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## BILLS SUPPLEMENT

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**Notification No. B 49** — The Charities (Amendment) Bill is published for general information. It was introduced in Parliament on 6 November 2017.



# Charities (Amendment) Bill

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**Bill No. 49/2017.**

*Read the first time on 6 November 2017.*

A BILL

*i n t i t u l e d*

An Act to amend the Charities Act (Chapter 37 of the 2007 Revised Edition).

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

## Short title and commencement

1. This Act is the Charities (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

## 5 Amendment of section 2

2. Section 2 of the Charities Act is amended —

(a) by deleting the definition of “key officer” in subsection (1) and substituting the following definition:

“ “key officer”, in relation to —

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(a) a charity;

(b) a person that is a governing board member of a charity; or

(c) a person that is a member of a charity,

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means an individual who, whether or not an employee of the charity or person (as the case may be) and by whatever name called, and whether acting alone or together with any other person —

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(i) has general control and management of all or any aspect (including the financial aspect) of the administration of the charity or person; or

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(ii) provides advice to the charity or person on the control and management mentioned in paragraph (i), other than as a professional engaged or retained pursuant to a contract for service to provide such advice in that professional capacity;”;

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(b) by inserting, immediately after the definition of “document”, the following definition:

“ “electronic record” has the same meaning as in the Electronic Transactions Act (Cap. 88);”;

(c) by inserting, immediately after the definition of “public accountant”, the following definition: 5

“ “public authority” means —

(a) an Organ of State or a public officer of the Organ of State;

(b) a ministry or department of the Government or a public officer of the ministry or department; or 10

(c) a public authority established by or under any public Act for a public purpose or an officer or an employee of the public authority;”; and 15

(d) by inserting, immediately after subsection (3), the following subsection:

“(4) In this Act, a person’s conviction is treated as spent — 20

(a) if the criminal record under the Registration of Criminals Act (Cap. 268) of the person’s conviction becomes spent under Part IIA of that Act;

(b) if the person has received a free pardon for the offence; or 25

(c) in the case of a conviction by a court of a country or territory outside Singapore, if circumstances in that country or territory similar to paragraph (a) or (b) occur.”. 30