

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**NATIONAL COUNCIL OF SOCIAL SERVICE ACT
(CHAPTER 195A)**

Act

14 of 1992

1993 Ed. Cap. 195A

Amended by

23 of 2000

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CHAPTER 195A

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31.7.2001

An Act to establish the National Council of Social Service, and for
matters connected therewith.

[1st May 1992]

PART I
PRELIMINARY

Short title

1. This Act may be cited as the National Council of Social Service Act.

Interpretation

2. In this Act, unless the context otherwise requires –
 - “Board” means the Board of the Council;
 - “Board member” means any person appointed or elected to the Board under section 5 (1);
 - “Chairman” means the Chairman of the Community Chest;
 - “Chief Executive Officer” means the Chief Executive Officer of the Council appointed under section 22 (1);
 - “Community Chest” means the Community Chest established under section 13 (1);
 - “Council” means the National Council of Social Service established under section 3;
 - “Council member” means any Organisation or person granted membership of the Council under section 15;
 - “Endowment Fund” means the Endowment Fund established under section 12 (1);
 - “General Fund” means the General Fund established under section 24 (1);
 - “President” means the President of the Board;
 - “Vice-President” means the Vice-President of the Board.

[23/2000]

PART II
ESTABLISHMENT OF COUNCIL

Establishment of National Council of Social Service

3. There is hereby established a body to be known as the National Council of Social Service which shall be a body corporate with perpetual succession and a common seal and with powers to sue and be sued in its corporate name and to perform such other acts as a body corporate may by law perform.

Common seal

4.—(1) The common seal of the Council shall be kept in such custody as the Board may direct.

(2) All deeds, documents and other instruments requiring the seal of the Council shall be sealed with the common seal of the Council, and the instruments to which the common seal is affixed shall be signed by the President and the Chief Executive Officer or some other person duly authorised by the Board for the purpose.

[23/2000]

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

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

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:

- (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
 - (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;
- (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;

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- (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;
- (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.

[23/2000]

(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.

[23/2000]

(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.

[23/2000]

(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.

[23/2000]

(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.

[23120M]

(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.

[23/2000]

(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.

[23/2000]

(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 -

- (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.

[23/2000]

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

[23/2000]

(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.

[23/2000]

Voting rights at Council and Board meetings

6.— (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).

[23/2000]

(2) Meetings of the Council and the Board and proceedings thereat shall be held in the prescribed manner.

Disclosure of interest

7.— (1) If a Board member, Council member or official representative of a Council member is, directly or indirectly, interested in any contract or other matter and is present at a meeting of the Council or the Board or any committee thereof, at which the contract or other matter is the subject of consideration, such member or official representative, as the case may be, shall, at the meeting and as soon as practicable after it commences, disclose the fact and shall not thereafter be present during the consideration or discussion of, and shall not vote on, any question with respect to that contract or other matter.

[23/2000]

(2) No act or proceedings of the Board or the Council shall be questioned on the ground that any Board member, Council member or official representative of a Council member has contravened this section.

[23/2000]

Validity of acts of Board members

8. The acts of a Board member shall be valid notwithstanding any defect that may afterwards be discovered in his appointment or qualifications.

[23/2000]

Directions by Minister

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9.— (1) The Minister may, after consultation with the Board, give the Council such directions as he thinks fit as to the performance of the functions of the Council under this Act; and the Council shall, as soon as practicable, give effect to all such directions.

(2) The Council shall furnish the Minister with such information or facilities for obtaining information with respect to its functions in such manner and at such times as the Minister may reasonably require.

PART III FUNCTIONS AND POWERS OF COUNCIL

Objects of Council

10. The objects of the Council shall be -
- (a) to provide leadership and direction to the volunteer movement and to co-ordinate social service activities between Council members and with other organisations;
 - (b) to represent Council members, to present their views to the Government and to communicate priorities of the Government and its views to such members;
 - (c) to make such recommendations to the Government as may be consistent with the objects of the Council;
 - (d) to establish and maintain the standards and guidelines for the management and administration of, and the provision of social service by, Council members;
 - (e) to assist the Government in strategic social service planning;
 - (f) to initiate, plan, develop and modify social service programmes; and if the Council considers it necessary, to operate direct social service;
 - (g) to establish and maintain an updated management information system of Council members and their clients;
 - (h) to provide consultancy and support services to social service organisations;
 - (i) to encourage, co-ordinate and carry out research and evaluative studies and experimental projects necessary for the improvement and development of social service;
 - (j) to raise and allocate funds to further the objects of the Council and Council members; and
 - (k) to liaise and co-operate with overseas and international organisations in matters relating to social service.

