

## **National Parks Act (Chapter 198a) revised version.**

An Act to reconstitute the National Parks Board and to provide for the transfer of the property, rights and liabilities of the Parks and Recreation Department to the National Parks Board, and for matters connected therewith.

**1st July 1996**

### **PART I**

#### **PRELIMINARY**

##### **Short title**

**1.** This Act may be cited as the National Parks Act.

##### **Interpretation**

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

"animal" means any member of the animal kingdom including mammals, birds, reptiles, amphibians, fish and every kind of vertebrate and invertebrate and the eggs and young thereof;

"Board" means the National Parks Board established under the repealed National Parks Act (Cap. 198A, 1991 Ed.) in force before 1st July 1996 and continued by section 3;

"Chairman" means the Chairman of the Board and includes any acting Chairman of the Board;

"Chief Executive" means the Chief Executive of the Board and includes any person acting in that capacity;

"green area" means any State land which is vacant or utilised as green verge of premises occupied by the Government, parkland, verge or traffic island in a road reserve, park connector, or any other area managed and maintained by the Board;

"member" means a member of the Board;

"national park" means any area of land designated for the time being in Part I of the Fifth Schedule;

"nature reserve" means any area of land designated for the time being in Part II of the Fifth Schedule;

"parkland" means any State land or land of the Board which is utilised as a park or recreation ground;

"Parks and Recreation Department" means the Parks and Recreation Department of the Ministry of National Development;

"plant" means any member of the plant kingdom including angiosperms, gymnosperms, pteridophytes, bryophytes, algae, lichens and fungi;

"verge" means any area by the side of a public street, whether turfed or not.

### **PART II**

#### **RECONSTITUTION OF BOARD**

##### **Reconstitution of National Parks Board**

**3.** As from 1st July 1996, the Board shall continue in existence and shall continue to be a body corporate with perpetual succession and capable of —

(a) suing and being sued;

- (b) acquiring, owning, holding, developing and disposing of property, movable and immovable; and
- (c) doing and suffering such other acts or things as bodies corporate may lawfully do and suffer.

#### **Common seal**

4. —(1) As from 1st July 1996, the Board shall continue to have a common seal and the seal may, from time to time, be broken, changed, altered and made anew as the Board thinks fit.
- (2) All deeds and other documents requiring the seal of the Board shall be sealed with the common seal of the Board and every document to which the common seal is affixed shall be signed by any 2 members generally or specially authorised by the Board for the purpose or by one member so authorised and the Chief Executive.
- (3) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be deemed to be a document so executed.
- (4) The Board may, by resolution or otherwise in writing, appoint an officer of the Board or any other agent either generally or in a particular case to execute or sign on behalf of the Board any agreement or other instrument not under seal in relation to any matter coming within the powers of the Board.

#### **Constitution of Board**

5. The First Schedule shall have effect as respects the Board and its members.

### **PART III**

## **FUNCTIONS AND POWERS OF BOARD**

#### **Functions of Board**

6. —(1) The functions of the Board shall be —
- (a) to control and administer the national parks and nature reserves;
  - (b) to be an agent of the Government in the management and maintenance of the green areas;
  - (c) to propagate, protect and preserve the plants and animals of Singapore and, within the national parks, nature reserves and parklands, to preserve objects and places of aesthetic, historical or scientific interest;
  - (d) to provide and control facilities for the study of and research into matters relating to animals and plants in Singapore and the physical conditions in which they live;
  - (e) to exhibit objects illustrative of the life sciences, applied sciences, history, technology and industry;
  - (f) to promote the study, research and dissemination of knowledge in botany, horticulture, biotechnology, arboriculture, landscape architecture, parks and recreation management and natural and local history;
  - (g) to provide, manage and promote recreational, cultural, historical, research and educational facilities and resources in national parks, nature reserves and parklands and encourage their full and proper use by members of the public;
  - (h) to advise the Government on all matters relating to nature conservation and the planning, development and management of the green areas; and
  - (i) to carry out such other functions and duties as are imposed upon the Board by or under this Act or any other written law.
- (2) In addition to the functions of the Board under subsection (1), the Board may undertake such other functions as the Minister may assign to the Board and in so doing the Board shall

be deemed to be fulfilling the purposes of this Act and the provisions of this Act shall apply to the Board in respect of such functions.

#### **Powers of Board**

7. —(1) The Board may, for the purposes of this Act, carry on such activities as appear to the Board to be advantageous, necessary or convenient for it to carry on for or in connection with the discharge of its duties and functions under this Act and, in particular, may exercise any of the powers specified in the Second Schedule.

