

Sentosa Development Corporation Act 22 of 1972, Revised edition 1998

(Chapter 291)

An Act to establish the Sentosa Development Corporation and for purposes connected therewith.

[1st September 1972] (30th May 1998)

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Sentosa Development Corporation Act.

Interpretation

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

"Chairman" means the Chairman of the Corporation;

"Chief Executive" means the Chief Executive of the Corporation;

"Corporation" means the Sentosa Development Corporation established under this Act;

"Deputy Chairman" means the Deputy Chairman of the Corporation;

"float" means any floating structure normally used as a point of transfer for passengers and goods and for mooring purposes;

"land" includes land covered by water and any interest in land;

"Marina Superintendent" means the Marina Superintendent appointed under section 18H and includes any Deputy or Assistant Marina Superintendent appointed under that section;

"marine facilities" means facilities either owned by the Corporation or any lessee of any land in Sentosa that are intended primarily to be used by or for the service of vessels (including floats, ramps, hoists, parking areas, leased water areas, concessions and service facilities) located on land in Sentosa or in the waters and waterways of Sentosa;

"master" , in relation to a vessel, means any person having or taking command, charge or management of the vessel for the time being;

"member" means a member of the Corporation;

"mooring" includes anchoring;

"owner" —

(a) in relation to any area of the waters of Sentosa, means the person who has leased the area from the Corporation; and

(b) in relation to a vessel, includes the charterer of the vessel;

"Sentosa" means all that part of the island known as Sentosa which was transferred to and vested in the Corporation on 1st September 1972 by virtue of section 25, the bridge known as Gateway Avenue linking Sentosa and the main island of Singapore and any land reclaimed from the foreshore of Sentosa which is transferred to or leased by the State to the Corporation;

"vessel" means every description of vessel however propelled or moved and includes any thing constructed or used to carry persons or goods by water and a seaplane on or in the water, a hovercraft and a hydrofoil vessel;

"waters of Sentosa" means all the inland waters of Sentosa that are —

(a) vested in or leased to the Corporation; or

(b) managed or controlled by the Corporation, whether or not the lands lying under the inland waters are vested in or leased to the Corporation or leased by the Corporation to others;

"waterways" means any area of the waters of Sentosa providing access from one place to another, principally a water area providing a regular route for water-borne traffic.

[34/96]

PART II

SENTOSA DEVELOPMENT CORPORATION

Establishment of Sentosa Development Corporation

3. —(1) For the purposes of this Act, there shall be established a corporation to be known as the Sentosa Development Corporation.

(2) The Corporation shall consist of a Chairman, a Deputy Chairman and such number of other members as the Minister may from time to time determine.

(3) The total number of members shall not be less than 8 nor more than 15.

(4) The Corporation shall be a body corporate with perpetual succession and a common seal, and shall be capable of —

(a) acquiring, holding and disposing of movable and immovable property;

(b) suing and being sued; and

(c) doing and suffering all such acts and things as bodies corporate may lawfully do and suffer.

(5) The members of the Corporation shall be appointed by the Minister, who shall also appoint the Chairman and the Deputy Chairman from amongst its members.

(6) The fixing of the seal of the Corporation shall be authenticated by the signature of the Chairman or the Deputy Chairman or of some other person authorised either generally or specially by the Corporation to act for that purpose.

Members of Corporation

4. —(1) A member shall hold and vacate his office in accordance with the terms of his appointment.

(2) Any member may, at any time by notice in writing to the Minister, resign his office.

(3) If the Minister is satisfied that a member —

(a) has become a bankrupt or has made an arrangement with his creditors;

(b) is incapacitated by physical or mental illness; or

(c) is in the opinion of the Minister otherwise unable or unfit to discharge his duties, the Minister may declare his office as a member to be vacant and shall notify the fact in such manner as he thinks fit, and thereupon the office shall become vacant.

(4) If the Chairman or the Deputy Chairman ceases to be a member of the Corporation, he shall cease to be the Chairman or the Deputy Chairman, as the case may be.

(5) A member who ceases to be a member shall be eligible for reappointment.

(6) The Corporation shall pay to its members such salaries, fees or allowances as the Minister may determine.

Meetings and proceedings of Corporation

5. —(1) At all meetings of the Corporation, 5 members shall form a quorum.