[23/2000]

Powers of Council

11.—(1) For the purposes of carrying out its objects, the Council may -

- (a) acquire any property, both movable and immovable, sell, transfer or otherwise dispose of any such property upon such terms as the Board thinks fit;
- (b) invest moneys belonging to the Council in such stocks, funds, securities or investments as may be authorised by the Minister;
- (c) accept any gift or property, whether subject to any trust or not;
- (d) receive donations and contributions and raise funds by all lawful means;
- (e) open and maintain an account or accounts with any bank or banks as the Board thinks fit;
- (f) levy such rates and charges for services performed by the Council as the Board may consider expedient;
- (g) undertake and execute any trust;
- (h) 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
- (i) do anything incidental to any of its objects.

[23/2000]

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

[23/2000]

(3) The Board may exercise all such powers of the Council as it thinks fit except as otherwise provided by this Act.

Establishment of Endowment Fund

12.—(1) There shall be established an Endowment Fund which shall vest in the Council and shall consist of -

- (a) all donations and gifts accepted by the Council for the Endowment Fund;
- (b) all reserves of the Council in excess of 2 years of its operating expenditure; and
- (c) such other moneys as the Council may determine to transfer to the Endowment Fund.

(2) Any interest, dividends and other income derived from the Endowment Fund shall be credited to the General Fund.

(3) The Endowment Fund may be applied for such purposes as may be approved by the Minister in writing.

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Community Chest

13.—(1) The Council shall establish the Community Chest to raise funds on behalf of the Council.

(2) The Community Chest shall consist of a Chairman who shall be appointed by the Minister, one or more Vice-Chairmen and such other members as the Chairman may, in consultation with the President, appoint for such term as the Chairman thinks fit.

(3) The Chairman shall hold office for such term not exceeding 2 years as the Minister may determine and shall be eligible for reappointment.

(4) If for reason of illness, leave of absence or other cause, the Chairman is unable to exercise his powers and perform his functions under this Act, one of the Vice-Chairmen shall be appointed by the President to act as Chairman and shall exercise the powers and perform the functions of the Chairman; and if all the Vice-Chairmen are unable to do so, any other member of the Community Chest shall, with the approval of the President, act as Chairman and shall exercise the powers and perform the functions of the Chairman.

(5) The Minister may at any time revoke the appointment of the Chairman without assigning any reason.

(6) The office of the Chairman, any Vice-Chairman or any other member appointed under subsection (2) shall be vacated if he —

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

[23/2000]

(7) Meetings of the Community Chest and proceedings thereat shall be held in the prescribed manner.

Appointment of committees and delegation of powers

14.—(1) The Board may appoint from among the Board members or from among other persons who are not Board members such number of committees for purposes which, in the opinion of the Board, would be better regulated and managed by means of such committees.
[23/2000]

(2) The Board may, subject to such conditions or restrictions as it thinks fit to impose, delegate to any such committee or the President any of the powers, functions and duties vested in the Council by this Act, and any power, function or duty so delegated may be exercised or performed by the committee or the President, as the case may be, in the name and on behalf of the Council.

(3) The Board may, subject to such conditions or restrictions as it thinks fit to impose, delegate to any employee of the Council all or any of the powers, functions and duties vested in the Council by this Act, and any power, function or duty so delegated may be exercised or performed by the employee in the name and on behalf of the Council.

(4) The Council may continue to exercise any power conferred upon it, or perform any function or duty under this Act, notwithstanding the delegation of such power, function or duty under this section.

