honorary Council member for such period as the Council thinks fit.”. 15

Amendment of section 17

11. Section 17 of the principal Act is amended by inserting, immediately after subsection (2), the following subsection:

“(3) An official representative appointed under subsection (1) in respect of any Council member shall not be appointed to act as an official representative of any other Council member.”. 20

Repeal and re-enactment of section 19

12. Section 19 of the principal Act is repealed and the following section substituted therefor: 25

“Rights of associate Council member

19. An associate Council member may attend any meeting of the Council but shall not vote in any of its proceedings except in electing 2 Board members as provided in section 5 (1) (h).”.

Amendment of section 40

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13. Section 40 of the principal Act is amended by deleting subsection (2) and substituting the following subsection:

“(2) Without prejudice to the generality of subsection (1), the Council may, with the approval of the Minister, make such regulations for or with respect to all or any of the following matters:

- 5 (a) the procedure for applying for, and the termination of, membership in the Council;
- (b) the conditions for membership in the Council;
- (c) the standards and guidelines for the management and administration of, and the provision of social
10 services by, Council members;
- (d) the procedure for inquiry into complaints and information received relating to the conduct of Council members, their committee members or employees, and the sanctions to be imposed in
15 respect of any misconduct, including the issuance of letters of censure and the suspension or termination of membership in the Council;
- (e) the rates, charges and fees payable for purposes of this Act;
- 20 (f) the procedure and quorum for the meetings of the Board;
- (g) the procedure and quorum for the meetings of the Community Chest;
- 25 (h) the procedure and quorum for general meetings of the Council and for the election of Board members;
- (i) the establishment, constitution and procedures of any committee referred to in section 14 and any unincorporated body or organisation referred to in section 11 (1) (*ga*); and
- 30 (j) the information to be provided and the documents to be submitted to the Council by Council members, including annual reports, audited accounts and such information as the Council may require for carrying out its objects.”.

Miscellaneous amendments

14. The principal Act is amended —

- (a) by deleting the words “chief executive officer” wherever they appear in the following provisions and substituting in each case the words “Chief Executive Officer”: 5

Sections 4 (2) and 22 (1), (2) and (3) (1st and 5th lines);

- (b) by deleting the word “member” in section 8 and substituting the words “Board member”;

- (c) by deleting the word “members” in the marginal note of section 8 and in the 2nd line of section 14 (1) and substituting 10
in each case the words “Board members”;

- (d) by deleting the words “members of the Council” in section 10 (1) (b) and (g) and substituting in each case the words “Council members”;

- (e) by deleting the words “its members” in section 10 (1) (j) and 15
substituting the words “Council members”;

- (f) by deleting the words “its members” in the 1st and 2nd lines of section 14 (1) and substituting the words “the Board members”;

- (g) by deleting the word “objective” in the 3rd line of section 20
15 (2) and substituting the word “function”;

- (h) by deleting the words “members of Council” in the marginal note of section 15 and substituting the words “Council members”;

- (i) by deleting the word “members” wherever it appears in the 25
following provisions and substituting in each case the words “Council members”:

Sections 15 (1) (3rd, 4th and 5th lines), 16 (1) and (2),
18 (2nd line and marginal note) and 20 (1st line and
marginal note); 30

- (j) by deleting the word “member” wherever it appears in the following provisions and substituting in each case the words “Council member”:

Sections 15 (2) (last line) and (3) (last line) and 17 (1);

- (k) by deleting the words “executive officer” in the marginal 35
note of section 22 and substituting the words “Executive Officer”; and

- (l) by deleting the words “member of the Board” in the 2nd line of section 39 and substituting the words “Board member”.

Savings and transitional provisions

15.—(1) Notwithstanding anything in this Act —

- 5 (a) any person who, immediately before the appointed day, was holding office as a member of the Board by virtue of the repealed section 5 (1) (a), (b), (c), (d), (e), (g), (h), (j) or (k) of the principal Act shall continue to hold office as a Board member as if he had been appointed or elected under section
10 5 (1) (a), (b) (i), (c), (d), (e), (g), (h), (i) or (j) (as the case may be) of the principal Act in force on that day; and
- (b) any person who, immediately before the appointed day, was holding office as a member of the Board by virtue of the repealed section 5 (1) (f) or (i) of the principal Act shall
15 cease to hold office as a member of the Board on that day.

(2) In this section, “appointed day” means the date of commencement of this Act.

EXPLANATORY STATEMENT

This Bill seeks to amend the National Council of Social Service Act (Cap. 195A).

Clause 1 relates to the short title and commencement.

Clause 2 amends section 2 to provide for 2 new definitions of “Board member” and “Council member”. The purpose of these definitions is to distinguish between members of the Board and members of the Council in the provisions of the Act. Technical amendments are also made to the definition of “Chief Executive Officer”.

Clause 3 repeals and re-enacts section 5 to restructure the composition of the Board. In addition, employees of the Council or of full or associate Council members are prohibited from becoming Board members or nominating or seconding the nomination of any person for election to the Board.

Clause 4 amends section 6 to clarify the matters which Board members may vote on at Council and Board meetings.

Clause 5 amends section 7 to require official representatives of Council members to disclose any personal interest in matters discussed at Council meetings.

The clause also makes consequential amendments to section 7 arising from the amendments made by clause 2.

Clause 6 amends section 10 to clarify the objects of the Council.

Clause 7 amends section 11 to empower the Council to form incorporated or unincorporated bodies or organisations, or to enter into joint ventures with other persons or organisations to carry out any of its objects. In addition, the restriction on inquiry into the internal management of Council members is removed.

Clause 8 amends subsection (6) of section 13 to extend the application of that subsection to all members of the Community Chest. The existing subsection (6) only applies to the Chairman of the Community Chest.

Clause 9 amends section 14 by deleting subsections (2) and (3) which are no longer required.

Clause 10 amends section 15 (4) to clarify that it is the Council which invites individuals or organisations to be honorary Council members. The clause also makes consequential amendments to subsection (4) arising from the amendments made by clause 2. The clause further deletes subsection (5) of section 15, a transitional provision, which is no longer required.

Clause 11 amends section 17 by inserting a new subsection (3) to prohibit the official representative of one Council member from acting as the official representative of any other Council member.

Clause 12 repeals and re-enacts section 19. The existing subsection (2) is omitted as it is unnecessary in view of section 6, while the provisions of the existing subsection (1) are re-enacted with certain technical amendments arising from the amendments made by clause 2.

Clause 13 amends section 40 to amplify the matters for which the Council may, with the approval of the Minister, make regulations.

Clause 14 makes certain technical amendments arising from the amendments made by clause 2.

Clause 15 contains certain savings and transitional provisions arising from the repeal and re-enactment of section 5 under clause 3.

EXPENDITURE OF PUBLIC MONEY

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