(2) The Chairman shall preside at all meetings of the Corporation at which he is present.

(3) The Deputy Chairman shall preside at all meetings of the Corporation at which the Chairman is not present and in the absence of both the Chairman and the Deputy Chairman at any such meeting, the members present shall appoint one of their number to preside at that meeting.

(4) Meetings of the Corporation shall be held at such times and places as the Corporation may determine.

(5) A special meeting of the Corporation may at any time be convened by the Chairman or the Deputy Chairman.

- (6) All questions arising at any meeting shall be decided by a majority of the votes of the members present and voting.
- (7) At any meeting of the Corporation, the Chairman shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.
- (8) The validity of any proceedings of the Corporation shall not be affected by any vacancy amongst its members or by any defect in the appointment of any member.
- (9) Subject to the provisions of this Act, the Corporation may regulate its own proceedings.

Disclosure of interest by members

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

Protection from personal liability

- 6A.**—(1) No matter or thing done and no contract of any kind entered into by the Corporation and no matter or thing done by any member of the Corporation or by any employee thereof or any other person whomsoever acting under the direction of the Corporation shall, if the matter or thing was done or the contract was entered into bona fide for the purpose of executing the provisions of this Act, subject any such member or employee or any other person whomsoever acting under the direction of the Corporation personally to any action, liability, claim or demand in respect thereof.

[34/96]

- (2) Any expense incurred by the Corporation or any member or employee acting under the direction of the Corporation shall be borne by and repaid out of the funds of the Corporation.

[34/96]

Appointment of staff

- 7.** The Corporation may —
- (a) appoint such officers and employees as may be necessary for the carrying out of the functions of the Corporation under this Act; and
- (b) engage and remunerate for their services such professional persons or agents as the Corporation considers necessary for carrying out its functions.

Appointment of Chief Executive

- 8.**—(1) The Corporation shall, with the approval of the Minister, appoint and employ a Chief Executive.
- (2) The Chief Executive shall, subject to the directions of the Corporation on matters of policy, be charged with the direction of the functions or business of the Corporation, its administration and organisation and the administrative control of its employees.

[34/96]

PART III

FUNCTIONS AND POWERS OF CORPORATION

Functions of Corporation

- 9.** The functions of the Corporation are the following:
- (a) to control, manage and administer Sentosa and, with the approval of the Minister, any other island or land elsewhere in or outside Singapore whether or not the island or land is owned by or leased to the Corporation;

- (b) to promote and encourage the development of services, facilities and amenities in Sentosa and, with the approval of the Minister, elsewhere in or outside Singapore for tourists and the public;
- (c) to develop, manage and control scenic attractions, educational, entertainment, leisure, recreational, tour and sports services, facilities and amenities in Sentosa and, with the approval of the Minister, elsewhere in or outside Singapore and to encourage their full and proper use by tourists and the public;
- (d) to develop and manage part of Sentosa for residential, commercial or recreational purposes and, with the approval of the Minister, any land elsewhere in Singapore for similar purposes;
- (e) to provide facilities for persons living and working in Sentosa and to enhance the operations of businesses operating in Sentosa; and
- (f) to prepare and implement or to give assistance to schemes or projects which will provide or improve services, facilities and amenities in Sentosa and, with the approval of the Minister, elsewhere in or outside Singapore for tourists and the public.

[34/96]

Powers of Corporation

10. The Corporation shall have power to do anything for the purpose of discharging its functions under this Act, or which is incidental or conducive to the discharge of those functions and, in particular, may —