(2) This section shall not be construed as limiting any power of the Board conferred by or under any other written law.

#### **Directions of Minister**

8. —(1) The Minister may, after consultation with the Board, give to the Board such directions, not inconsistent with the provisions of this Act, as he thinks fit, as to the exercise of the functions of the Board under this Act, and the Board shall give effect to all such directions.

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

#### **Appointment of committees**

9. The Board may, in its discretion, appoint from among its own members or other persons who are not members such number of committees consisting of members or other persons or members and other persons for purposes which, in the opinion of the Board, would be better regulated and managed by means of such committees.

#### **Delegation of powers**

10. —(1) The Board may, subject to such conditions or restrictions as it may impose, delegate to the Chief Executive, the Chairman or a committee appointed under section 9 all or any of the functions, duties and powers vested in the Board by or under this Act or any other written law, except the power to borrow money.

(2) Any power, function or duty delegated under subsection (1), may be exercised or performed by the Chief Executive, the Chairman or such committee, as the case may be, in the name and on behalf of the Board.

(3) The Board may, subject to such conditions or restrictions as it thinks fit, delegate to any member or employee of the Board or any person all or any of its functions, duties and powers vested in the Board by or under this Act or any other written law, except the power to borrow money or to raise or grant loans or advances to or subscribe to stocks, shares, bonds or debentures of a company or corporation.

(4) Any power, function or duty delegated under subsection (3) may be exercised or performed by such member, employee or person in the name and on behalf of the Board.

(5) The Board may continue to exercise a power conferred upon it, or perform a function or duty under this Act or any other written law, notwithstanding the delegation of such power, function or duty under this section.

#### **Protection from personal liability**

11. No suit or other proceedings shall lie personally against any member or employee of the Board or any other person acting under the direction of the Board in respect of anything which is in good faith done or intended to be done in the execution or purported execution of this Act.

#### **Annual report**

12. —(1) The Board shall, as soon as practicable after the close of each financial year, submit to the Minister an annual report on the activities of the Board during the preceding financial year.

- (2) The Minister shall as soon as practicable cause a copy of every such report to be presented to Parliament.

## **PART IV**

### **PROVISIONS RELATING TO STAFF**

#### **Appointment of Chief Executive and other employees**

**13.** —(1) The Board shall, after consultation with the Public Service Commission and with the approval of the Minister, appoint a Chief Executive on such terms and conditions as the Board may determine.

(2) The Chief Executive shall —

- (a) be known by such designation as the Board may determine;
- (b) be responsible to the Board for the proper administration and management of the functions and affairs of the Board in accordance with the policy laid down by the Board; and
- (c) not be removed from office without the consent of the Minister.

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

(4) The Board may, from time to time, appoint such other employees and agents as it thinks fit for the effective performance of its functions on such terms and conditions as the Board may determine and may terminate the appointment of such employees and agents.

#### **Public servants for purposes of Penal Code**

- 14.** All members, employees and agents of the Board shall be deemed to be public servants for the purposes of the Penal Code (Cap. 224).

## **PART V**

### **FINANCIAL PROVISIONS**

#### **Grants**

**15.** For the purpose of enabling the Board to carry out its functions under this Act, the Minister may, from time to time, make grants to the Board of such sums of money as the Minister may determine out of moneys to be provided by Parliament.

#### **Issue of shares, etc.**

**15A.** As a consequence of the vesting of any property, rights or liabilities of the Government in the Board under this Act, or of any capital injection or other investment by the Government in the Board in accordance with any written law, the Board shall issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

#### **Bank accounts and payments**

**16.** —(1) The Board may open and maintain an account or accounts with such bank or banks as the Board thinks fit and every such account shall be operated upon as far as practicable by cheque signed by such person or persons as may, from time to time, be authorised in that behalf by the Board.

(2) The moneys of the Board shall be applied only in payment or discharge of the expenses, obligations and liabilities of the Board and in making any payment that the Board is authorised or required to make.

### **Investments**

17. Moneys belonging to the Board may, with the approval of the Minister, be invested in such securities as trustees may by any written law be authorised to invest.

### **Annual estimates**

18. —(1) The Board shall in every year prepare and adopt annual estimates of income and expenditure of the Board for the ensuing year.

(2) Supplementary estimates may be adopted by the Board at any of its meetings.

(3) A copy of all annual and supplementary estimates shall, upon their adoption by the Board, be sent forthwith to the Minister who may approve or disallow any item or portion of any item shown in the estimates, and shall return the estimates as amended by him to the Board, and the Board shall be bound thereby.