PART IV MEMBERSHIP OF COUNCIL

Categories of Council members

15.—(1) The Council shall consist of the following 3 categories of members:

- (a) full Council members;
- (b) associate Council members; and
- (c) honorary Council members.

[23/2000]

(2) Any organisation whose aims and objects are consistent with those of the Council and which provides as its primary function a bona fide direct social service which helps to meet existing needs of the community may, in the prescribed manner and in accordance with the prescribed conditions, apply to the Council to be a full Council member.

[23/2000]

(3) Any Organisation whose aims and objects are consistent with those of the Council and which has an active interest in social service but which does not provide a direct social service as its primary function may, in the prescribed manner and in accordance with the prescribed conditions, apply to the Council to be an associate Council member.

[23/2000]

(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.

[23/2000]

Fees for membership

16.—(1) Fees for full Council members and associate Council members shall be payable annually on the first day of April and shall be such amount as the Board shall from time to time determine.

[23/2000]

(2) Honorary Council members shall not be required to pay any fee for membership.

[23/2000]

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Representatives to Council

17.—(1) Every full Council member and associate Council member shall appoint a person as its official representative to act on its behalf in the Council and shall be entitled to change such representation from time to time.

[23/2000]

(2) Any appointment or change of representation under subsection (1) shall be communicated to the Council in writing.

(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.

[23/2000]

Rights of full Council members

18. Subject to the provisions of this Act, full Council members shall enjoy equal rights of membership to avail themselves of the facilities of the Council and to attend and vote at all meetings of the Council.

[23/2000]

Rights of associate Council members

19. Associate Council members may attend any meeting of the Council but shall not vote in any of its proceedings except in electing 2 Board members under section 5 (1) (h).

[23/2000]

Rights of honorary Council members

20. Honorary Council members may attend the meetings of the Council but shall not vote in any of its proceedings.

[23/2000]

Patrons of Council

21. The Council may, on the recommendation of the Board, nominate suitable persons to be the patron-in-chief and patrons of the Council.

PART V

PROVISIONS RELATING TO STAFF

Chief Executive Officer of Council

22.—(1) The Council shall appoint a Chief Executive Officer on such terms and conditions as the Board may determine.

[23/2000]

(2) The Chief Executive Officer shall be responsible to the Board for the proper administration and management of the Council in accordance with the policy laid down by the Board.

[23/2000]

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

[23/2000]

Appointment of staff

23. The Council may -

- (a) appoint such number of employees on such terms as to remuneration or otherwise as the Board may determine and terminate their services or exercise disciplinary control over them in accordance with their terms of services; and
- (b) engage or remunerate for their services such persons as the Board considers necessary for carrying out the functions and duties of the Council.

PART VI FINANCIAL PROVISIONS

General Fund

24.—(1) The Council shall establish a General Fund.

(2) All moneys received or raised by the Council shall be paid into the General Fund.

(3) All expenses incurred by the Council in carrying out the purposes of this Act shall be met from the General Fund.

[27]

Estimates

25.—(1) The Board shall in every year cause to be prepared and adopted annual estimates of income and expenditure of the Council for the ensuing year.

(2) Supplementary estimates may be adopted by the Board.

[28]

Financial year

26. The financial year of the Council shall begin on 1st April of each year and end on 31st March of the succeeding year.

[29]

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Accounts

27. The Council shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that -

- (a) all payments out of its moneys are correctly made and properly authorised; and
- (b) adequate control is maintained over the assets of, or in the custody of, the Council and over the expenditure incurred by the Council. [30]

Financial statements

28. The Council shall, as soon as practicable but not later than 30th June in each year, prepare and submit financial statements in respect of the preceding financial year to the auditor who shall audit and report on them. [31]

Appointment of auditor

29.—(1) The accounts of the Council shall be audited by an auditor appointed annually by the Minister in consultation with the Auditor-General.

