

Statutes (Miscellaneous Amendments) Act 1997
(No. 7 of 1997)

Table of Contents

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of Interpretation Act

3 Amendment of Pensions Act

4 Amendment of Probate and Administration Act

5 Miscellaneous amendments concerned with marginal notes

6 Miscellaneous amendments concerned with laws of England

7 Miscellaneous amendments concerned with the President

8 Other miscellaneous amendments

9 Savings and transitionals

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

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The following Act was passed by Parliament on 25th August 1997 and assented to by the President on 2nd September 1997:—

STATUTES (MISCELLANEOUS AMENDMENTS) ACT 1997

(No. 7 of 1997)

I assent.

ONG TENG CHEONG
President
2nd September 1997.

Date of Commencement: 1st October 1997

Date of Commencement: 1st September 1998

An Act to amend certain statutes of the Republic of Singapore.

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

Short title and commencement

1.—(1) This Act may be cited as the Statutes (Miscellaneous Amendments) Act 1997 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

Amendment of Interpretation Act

2.—(1) The Interpretation Act (Cap. 1) is amended —

- (a) by inserting, immediately after the word “for” in the second line of section 20(b), the words “the determination of the manner and method of payment and”; and
- (b) by inserting, immediately after the word “responsible” in the last line of section 35, the words “or of any public officer duly authorised in writing by the Minister”.

Amendment of Pensions Act

3.—(1) Section 2 of the Pensions Act (Cap. 225) is amended by inserting, immediately after the definition of “other public service”, the following definition:

““Pension Authority”, in relation to any officer or retired officer, means a Pension Authority appointed under section 2A for that officer or the class to which that officer belongs;”.

(2) The Pensions Act is amended by inserting, immediately after section 2, the following sections:

“Pension Authorities

2A.—(1) The President may, for the purposes of this Act, appoint by order in the *Gazette* one or more Pension Authorities comprising any public officer or group of public officers.

(2) The order under subsection (1) shall specify the class or classes of public officers in respect of which a Pension Authority may exercise its powers or perform its functions under this Act.

(3) A Pension Authority may depute any public officer to exercise or perform on its behalf any power or function conferred on the Pension Authority by this Act subject to such conditions as may be specified by the Pension Authority.

(4) A Pension Authority may exercise any powers or perform any functions conferred on it by this Act notwithstanding the delegation by it of those powers or functions under subsection (3).

Delegation of powers to Pension Authorities

2B.—(1) Subject to subsection (2), the President may depute any Pension Authority to exercise or perform on his behalf any power or function conferred on the President by this Act subject to such conditions as may be specified by the President.

(2) Nothing in subsection (1) shall authorise the President to depute any

Pension Authority to exercise on his behalf any of the following powers:

- (a) to make regulations under this Act;
- (b) to declare any office or class of office to be pensionable or non-pensionable, as the case may be, under section 2;
- (c) to determine any service to be public service for the purpose of any provision of this Act;
- (d) to vary the commutation factor or discount rate under section 16;
- (e) to designate schemes of service under section 18(3)(a).

(3) Where by virtue of subsection (1) any power or function of the President under this Act may be exercised or performed on his behalf by a Pension Authority, then, unless the President otherwise directs, the Pension Authority may arrange for the exercise or performance of that power or function by any other public officer.

(4) Any arrangements made by a Pension Authority under subsection (3) for the exercise or performance of any power or function by a public officer shall not prevent the Pension Authority by whom the arrangements were made from exercising or performing that power or function.

(5) The President may also exercise any power or perform any function conferred on him by this Act notwithstanding the delegation by him of that power or function under subsection (1).”.

(3) Section 5 of the Pensions Act is amended by deleting subsection (2) and substituting the following subsection:

“(2) Subject to Article 113 of the Constitution, where it is established to the satisfaction of a Pension Authority that an officer over which it has jurisdiction has been guilty of negligence, irregularity or misconduct, it shall be lawful for the Pension Authority to withhold the pension, gratuity or other allowance for which such officer would have become eligible but for this section.”.

(4) Section 7(2) of the Pensions Act is amended by deleting the words “acting on the advice of the Cabinet,” in paragraph (i).

(5) The Pensions Act is amended by deleting the word “President” wherever it appears in the following provisions and substituting in each case the words “relevant Pension Authority”:

Sections 8 (1) (seventh line), 10 (3) (fourth line), 13 (3) (fifth and sixteenth lines), 14 (1)

(sixth line), 14 (2) (second line), 16 (1) (third line), 16 (2) (third line), 16 (2A) (eighth line) and 17 (1) (seventh line).

Amendment of Probate and Administration Act

4. Section 37 of the Probate and Administration Act (Cap. 251) is repealed and the following sections substituted therefor:

“Vesting of estate in certain circumstances between death and grant of administration

37.—(1) Where a person dies intestate, his real and personal estate shall vest in the Public Trustee.

(2) Where a testator dies and —

- (a) at the time of his death there is no executor with power to obtain probate of the will; or
- (b) at any time before probate of the will is granted there ceases to be any executor with power to obtain probate,

the real and personal estate of which the testator disposes by the will shall vest in the Public Trustee with effect from the time specified in paragraph (a) or (b) in relation to each case.

(3) The vesting by virtue of this section of any estate in the Public Trustee shall not, without more, confer or impose on him any power, duty, right, equity, obligation or liability in respect of the estate.

(4) Any estate or part of an estate vested in the Public Trustee under subsection (1) or (2) shall cease to be so vested on the grant of administration in respect of the estate or part in question.

Transitional and savings

37A.—(1) Any estate or part of an estate of a deceased person vested in the Chief Justice under section 37 immediately before the commencement of section 4 of the Statutes (Miscellaneous Amendments) Act 1997 (referred to in this section as the appointed day) shall on the appointed day vest in the Public Trustee.

(2) Subject to subsection (3), the amendment made to this Act by the Statutes (Miscellaneous Amendments) Act 1997 applies in respect of a person’s estate whether the person died before or after the appointed day.

(3) Where, but for this subsection, the vesting under section 37 (as amended by the Statutes (Miscellaneous Amendments) Act 1997) of any estate of a testator