### **Financial provisions**

19. The financial provisions set out in the Third Schedule shall have effect with respect to the Board.

## **PART VI**

### **TRANSFER OF ASSETS, LIABILITIES AND EMPLOYEES TO BOARD**

#### **Transfer to Board of property, assets and liabilities**

20. —(1) As from 1st July 1996, all movable property vested in the Government immediately before that date for the purposes of the Parks and Recreation Department, and all assets, rights or interests vested in, and all outstanding debts, liabilities and obligations incurred by, the Government in connection therewith shall be transferred to and shall vest in the Board without further assurance.

(2) If any question arises as to whether any particular movable property vested in the Government, or whether any particular asset, right, interest, liability or obligation of the Government has been transferred to or vested in the Board under subsection (1), a certificate under the hand of the Minister for Finance shall be conclusive evidence that the property, asset, right, interest, liability or obligation was or was not so transferred or vested.

#### **Transfer of employees**

21. —(1) As from 1st July 1996, such persons employed immediately before that date in the Parks and Recreation Department as the Minister may determine shall be transferred to the service of the Board on terms no less favourable than those enjoyed by them immediately prior to their transfer.

(2) The provisions relating to the transfer of employees set out in the Fourth Schedule shall have effect.

#### **Existing agreements and pending proceedings**

22. —(1) All deeds, bonds, agreements, instruments and arrangements subsisting immediately before 1st July 1996 affecting any movable property transferred under section 20 or any person transferred to the service of the Board under section 21 shall continue in full force and effect on and after that date and shall be enforceable by or against the Board instead of the Government or any person acting on its behalf as if the Board had been named therein or had been a party thereto.

(2) Any proceedings or cause of action relating to any movable property transferred under section 20 or any person transferred to the service of the Board under section 21 pending or existing immediately before 1st July 1996 by or against the Government may be continued and shall be enforced by or against the Board.

## **PART VII**

### **NATIONAL PARKS AND NATURE RESERVES**

#### **Establishment of national parks and nature reserves**

**23.** —(1) The lands designated in Part I of the Fifth Schedule are hereby declared as national parks.

(2) The lands designated in Part II of the Fifth Schedule are hereby declared as nature reserves.

(3) National parks and nature reserves are hereby dedicated, set aside and reserved for all or any of the following purposes:

(a) the propagation, protection and preservation of the plants and animals of Singapore;

(b) the study, research and preservation of objects and places of aesthetic, historical or scientific interest;

(c) the study, research and dissemination of knowledge in botany, horticulture, biotechnology, and natural and local history; and

(d) recreational and educational use by the public.

(4) The Minister may, after consultation with the Board, by order amend the Fifth Schedule and any such order shall be presented to Parliament as soon as possible after publication in the *Gazette*.

#### **Prohibited activities**

**24.** —(1) Subject to the provisions of this Act, no person other than an employee or agent of the Board acting in the performance of his duty shall, except with the approval of the Board, conduct any of the following activities within any national park, nature reserve or green area:

(a) collect, remove, cut or displace any plant or part thereof;

(b) prospect, mine, quarry, excavate or remove any soil, sand, laterite, clay, stone, any earth substance or water;

(c) disturb or take the nest of any animal or feed, kill, injure, capture or molest any animal;

(d) spread, set or use any net, snare, trap or other instrument for the capture, destruction or injury of any animal;

(e) affix, set up or erect any sign, shrine, religious artifact, shelter, structure or building;

(f) clear, break up, dig or cultivate any land;

(g) use or occupy any building, vehicle, boat or other property of the Board;

(h) drop or deposit any dirt, sand, earth, gravel, clay, loam, manure, refuse, sawdust, shavings, stone, straw or any other matter or thing; and

(i) do any other activity which causes or may cause alteration, damage or destruction to any plant or animal or property.

(2) No person, other than an employee or agent of the Board acting in the performance of his duty, shall bring or cause any animal to be brought into a nature reserve or permit any domestic animal to stray into a nature reserve.

(3) Any person aggrieved by a decision of the Board made under this section may, within 14 days of the date of the decision, appeal in writing to the Minister whose decision shall be final.

(4) Any person who contravenes or fails to comply with any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine of \$250 for every day during which the offence continues after conviction.

#### **Destruction, damage, etc., of certain objects, notices, boundary marks or other things prohibited**

**25.** —(1) No person shall wilfully or negligently destroy, damage or deface any object of

zoological, botanical, geological, ethnological, scientific or aesthetic interest within any national park, nature reserve or green area.

(2) No person shall destroy, damage, deface or remove any notice, boundary mark or other thing whatsoever within any national park, nature reserve or green area.