- (a) promote or undertake publicity in any form;
- (b) provide advisory, consultancy, professional and information services;
- (c) promote or undertake research;
- (d) acquire by purchase, lease, sub-lease, or otherwise, any land with or without any building and any areas of the waters of Sentosa;
- (e) grant leases, sub-leases and licences of any land vested in or leased to the Corporation and any of the areas of the waters of Sentosa;
- (f) develop any land and sell any developed land or part thereof;
- (g) take or hold mortgages, liens and charges to secure payment of the purchase price, or any unpaid balance of the purchase price, of any property sold by the Corporation or any money owing to the Corporation from purchasers and others;
- (h) erect, alter or reconstruct any building or marine facility on land vested in, leased to, or controlled or managed by, the Corporation;
- (i) form or participate in the formation of, subscribe for, acquire and hold and dispose of or otherwise deal with shares or stocks in any company, whether incorporated in or outside Singapore, carrying on or intending to carry on any activity or business in Sentosa and enter into any joint venture or partnership for the carrying on of any business or activity in Sentosa;
- (j) with the written approval of the Minister, form or participate in the formation of or subscribe for shares or stocks in any company;
- (k) with the written approval of the Minister, grant loans to, or guarantee the repayment of loans given to, any company in which the Corporation or any of its subsidiary companies holds any shares;
- (l) establish, maintain and operate launches, boats, services for the transport of passengers and goods, golf courses, services, facilities, equipment and apparatus as the Corporation thinks necessary for the performance of its functions;
- (m) subject to any regulations made by the Minister, impose such charges or fees as the Corporation may determine for admission into Sentosa and for the use, improvement or maintenance of any accommodation, services, works, marine facilities, recreation grounds, equipment, attractions, amenities or other facilities provided, maintained, controlled, administered or operated by the Corporation;

(n) enter into any contract or agreement for the carrying out of the purposes of this Act; and
(o) take such measures as are necessary for the prevention of pollution of the waters and waterways of Sentosa.

[34/96]

Power to prohibit or restrict use of motor vehicles in Sentosa

10A. —(1) The Corporation may prohibit or restrict the use of vehicles or of any class or description of vehicles on any road in Sentosa and may for that purpose grant permits for vehicles entering Sentosa and levy charges for the issue of such permits.

[34/96]

(2) Without prejudice to the generality of subsection (1), the Corporation may —

(a) impose different charges for different classes of vehicles entering Sentosa and for vehicles which are driven by different categories of visitors to Sentosa;

(b) prohibit any class of vehicles, or vehicles driven by any category of visitors, from entering Sentosa; and

(c) restrict the movement of vehicles during certain hours of the day or on certain days of the week.

[34/96]

PART IV

FINANCIAL PROVISIONS

Borrowing powers

11. The Corporation may from time to time, with the consent of the Minister and subject to such terms as he thinks fit, borrow money and issue bonds, debentures or mortgage or charge any of its property for the purpose of meeting its obligations or discharging its functions under this Act.

[34/96]

Provision of working capital

12. For the purpose of enabling the Corporation to carry out its functions and to defray expenditure properly chargeable to capital account, including defraying initial expenses, and for the provision of working capital, the Minister may authorise payment to the Corporation of such sums as he may determine.

Issue of shares, etc.

12A. As a consequence of the vesting of any property, rights or liabilities of the Government in the Corporation under this Act, or of any capital injection or other investment by the Government in the Corporation in accordance with any written law, the Corporation shall issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

Investment of money belonging to Corporation

13. —(1) Money standing to the credit of the Corporation may from time to time be invested in any of the securities in which trust funds may, by section 4 of the Trustees Act (Cap. 337), be invested.

(2) The Corporation may, with the written approval of the Minister, invest money standing to the credit of the Corporation from time to time in shares of any private or public company.

Bank accounts

14. —(1) The Corporation may open at any bank or banks, or at any branch or agency of such banks, such accounts as it considers necessary or desirable for the exercise of its functions and powers.

(2) Every account under this section shall be operated upon by cheque signed by such person as may from time to time be authorised in that behalf by the Corporation.

Books of accounts

15. The Corporation shall keep proper accounts and proper records in relation to the accounts and shall prepare in respect of each accounting year a statement of accounts which shall conform to the best commercial standards.

Audit of accounts

16. The accounts of the Corporation shall be audited by auditors appointed by the Corporation with the approval of the Minister.

Annual report and accounts to be presented to Parliament

17. —(1) As soon as may be reasonably practicable after the end of each accounting year, but not later than 6 months from the end of that year, unless the Minister otherwise authorises in writing, the Corporation shall furnish to the Minister a report of its functions for that year together with a copy of the statement of accounts in respect of that year and the auditors' report thereon.

[34/96]

(2) A copy of the report and of the statement of accounts attached thereto shall be presented to Parliament.

Application of profits of Corporation

18. The Minister may, after consultation with the Corporation, give directions to the Corporation as to the manner in which its profits shall be applied.