(2) A person shall not be qualified for appointment as an auditor under subsection (1) unless he is an approved company auditor under the Companies Act (Cap. 50). [32]

Remuneration of auditor

30. The remuneration of the auditor shall be paid out of the funds of the Council. [33]

Powers of auditor

31. The auditor or any person authorised by him shall be entitled at all reasonable times to full and free access to all accounting and other records relating, directly or indirectly, to the financial transactions of the Council and may make copies of, or extracts from, any such accounting and other records. [34]

Duties of auditor

32.—(1) The auditor shall in his report state -

- (a) whether the financial statements show fairly the financial transactions and the state of affairs of the Council;
- (b) whether proper accounting and other records have been kept, including records of all assets of the Council whether purchased, donated or otherwise;

- (c) whether receipts, expenditure and investment of moneys and the acquisition and disposal of assets by the Council during the financial year have been in accordance with the provisions of this Act; and
- (d) such other matters arising from the audit as he considers necessary.

(2) The auditor shall send a report of his audit to the Minister through the Council not later than 31st August in each year.

(3) The auditor may at any other time report to the Minister through the Council upon any matter arising out of the performance of his audit. [35]

Failure to furnish information to auditor

33.—(1) The auditor or any person authorised by him may require any person to furnish him with such information in the possession of that person or to which that person has access as the auditor or authorised person considers necessary for the purposes of his functions under this Act.

(2) Any person who fails without reasonable excuse to comply with any requirement of the auditor or any authorised person or who otherwise hinders, obstructs or delays the auditor or the authorised person in the performance of his duties or the exercise of his powers shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day during which the offence continues after conviction. [36]

Presentation of financial statements and auditor's report to Parliament

34.—(1) As soon as the financial statements have been audited in accordance with the provisions of this Act but not later than 30th September in each year, the Council shall send to the Minister a copy of the audited financial statements, signed by the President, together with a copy of any report made by the auditor.

(2) A copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General at the same time they are submitted to the Council.

(3) The Minister shall as soon as practicable cause a copy of the audited financial statements and of the auditor's report to be presented to Parliament. [37]

Annual report

35. The Council shall as soon as practicable cause to be prepared and transmitted to the Minister a report dealing generally with the activities of the Council during the preceding financial year and the Minister shall cause a copy of every such report to be presented to Parliament. [38]

31.7.2001

Protection from personal liability

36. No suit or other legal proceedings shall lie against any Board member or any employee of the Council or other person acting under the directions of the Council or the Board for anything which is in good faith done or intended to be done by him in the execution or purported execution of this Act.

[39

[23/2000]

Regulations

37.—(1) The Council may, with the approval of the Minister, make such regulations as are necessary for carrying into effect the provisions of this Act.

(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:

- (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 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 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;
- (f) the procedure and quorum for the meetings of the Board;
- (g) the procedure and quorum for the meetings of the Community Chest;
- (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) (h); and
- (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.

[40

[23/2000]

LEGISLATIVE HISTORY
NATIONAL COUNCIL OF SOCIAL SERVICE ACT
(CHAPTER 195A)

1 Act 14 of 1992 - National Council of Social Service Act 1992

Date of First Reading	:	27.2.92 (Bill No. 15/92 published on 28.2.92)
Date of Second and Third Readings	:	20.3.92
Date of commencement	:	1.5.92

2. Act 23 of 2000 - National Council of Social Service (Amendment) Act 2000

Date of First Reading	:	22.5.2000 (Bill No. 18/2000 published on 23.5.2000)
Date of Second and Third Readings	:	3.7.2000
Date of commencement	:	29.9.2000

COMPARATIVE TABLE

NATIONAL COUNCIL OF SOCIAL SERVICE ACT
(CHAPTER 195A)

The following provisions in the 1993 Revised Edition of the National Council of Social Service Act have been renumbered by the Law Revision Commissioners in this 2001 Revised Edition.

This Comparative Table is provided for the convenience of users. it is not part of the National Council of Social Service Act.

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—	6 — (2) (<i>Deleted by Act 23/2000</i>)
6 — (2)	(3)
—	14 — (2) (<i>Deleted by Act 23/2000</i>)
—	(3) (<i>Deleted by Act 23/2000</i>)
14 — (2)	(4)
(3)	(5)
(4)	(6)

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2001 Ed.	1993 Ed.
–	15 — (5) (<i>Deleted by Act 23/2000</i>)
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