(3) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

#### **Reinstatement works**

**26.** —(1) Where any person has contravened section 24 or 25 or any regulations made under this Act, the Board may serve a notice requiring that person to perform, within such period (not being less than 14 days after service thereof) as may be specified in the notice, reinstatement works as may be specified in the notice, failing which the Board may perform any necessary reinstatement works.

(2) The costs and expenses incurred by the Board in exercise of the powers under subsection (1) shall constitute a debt due from the person to the Board and be recoverable as such.

(3) The certificate of the Chief Executive stating the amount of the costs and expenses so incurred shall be conclusive evidence of that amount.

(4) The Board shall not be liable to make good any damage caused to or any loss of goods or property as a result of the reinstatement works done under subsection (1).

(5) Any person who, on being required by notice under this section to perform reinstatement works, wilfully refuses or without lawful excuse (the proof of which lies on him) neglects to perform the reinstatement works within the time specified in the notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

## **PART VIII**

### **GENERAL**

#### **Symbol of Board**

**27.** —(1) The Board shall have the exclusive right to the use of such symbols or representations as it may select or devise (referred to in this section as the Board's symbols) and thereafter display or exhibit in connection with its activities or affairs.

(2) Any person who, without the permission of the Board, uses a symbol or representation identical with any of the Board's symbols, or which so resembles any of the Board's symbols as to or be likely to deceive or cause confusion, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

#### **Exclusion of liability for information supplied by Board**

**28.** Where the Board provides a service to the public whereby information is supplied to the public on payment of a prescribed fee, neither the Board nor any of its employees involved in the supply of such information shall be liable for any loss or damage suffered by members of the public by reason of any error or omission of whatever nature appearing therein or however caused if made in good faith and in the ordinary course of the discharge of the duties of such employees.

#### **All moneys recovered to be paid to Board**

**29.** All moneys recovered or sums collected under this Act or any regulations made thereunder shall be paid into and form part of the general funds of the Board.

### **Returns and information**

**30.** —(1) The Board or an employee or agent of the Board authorised in that behalf by the Board may by notice require any person to furnish the Board or employee or agent, within such period as may be specified in the notice, information within the knowledge of the person or in his custody or under his control relating to matters as may be necessary for the purposes and functions of the Board under this Act.

(2) Any person who fails to comply with any requirement of the notice under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

### **Service of notices**

**31.** —(1) A notice or other document under this Act may be served in the following manner:

- (a) by delivering the notice or document to the person or to some adult member or employee of his family at his last known place of residence;
- (b) by leaving the notice or document at his usual or last known place of residence or business in an envelope addressed to the person;
- (c) by sending the notice or document by registered post addressed to the person at his usual or last known place of residence or business; or
- (d) where the person to be served is a body corporate —
  - (i) by delivering the notice or document to the secretary or other like officer of the body corporate at its registered office or principal place of business; or
  - (ii) by sending the notice or document by registered post addressed to the body corporate at its registered office or principal place of business.

(2) Any notice or document sent by registered post to any person in accordance with subsection (1) shall be deemed to be duly served on the person at the time when the notice or document would, in the ordinary course of post, be delivered and, in proving the service of the notice or document, it shall be sufficient to prove that the envelope containing the notice or document was properly addressed, stamped and posted by registered post.

### **Obstructing employees, etc., of Board**

**32.** Any person who obstructs or hinders any member, employee or agent of the Board acting in the discharge of his duty under this Act or any regulations made thereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

### **Offences by body corporate**

**33.** Where an offence under this Act or any regulations made thereunder has been committed by a body corporate, a partnership or unincorporated association of persons, any person who at the time of the commission of the offence was a director, manager, secretary or other similar officer thereof, or was purporting to act in any such capacity, shall also be guilty of that offence unless he proves that —

- (a) the offence was committed without his consent or connivance; and
- (b) he had exercised all such diligence to prevent the commission of the offence he ought to have exercised having regard to the nature of his functions in that capacity and to all circumstances.

### **Power to remove vehicles, etc.**

**34.** Any police officer or employee or agent of the Board authorised in that behalf by the Board may remove from any national park, nature reserve or parkland —

- (a) any person who, in contravention of this Act or any regulations made thereunder, fails or refuses to leave the national park, nature reserve or parkland or any part thereof after being requested by the police officer or employee or agent to do so; and



(b) any vehicle, boat or thing brought into or left in the national park, nature reserve or parkland or any part thereof in contravention of this Act or any regulations made thereunder or which is likely to cause danger or obstruction.