PART V
RESORT AREA

Interpretation of this Part

18A.—(1) In this Part, unless the context otherwise requires —

"immovable property" means any land, premises, building or tenement;

"maintenance fund" means the maintenance fund established under section 18E;

"owner" , in relation to any immovable property, means the person for the time being receiving the rent for the immovable property, whether on his own account or as agent or trustee for any other person or as receiver, or who would receive the rent if it were let to a tenant, and includes the person whose name is or will be entered in the Valuation List maintained by the Comptroller of Property Tax under the Property Tax Act (Cap.254) as the owner of the immovable property;

"resort area" means all that part of Sentosa which is designated by the Corporation, from time to time by notice published in the Gazette, as the resort area for the purposes of this Part.

[34/96]

(2) For the purposes of this Part —

(a) each part of a building divided laterally or horizontally into parts in such a manner that the owner, either solely or jointly with other owners, of one part is not also the owner either solely or jointly with the other owners respectively of any other part, shall be deemed to be a building;

(b) each part of a partially completed building, divided laterally or horizontally into parts shall be deemed to be a building.

[34/96]

Certain building works not to be carried out without permit

18B.—(1) No person shall commence or carry out, or permit or authorise the commencement or carrying out of, any building works affecting or changing the facade or external appearance of any building in the resort area unless there is in force a permit granted by the Corporation for carrying out the building works.

[34/96]

(2) The Corporation may refuse to grant any such permit.

[34/96]

(3) In granting any permit under this section, the Corporation may impose such conditions as it thinks fit.

[34/96]

(4) Where any person fails to comply with any condition imposed by the Corporation, the Corporation may cancel the permit in relation to which the condition that the person failed to comply with was imposed.

[34/96]

(5) Any person who contravenes or fails to comply with 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 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.

[34/96]

Marine facility not to be constructed or altered without permit

18C.—(1) No person shall construct or alter, or permit or authorise the construction or

alteration of, any marine facility in the resort area unless there is in force a permit granted by the Corporation for the construction or alteration of the marine facility.

[34/96]

(2) The Corporation may refuse to grant any such permit.

[34/96]

(3) In granting any permit under this section, the Corporation may impose such conditions as it thinks fit.

[34/96]

(4) Where any person fails to comply with any condition imposed by the Corporation, the Corporation may cancel the permit in relation to which the condition that the person failed to comply with was imposed.

[34/96]

(5) Any person who contravenes or fails to comply with 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 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.

[34/96]

Order for cessation of building works, etc.

18D.—(1) Where in the opinion of the Corporation any building works are or have been carried out, or any marine facility has been constructed or altered, in contravention of the provisions of this Part or any regulations made under this Act, the Corporation may by order in writing require —

- (a) the cessation of the building works until the order is withdrawn;
- (b) the demolition of the marine facility; or
- (c) such work or alteration to the building or marine facility to be carried out as may be necessary to cause the same to comply with the provisions of this Part or otherwise to put an end to the contravention thereof.

[34/96]

(2) In every case, the order shall specify all or any of the following:

- (a) the manner in which the demolition, work or alteration specified in the order is to be carried out;
- (b) the time within which the demolition, work or alteration shall commence;
- (c) the time within which the demolition, work or alteration shall be completed; and
- (d) the demolition, work or alteration shall be carried out with due diligence to the satisfaction of the Corporation.

[34/96]

(3) An order made under subsection (1) shall be served —

- (a) where a building or marine facility has been erected, on the owner or occupier of the building or marine facility; or
- (b) where building works are being carried out, on the person for whom the works are carried out or the builder carrying out the building works.

[34/96]

(4) If an order made under subsection (1) is not complied with, the Corporation may —

- (a) demolish, remove or alter, or cause to be demolished, removed or altered, such building or marine facility or take such other steps as appear to the Corporation to be necessary; and
- (b) recover all expenses reasonably incurred by the Corporation in the exercise of its powers under this section from the person in default.

[34/96]

(5) Without prejudice to the right of the Corporation to exercise its powers under subsection (4), if any person on whom an order made under subsection (1) is served fails to comply with the order, that person 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 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.

[34/96]

(6) The Corporation may seize any materials resulting from the carrying out of any work under subsection (4).