#### **Power of search**

**35.** Any police officer or employee or agent of the Board authorised in that behalf by the Board may, within any national park, nature reserve or parkland if he has reason to believe that any offence has been committed under this Act or any regulations made thereunder, inspect and search any baggage, equipment, package, container, tent, vehicle, boat, craft or place and seize any thing therein which he requires as evidence that any such offence has been committed.

#### **Power to require evidence of identity**

**36.** —(1) Any police officer or employee or agent of the Board authorised in that behalf by the Board who reasonably believes that a person has committed an offence under this Act or any regulations made thereunder, may require that person to furnish such evidence of his identity as may be required by the police officer, employee or agent.

(2) Any person who refuses to furnish information required of him by a police officer or an employee or agent under this section or who wilfully gives false information shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

#### **Power of arrest**

**37.** Any police officer or employee or agent of the Board authorised in that behalf by the Board may without warrant arrest a person within any national park, nature reserve or parkland —

(a) if he has reasonable cause to believe that that person has contravened any of the provisions of this Act or any regulations made thereunder and he does not know or cannot ascertain the name and address of the person; or

(b) if that person, in contravention of this Act or any regulations made thereunder, fails or refuses to leave the national park, nature reserve or parkland or any part thereof after being requested by the police officer, employee or agent to do so.

#### **Composition of offences**

**38.** —(1) Any police officer not below the rank of sergeant or any employee of the Board authorised in that behalf by the Chief Executive may, in his discretion, compound any such offence under this Act or any regulations made thereunder as may be prescribed as being an offence which may be compounded by collecting from the person reasonably suspected of having committed the offence a sum not exceeding \$1,000.

(2) The Board may, with the approval of the Minister, make regulations prescribing the offences which may be compounded.

(3) All sums collected under this section shall be paid to the Board.

#### **Prosecutions**

**39.** Any police officer, member, employee or agent of the Board authorised in writing in that behalf by the Chief Executive may conduct any proceedings or any prosecution in respect of any offence under this Act or any regulations made thereunder.

#### **Power to make regulations**

**40.** —(1) The Board may, with the approval of the Minister, make regulations for any purpose for which regulations are required to be made under this Act and generally for carrying out the purposes and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Board may make regulations for and with respect to all or any of the following matters within the national parks, nature reserves and parklands:

(a) the preservation of order and the prevention of nuisance;

- (b) prescribing the days and times of admission to the national parks, nature reserves and parklands;
- (c) the preservation and protection of plants, animals and property;
- (d) the admission of vehicles or boats and the regulation of traffic;
- (e) the prohibition of any particular act therein;
- (f) prescribing the fees payable in respect of admission to the national parks, nature reserves and parklands;
- (g) prescribing for the forfeiture, sale or disposal of any vehicle, boat or thing removed under section 34 and the recovery of any expenses connected therewith; and
- (h) prescribing that any act or omission in contravention of any regulations made under this Act shall be an offence and prescribing a fine not exceeding \$5,000 for such offence.

#### **Transitional provisions**

**41.** —(1) Any scheme, contract, document, licence, permission or resolution prepared, made, granted or approved by the Parks and Recreation Department or under the repealed National Parks Act (Cap. 198A, 1991 Ed.) shall, so far as it is not inconsistent with the provisions of this Act and except as otherwise expressly provided in this Act or in any other written law, continue and be deemed to have been prepared, made, granted or approved by the Board under the corresponding provisions of this Act or any other written law, as the case may be.

(2) Any subsidiary legislation made under the repealed National Parks Act in force immediately before 1st July 1996 shall, so far as it is not inconsistent with the provisions of this Act, continue in force as if made under this Act until it is revoked or repealed by subsidiary legislation made under this Act.

## **FIRST SCHEDULE**

Section 5

### **CONSTITUTION AND PROCEEDINGS OF BOARD**

**1.** The Board shall consist of —

- (a) a Chairman; and
- (b) not less than 6 nor more than 10 other members as the Minister may, from time to time, determine.

**2.** —(1) The Chairman and members of the Board shall be appointed by the Minister.

(2) The Minister may appoint one member to be the Deputy Chairman who may, subject to such directions as may be given by the Chairman, exercise all or any of the powers exercisable by the Chairman under this Act.

(3) The Minister may appoint the Chief Executive to be a member of the Board.

**3.** A member shall hold office on such conditions and for such term as the Minister may determine and shall be eligible for reappointment.

**4.** The Minister may, at any time, revoke the appointment of the Chairman or any member without assigning any reason.

**5.** Any member may resign from his appointment at any time by giving notice in writing to the Minister.

**6.** The Chairman may, in writing, authorise any member to exercise any power or perform any function conferred on the Chairman by or under this Act.

**7.** The office of a member shall be vacated if the member —

- (a) has been absent, without leave of the Board, from 3 consecutive meetings of the Board; or
- (b) becomes in any manner disqualified from membership of the Board.

**8.** If a member resigns, dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, the Minister may appoint a person to fill the vacancy for the residue of the term of which the vacating member was appointed.

**9.** No person shall be appointed or shall continue to hold office as a member if he —

- (a) is an undischarged bankrupt or has made any arrangement with his creditors; or
- (b) has been sentenced to imprisonment for a term of not less than 6 months and has not received a free pardon.

**10.** —(1) A member who is in any way, directly or indirectly, interested in a transaction or project of the Board shall disclose the nature of his interest at a meeting of the Board and the disclosure shall be recorded in the minutes of the Board and the member shall not take part in any deliberation of the Board with respect to that transaction or project.

(2) For the purpose of determining whether there is a quorum, a member shall be treated as being present at a meeting notwithstanding that under sub-paragraph (1) he cannot vote or has withdrawn from the meeting.

**11.** There shall be paid to the Chairman and other members, out of the funds of the Board, such salaries, fees and allowances as the Minister may, from time to time, determine.

**12.** —(1) The Board shall meet for the despatch of business at such times and places as the Chairman may, from time to time, appoint.

(2) At every meeting of the Board, 5 members shall form a quorum.

(3) A decision at a meeting of the Board shall be adopted by a simple majority of the members present and voting except that in the case of an equality of votes the Chairman or member presiding shall have a casting vote in addition to his original vote.

(4) The Chairman or, in his absence, the Deputy Chairman shall preside at meetings of the Board.

(5) Where both the Chairman and the Deputy Chairman are absent at a meeting of the Board, such member as the members present may elect shall preside at the meeting of the Board.

(6) Where not less than 4 members of the Board request the Chairman by notice in writing signed by them to convene a meeting of the Board for any purpose specified in the notice, the Chairman shall, within 7 days from the receipt of the notice, convene a meeting for that purpose.

**13.** The Board may act notwithstanding any vacancy in its membership.

**14.** Subject to the provisions of this Act, the Board may make rules to regulate its own procedure generally, and in particular, regarding the holding and proceedings of meetings, the notice to be given of such meetings, the keeping of minutes and the custody, production and inspection of such minutes.

**15.** The validity of any proceedings of the Board shall not be affected by any defect in the appointment of any member or by any contravention of paragraph 10 by any member.

## **SECOND SCHEDULE**

Section 7

### **POWERS OF BOARD**

- 1.** To manage the national parks, nature reserves and parklands.
- 2.** To regulate the planting and maintenance of plants in green areas by prescribing guidelines and requirements for the design and maintenance thereof.
- 3.** To enter into contracts for the supply of goods, services or materials or for the execution of works or other contracts as may be necessary for the discharge of the duties and functions of the Board under this Act.
- 4.** To receive fees, donations, grants, gifts of movable or immovable property from any source or raise funds by any lawful means.
- 5.** To regulate and control public access to the national parks, nature reserves and parklands.
- 6.** To promote or undertake publicity in any form.
- 7.** To make provision for the specialised training of any employee of the Board and in that connection offer scholarships for such training and expenditure incidental thereto.
- 8.** To make awards of recognition, grants, scholarships or contributions as the Board considers fit for the purposes of this Act.
- 9.** To offer consultancy services, inform, advise and make recommendations or proposals to the Government or any person on any matter relating to the designation, conservation, development and management of parks and other areas reserved for the propagation of plants and animals, or any other function of the Board.
- 10.** To act in combination or association with any person engaged, concerned or interested in the promotion of the functions of the Board, and pay for or contribute to the cost and expenses involved in such combination or association.
- 11.** With the approval of the Minister, to form or participate in the formation of companies or to enter into a partnership or an arrangement for the sharing of profits.
- 12.** With the approval of the Minister, to raise loans for the purposes of this Act.
- 13.** To do anything incidental to any of its functions.