[34/96]

Establishment of maintenance fund for resort area

18E. —(1) The Corporation shall establish a maintenance fund for the purposes of managing and maintaining the resort area and of providing and maintaining the infrastructure and other facilities and services for the use of persons living and working in the resort area.

(2) The maintenance fund shall be under the direction and control of the Corporation.

[34/96]

(3) All moneys received by the Corporation by virtue of section 18F shall be paid into the maintenance fund and all expenditure and other expenses incurred by the Corporation for managing and maintaining the resort area and for providing and maintaining the infrastructure and other facilities and services for persons living and working in the resort area shall be charged to the maintenance fund.

[34/96]

(4) All moneys in the maintenance fund that are not immediately required may be placed on time deposits with banks or invested in such securities as trustees may by written law be authorised to invest.

[34/96]

(5) Nothing in this section shall be construed as imposing an obligation on the Corporation to maintain any immovable property in the resort area that is privately owned.

[34/96]

Contributions payable by property owners

18F. —(1) As from 1st November 1996, the Corporation may in each month levy a contribution at such rates as may be prescribed in respect of all immovable properties in the resort area and different rates may be prescribed for different types or classes of immovable properties.

[34/96]

(2) The contributions referred to in subsection (1) shall be payable by the owners of the immovable properties quarterly in advance, without demand to the Corporation at such dates as may be prescribed.

[34/96]

(3) The contributions levied under subsection (1) —

- (a) are payable in addition to any property tax levied under the Property Tax Act (Cap. 254);
- (b) shall become due and payable to the Corporation without any deduction whatsoever and may be recovered as a debt due to the Corporation in any court of competent jurisdiction; and
- (c) if not paid within 30 days when it becomes due and payable, shall bear interest at the prescribed rates.

[34/96]

(4) In respect of any contributions levied under subsection (1) and the interest thereon, the owner of the immovable property shall be liable, jointly and severally with any person who was liable to pay the same when the contributions become due and payable, to pay the charges and interest to the Corporation.

(5) A person who has ceased to be the owner of the immovable property shall only be liable to pay the contributions which were unpaid at the time he ceased to be the owner of the immovable property and the interest accruing on the unpaid contributions until such time as they are paid.

[34/96]

(6) Without affecting the liability of the owner of an immovable property in respect of any contributions levied under this section, where a mortgagee is in possession (whether by himself or any other person) of the immovable property, he shall be liable jointly and severally with the owner of the immovable property for any contributions levied on the immovable property under this section.

[34/96]

Recovery of contributions from sale of immovable property

18G.—(1) Where any contributions and interest thereon levied under section 18F remain unpaid on the expiry of the period of 90 days after the Corporation has served on the owner of the immovable property a written demand for the payment of the contributions, the contributions and any interest accrued thereon shall constitute a charge on the immovable property upon lodgment of an instrument of charge by the Corporation with and the registration thereof by the Registrar.

[34/96]

(2) Upon registration of the instrument of charge by the Registrar —

(a) the Corporation shall, subject to subsection (3), have the power of sale and all other powers relating or incidental thereto as if the Corporation is a registered mortgagee; and
(b) the contributions and interest owing to the Corporation shall be subject to all statutory charges of any public authority over the immovable property and to all encumbrances registered or notified prior to the date of lodgment of that instrument of charge except that where a prior registered mortgagee or chargee has sold the immovable property in exercise of his power of sale, the registered charge of the estate or interest of the immovable property when transferred to a purchaser by the mortgagee or chargee shall not be over-reached by the exercise of the power of sale by the mortgagee or chargee of a prior registered mortgage or charge.

[34/96]

(3) The Corporation shall not exercise its power of sale under subsection (2)(a) unless —

(a) a resolution has been passed by the Corporation to have the immovable property sold;
(b) a notice of the intended sale approved by the Registrar has been published once in one or more daily newspapers, as may be determined by the Registrar;
(c) during the period of 6 weeks after the date of such publication no payment has been received for the contributions due including interest thereon and the cost of publication specified in paragraph (b) as well as any other necessary incidental charges; and
(d) there is no legal action pending in court to restrain the Corporation from proceeding with the sale.