## **THIRD SCHEDULE**

Section 19

### **FINANCIAL PROVISIONS**

- 1.** The financial year of the Board shall begin on 1st April of each year and end on 31st March of the following year.
- 2.** The Board shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that all payments out of its moneys are correctly made and properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Board and over the expenditure incurred by the Board.
- 3.** The Board shall, as soon as practicable after the close of each financial year, prepare and submit financial statements in respect of that year to the auditor of the Board.
- 4.** —(1) The accounts of the Board shall be audited by the Auditor-General or such other auditor as may be appointed annually by the Minister in consultation with the Auditor-General.  
(2) A person shall not be qualified for appointment as an auditor under sub-paragraph (1) unless he is an approved company auditor under the Companies Act (Cap. 50).  
(3) The remuneration of the auditor shall be paid out of the funds of the Board.
- 5.** The auditor or any person authorised by him is 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 Board and may make copies of, or extracts from, any such accounting and other records.
- 6.** —(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 Board;  
(b) whether proper accounting and other records have been kept, including records of all assets of the Board whether purchased, donated or otherwise;  
(c) whether receipts, expenditure, and investment of moneys and the acquisition and disposal of assets by the Board during the financial year were in accordance with this Act; and  
(d) such other matters arising from the audit as he considers necessary.  
(2) The auditor shall, as soon as practicable after the accounts have been submitted for audit, send a report of his audit to the Board and shall also submit such periodical and special reports to the Minister and to the Board as may appear to him to be necessary or as the Minister or the Board may require.
- 7.** —(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 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 under sub-paragraph (1) or who otherwise hinders, obstructs or delays the auditor 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 \$250 for every day or part thereof during which the offence continues after conviction.
- 8.** —(1) The Board shall, as soon as the financial statements have been audited in accordance with the provisions of this Act, send to the Minister a copy of the audited financial statements, signed by the Chairman, together with a copy of the auditor's report.

(2) Where the Auditor-General is not the auditor of the Board, a copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General when they are submitted to the Board.

(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.

## **FOURTH SCHEDULE**

### **Section 21**

#### **PROVISIONS RELATING TO TRANSFER OF EMPLOYEES**

- 1.** Until such time as terms and conditions of service are drawn up by the Board, the scheme and terms and conditions of service in the Government shall continue to apply to every person transferred to the service of the Board under section 21 as if he were still in the service of the Government.
- 2.** The terms and conditions to be drawn up by the Board shall take into account the salaries and terms and conditions of service, including any accrued rights to leave, enjoyed by the persons transferred to the service of the Board under section 21 while in the employment of the Government and any term or condition relating to the length of service with the Board shall provide for the recognition of service under the Government by the persons so transferred to be service by them under the Board.
- 3.** Nothing in the terms and conditions to be drawn up by the Board shall adversely affect the conditions that would have been applicable to persons transferred to the service of the Board as regards any pension, gratuity or allowance payable under the Pensions Act (Cap. 225).
- 4.** In every case where a person has been transferred to the service of the Board under section 21, the Government shall be liable to pay to the Board 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 Board.
- 5.** Where any person in the service of the Board whose case does not come within the scope of any pension or other schemes established under this Schedule retires or dies in the service of the Board or is discharged from such service, the Board may grant to him or to such other person or persons wholly or partly dependent on him, as the Board thinks fit, such allowance or gratuity as the Board may determine.
- 6.** Notwithstanding the provisions of the Pensions Act, no person who is transferred to the service of the Board under section 21 shall be entitled to claim any benefit 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 in consequence of his transfer to the service of the Board.
- 7.** Where on 1st July 1996, any disciplinary proceedings were pending against any employee of the Government transferred to the service of the Board under section 21, the proceedings shall be carried on and completed by the Board; but where on that date any matter was in the course of being heard or investigated or had been heard or investigated by a committee acting under due authority but no order or decision had been rendered thereon, the committee shall complete the hearing or investigation and make such order, ruling or direction as it could have made under the authority vested in it before that date.
- 8.** Any order, ruling or direction made or given by a committee pursuant to paragraph 7 shall be treated as an order, a ruling or a direction of the Board and have the same force or effect as if it had been made or given by the Board pursuant to the authority vested in the Board under this Act.
- 9.** The Board may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person who had, whilst he was in the employment of the Parks and Recreation Department, been guilty of any misconduct or neglect of duty which would have rendered him liable to be

so reprimanded, reduced in rank, retired, dismissed or punished if he had continued to be in the employment of the Government, and as if this Act had not been enacted.

## FIFTH SCHEDULE

Section 23

### PART I

#### DESIGNATION OF NATIONAL PARKS

1. All those pieces of land situated in T.S. No. 25 known as the Singapore Botanic Gardens, described as follows:

<i>T.S. No.</i>	<i>Lot No.</i>	<i>Area</i> <i>(square metres)</i>
25	01642T	523,043.8
	01643A	34.4
	01644K	305.8
	01640V	4,550.3
Total		527,934.3

The boundaries of these areas are more particularly delineated on Certified Plan Nos. 38578, 38579 and 38065 filed in the office of the Chief Surveyor.