[34/96]

(4) Where a transfer of any immovable property has been made by the Corporation in the exercise of its power of sale conferred by this section is lodged with the Registrar for registration —

(a) the Registrar shall not accept the transfer for registration unless the following documents are lodged at the same time:

(i) a certified true copy of the resolution of the Corporation authorising the exercise of its power of sale with the seal of the Corporation affixed thereto and authenticated in accordance with section 3(6);

(ii) a copy of every publication containing the notice referred to in subsection (3)(b); and

(iii) a statutory declaration made by the Chief Executive stating that the unpaid contributions and interest thereon and all necessary incidental costs and expenses owing to the Corporation as of the date of the contract of sale of the immovable property have not been paid and that there is no legal action pending in court to restrain the Corporation from proceeding with the sale of the immovable property; and

(b) neither the person who purchased the immovable property from the Corporation nor the Registrar shall be concerned to inquire into the regularity or validity of the sale or transfer.

[34/96]

(5) Where an instrument of charge has been registered against any immovable property under this section, the owner of the immovable property shall, upon payment of the amount of contributions and interest and any necessary incidental charges owing to the Corporation before it has exercised its power of sale conferred by this section, be entitled to an instrument of discharge executed and acknowledged by the Corporation as to the receipt of such payment.

[34/96]

(6) Upon registration of the instrument of discharge or, in the event of the Corporation refusing to execute a discharge, an order of court declaring that the immovable property shall be discharged from the charge, the immovable property be freed from the charge constituted under this section.

[34/96]

(7) For the purpose of registration of a charge, discharge or transfer under this section, the Registrar may dispense with the production of the relevant duplicate certificate of title.

[34/96]

(8) Notwithstanding section 74 of the Land Titles Act (Cap. 157) and section 16 of the Registration of Deeds Act (Cap. 269), where further contributions are due to be paid to the Corporation after the instrument of charge under this section, the amount of such contributions due including interest thereon, shall rank in priority to any other claims as if such contributions and the interest thereon were owing to the Corporation at the date of the registration of the charge.

[34/96]

(9) A charge under subsection (2) shall continue in force until all contributions including interest thereon secured by the charge have been paid.

[34/96]

(10) This section shall not affect any rights and powers of the Corporation to recover the contributions and interest owing to the Corporation including any legal costs and incidental charges necessarily incurred for the recovery of such contributions in respect of any immovable property as a debt from the owner of, or his successor in title to, the property.

[34/96]

(11) In this section —

"public authority" means the Government, the Collector of Land Revenue, the Comptroller of Property Tax and any other person, corporation or body, authorised or empowered by any written law to attach, sell or acquire land compulsorily;

"Registrar" means the Registrar of Titles appointed under the Land Titles Act (Cap.157).

[34/96]

PART VI

VESSELS AND NAVIGATION

Appointment of Marina Superintendent and Deputy and Assistant Marina Superintendents

18H. —(1) The Corporation may appoint a Marina Superintendent and such number of Deputy and Assistant Marina Superintendents as may be necessary for the purpose of administering and carrying out the provisions of this Part.

[34/96]

(2) Whenever, by the provisions of this Part, a power is granted to or a duty imposed upon the Corporation, the power may be exercised or duty performed by the Marina Superintendent or a Deputy or an Assistant Marina Superintendent.

[34/96]

General rules for navigation

18I. A master who navigates his vessel in the waters or waterways of Sentosa —

(a) without due care and attention; or

(b) in a manner liable to injure or endanger persons, other vessels, the marine facilities in Sentosa or any structure or installation in Sentosa,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

[34/96]

Vessel adrift

18J. —(1) The owner or master of a vessel adrift in the waters and waterways of Sentosa shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

[34/96]

(2) It shall be a defence to the owner or master of a vessel charged with an offence under subsection (1) to prove that the vessel did not become adrift as the result of any neglect or default on his part.

[34/96]

Control of embankments, etc.

18K. The Corporation is vested with authority over and control of all embankments, revetments, floats, wharves, docks and marine facilities in the waters and waterways of Sentosa whether or not they are owned, leased, controlled, constructed or maintained by the Corporation.