2. All those pieces of land situated in T.S. No. 20 known as Fort Canning Park, described as follows:

<i>T.S. No.</i>	<i>Lot No.</i>	<i>Estimated Area</i> <i>(square metres)</i>
20	Part of 00501X	166,837.6
	00500N	11,768.4
	00551C	1,000
Total		179,606

The boundaries of these areas are more particularly delineated on Plan No. NP 5.9.1.9 (Fort Canning Park) filed in the Registry of the National Parks Board.

### PART II

#### DESIGNATION OF NATURE RESERVES

1. All those pieces of land situated in the Mukims of Sembawang, Mandai, Ulu Kalang, Bukit Timah and Toa Payoh, forming parts of the Public Utilities Board Catchment Area, known as the Central Catchment Nature Reserve, described as follows:

<i>Mukim No.</i>	<i>Lot No.</i>	<i>Estimated Area</i> <i>(square metres)</i>
13 (Sembawang)	Part of 04120X	339,879



	Part of 04121L	1,911,045
	Part of 04122C	409
	04123M	31,379
	04513P	52
	04518X	1,951
	04522L	16,587
	04524M	65,406
14 (Mandai)	Part of 00187M	11,867,890
	Part of 00289C	1832
	Part of 01253P	193
	Part of 01255A	85
	Part of 01256K	190
	Part of 99741N	25
	Part of 99871P	1,053
15 (Ulu Kalang)	00028N	14,438
	00030K	22,877
	00031N	7,660
	Part of 00046X	284
	Part of 01370W	747
	01371V	550
	Part of 02505T	6,273,325
	Part of 02506A	4,336,843
	99676T	14,679
	Part of 99686M	56,201
16 (Bukit Timah)	Part of 01224N	387
	Part of 01226L	2,081
	Part of 01231M	1,532
	02041M	1,871,333
	Part of 02044P	12,561
17 (Toa Payoh)	03797X	231
	03799C	19
	Part of 05941W	3,577,758
Total		30,431,482

The boundaries of these areas are more particularly delineated on Plan No. NP 5.9.1.9 (Central Catchment Nature Reserve) filed in the Registry of the National Parks Board.

2. All those pieces of land situated in Mukim No. 16, Bukit Timah, known as Bukit Timah Nature Reserve, described as follows:

<i>Mukim No.</i>	<i>Lot No.</i>	<i>Estimated Area (square metres)</i>
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16 (Bukit Timah)	Part of 00087A	43,680
	00354A	7,595
	Part of 00357X	654,750
	01176P	365
	01636T	9,698
	Part of 01637A	244,306
	Part of 01916P	11,347
	Part of 02042W	357,229
	Part of 02044P	24,027
	99501L	11,715
	Part of 99509K	137,107
	Part of 99531X	4,840
	Part of 99679X	43,222
	99762V	31
	Part of 99763P	76,530
Total		1,626,442

The boundaries of these areas are more particularly delineated on Plan No. NP 5.9.1.9 (Bukit Timah Nature Reserve) filed in the Registry of the National Parks Board.

**3.** All those pieces of land (including foreshore) situated in Mukim No. 3, Pasir Panjang, known as Labrador Nature Reserve, described as follows:

<i>Mukim No.</i>	<i>Lot No.</i>	<i>Estimated Area (square metres)</i>
3 (Pasir Panjang)	99995P	993
	99992M	1,553
	Part of 01019A	40,316
	Part of 01580X	49,135
	Part of 00492M	7,881
Total		99,878

The boundaries of these areas are more particularly delineated on Plan No. NP 5.9.1.9 (Labrador Nature Reserve) filed in the Registry of the National Parks Board.

**4.** All those pieces of land (including foreshore) situated in Mukim No. 12, Lim Chu Kang, known as Sungei Buloh Wetland Reserve, described as follows:

<i>Mukim No.</i>	<i>Lot No.</i>	<i>Estimated Area (square metres)</i>
12 (Lim Chu Kang)	00990N	117,088
	00020N	32,775
	01312V	20,049
	01311W	25,798
	01313P	39,865

01314T	13,967
01324M	33,646
01325W	11,158
01023X	2,818
Part of 01255P	57,663
Part of 00989L	156,177
Part of 01310M	54,933
Part of 01240V	512,050
Part of 01590K	235,718
Total	1,313,705

The boundaries of these areas are more particularly delineated on Plan No. NP 5.9.1.9 (Sungei Buloh Wetland Reserve) filed in the Registry of the National Parks Board.