[34/96]

Control of navigation

18L. —(1) The Corporation is vested with authority over and control of navigation and the use of vessels in the waters and waterways of Sentosa and may give general directions for the purpose of promoting or securing conditions conducive to the ease, convenience or safety of navigation in the waters and waterways of Sentosa and, in particular, for any of the following purposes:

(a) for designating waterways in Sentosa which vessels are to use or refrain from using for movement or mooring;

(b) for securing that vessels move only at certain times or during certain periods;

(c) for prohibiting —

(i) entry into or movement in the waters and waterways of Sentosa by vessels at times of poor visibility due to the weather or other matters; and

(ii) entry into the waters and waterways of Sentosa by a vessel which for any reason would be, or be likely to become, a danger to other vessels in the waterways;

(d) for the movement, berthing or mooring of a vessel;

(e) for the removal of any vessel from the waters and waterways of Sentosa if —

(i) it is on fire;

(ii) it is in a condition where it is liable to be immobilised or waterlogged, or to sink; and

(iii) it is making an unlawful or improper use of the waters and waterways of Sentosa;

(f) requiring the master of a vessel to give to the Marina Superintendent information relating to the vessel reasonably required by the Marina Superintendent in order to effect the objects of this subsection.

[34/96]

(2) Direction given under subsection (1) may apply —

(a) to all vessels or to a class of vessels designated, or the designation of which is provided for, in the direction;

(b) to all or some of the waters and waterways of Sentosa or to the parts of the waters and waterways designated in the direction; and

(c) at all times or at times designated in the direction.

[34/96]

(3) The Corporation may revoke or amend any direction given under this section.

[34/96]

(4) Directions given by the Corporation under this section shall, as soon as practicable after they have been made, be published in the *Gazette*.

[34/96]

Special directions to vessels

18M. The Marina Superintendent may at any time give direction to a vessel anywhere in the waters or waterways of Sentosa —

(a) requiring the vessel to comply with the requirement made in or under a general direction;

(b) regulating or requiring the movement, mooring or unmooring of a vessel; and

(c) regulating the manner in which a vessel takes in or discharges fuel, water or ship's stores.

[34/96]

Master's responsibility to be unaffected

18N. The giving of a general or special direction shall not diminish or in any other way affect the responsibility of the master of a vessel to which the direction is given in relation to his vessel, persons on board or any other person or property.

[34/96]

Failure to comply with directions

18O. —(1) The master of a vessel who fails to comply with a general or special direction shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

[34/96]

(2) It shall be a defence to a person charged with an offence under subsection (1) to prove that he had reasonable ground for supposing that compliance with the direction in question would be likely to imperil his vessel or that in the circumstances compliance was impracticable.

[34/96]

Enforcement of directions

18P. —(1) Without prejudice to any other remedy available to the Corporation, if a direction is not complied with within a reasonable time, the Marina Superintendent may, where applicable, put persons aboard the vessel to carry out the direction or may otherwise cause the vessel to be handled in accordance with the direction.

[34/96]

(2) If there is no one on board a vessel to attend to a direction, the Marina Superintendent may proceed as if the direction had been given and not complied with.

[34/96]

(3) Expenses incurred by the Corporation in the exercise of the powers conferred by subsection (1) shall be recoverable by the Corporation as if they were a charge of the Corporation in respect of the vessel.

[34/96]

PART VII

GENERAL

Appointment of committees and delegation of powers

19. —(1) The Corporation may from time to time appoint from among its own members or other persons who are not members of the Corporation such number of committees as it thinks fit for purposes which, in the opinion of the Corporation, would be better regulated and managed by means of such committees.

(2) The Corporation may, subject to such conditions or restrictions as it thinks fit, delegate to any such committee any of the powers, functions and duties of the Corporation, except the power to borrow money, and any power, function or duty so delegated may be exercised or performed by such committee in the name and on behalf of the Corporation.

(3) The Corporation may, subject to such conditions or restrictions as it thinks fit, delegate to any member, officer or employee thereof any of the powers, functions and duties of the Corporation, except the power to borrow money, and any power, function or duty so delegated may be exercised or performed by such member, officer or employee in the name and on behalf of the Corporation.

(4) The Corporation 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.

Advisory and technical committees

20. —(1) The Corporation may, from time to time, appoint such advisory, professional or technical committees as it thinks fit to advise the Corporation on such matters within the scope of its functions as are referred to them by the Corporation.

[34/96]

(2) Any person may be appointed to be a member of any such committee notwithstanding that he is not a member, officer or employee of the Corporation.

Contracts of Corporation

21. —(1) Any contract, which if made between private persons would be required to be in writing under seal, shall if made by the Corporation be in writing under the seal of the Corporation.

(2) Any contract, which if made between private persons would be required to be in writing signed by the parties to be charged therewith, shall if made by the Corporation be either in writing under the seal of the Corporation or in writing signed by the Chief Executive on behalf of and by direction of the Corporation or signed by any other person on behalf of and pursuant to the authority of the Corporation.

[34/96]

(3) Any contract, which if made between private persons would be valid although made orally, may be similarly made on behalf of the Corporation by the Chief Executive acting by direction of the Corporation or by any other person pursuant to the authority of the Corporation but no oral contract may be made involving payment by the Corporation of a sum exceeding \$500.

[34/96]

Composition of offences

*22.—(1) The Corporation may, in its discretion, compound any offence under this Act or any regulations made thereunder by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$500.

[34/96]

(2) On payment of such sum of money, no further proceedings shall be taken against that person in respect of the offence.

[23
[34/96]

Saving of prosecution under other written law

23. Nothing in this Act shall prevent any person from being prosecuted under any other written law for any act, omission, neglect or default which constitutes an offence under this Act or any regulations made thereunder, or from being liable under that other written law to any punishment or penalty, higher or other than that provided by this Act or any regulations made thereunder except that no person shall be punished twice for the same offence.

[23A
[34/96]

Regulations

24.—(1) The Minister may, after consultation with the Corporation, make such regulations as he may consider necessary or expedient for giving full effect to the provisions of this Act and for the due administration thereof including, in particular, regulations for or with respect to —

- (a) the control, administration and management of lands and other properties vested in, leased to, acquired by, managed or controlled by the Corporation;
- (b) the use and enjoyment of those lands and other properties;
- (c) the prevention of trespassing on any of those lands and other properties and the removal of trespassers or other persons causing annoyance or inconvenience upon or in those lands and other properties;
- (d) the preservation and protection of and prevention of damage to animals, birds, fish or other fauna whatsoever and trees and plants of any kind on or in any of those lands;
- (e) the prescribing and imposition of charges or entrance fees for persons using or entering upon those lands or other properties or any specified parts thereof, the prescribing of any deposit or security as the Corporation considers fit for the payment of such charges or fees and the collection and receipt of such charges and fees by the Corporation or by other persons;
- (f) the prohibition, prevention, removal and disposal of any obstruction or impediment thereof in those lands and other property;
- (g) the regulation of traffic, movement and parking of vehicles in Sentosa;
- (h) the enforcement and regulation of the use of lights, signals and fires by vessels navigating in the waters and waterways of Sentosa;
- (i) the supervision, regulation and control of traffic, navigation and mooring of vessels and any other activities carried on within the waters and waterways of Sentosa;
- (j) the regulation, maintenance, use and enjoyment of all marine facilities;
- (k) the prohibition, prevention, removal or rectification of any pollution of the waters and waterways of Sentosa; and
- (l) the collection, receipt, custody, issue, expenditure, due accounting for, care and management of the contributions received under Part V.

[34/96]

(2) Such regulations may impose a penalty not exceeding \$2,000 for any breach thereof.

[34/96]

(3) All fines recovered under this Act and any regulations made thereunder and moneys received for the composition of offences shall be paid into and form part of the general funds of the Corporation.

[34/96]

Transfer to Corporation of property, assets and liabilities

25.—(1) As from 1st September 1972, all movable and immovable property in Sentosa and

every right and interest therein that immediately before that date was vested in or held on behalf of the Government shall be transferred to and shall vest in the Corporation without further assurance, subject to such terms and conditions as the Minister may determine.

(2) All contracts, agreements and undertakings made by the Government or a statutory body for the purpose of the development of Sentosa and existing immediately before 1st September 1972 shall, unless the Minister otherwise by order provides, have effect as contracts, agreements and undertakings by and with the Corporation and may be enforced by and against the Corporation accordingly.

(3) Any proceeding or cause of action pending immediately before 1st September 1972 by or against the Government or a statutory body in respect of any property, contract, agreement or undertaking transferred to the Corporation under this section may be continued and enforced by or against the Corporation as it might have been by or against the Government or the statutory body had this Act not been enacted.