

International Enterprise Singapore Board (Amendment) Bill

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Bill No: 5/2003

Read the first time: 10th March 2003

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Explanatory Statement

Expenditure of Public Money

International Enterprise Singapore Board (Amendment) Bill

Bill No. 5/2003

Read the first time on 10th March 2003.

An Act to amend the International Enterprise Singapore Board Act (Chapter 143B of the 2002 Revised Edition) and to make consequential and related amendments to certain other written laws.

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 may be cited as the International Enterprise Singapore Board (Amendment) Act 2003 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

New Part VA

2. The International Enterprise Singapore Board Act is amended by inserting, immediately after Part V, the following Part:

“PART VA

TRANSFER OF BOARD’S UNDERTAKING TO GOVERNMENT

Interpretation of this Part

19A. In this Part —

“appointed day” means the date of commencement of the International Enterprise Singapore Board (Amendment) Act 2003;

“Minister” means the Minister charged with the responsibility for the Board.

Transfer to Government of Board’s undertaking

19B.—(1) As from the appointed day, such movable, immovable, tangible and intangible property vested in the Board as may be determined by the Minister and used or managed by the Trade Facilitation Division and the Statistics Audit Unit of the Board, and all assets, interests, rights, privileges, liabilities and obligations of the Board relating to those departments shall be transferred to and shall vest in the Government without further assurance, act or deed.

(2) If any question arises as to whether any particular property, asset, interest, right, privilege, liability or obligation has been transferred to or vested in the Government under subsection (1), a certificate under the hand of the Minister for Finance shall be conclusive evidence that the property, asset, interest, right,

privilege, liability or obligation was or was not so transferred or vested.

Transfer of employees

19C.—(1) As from the appointed day, such persons or categories of persons as the Minister may determine who, immediately before that day, were employed by the Board and posted to its Trade Facilitation Division or Statistics Audit Unit shall be transferred to the service of the Government on terms no less favourable than those enjoyed by them immediately prior to their transfer.

(2) If any question arises as to whether any person or any category of persons has been transferred to the service of the Government under subsection (1), a certificate under the hand of the Minister shall be conclusive evidence that the person or category of persons was or was not so transferred.

Recognition of previous length of service, etc.

19D.—(1) The terms and conditions of service drawn up by the Government for the persons transferred to the service of the Government under section 19C shall take into account the terms and conditions of service (including salaries and accrued rights to leave) enjoyed by those persons while in the employment of the Board.

(2) Any such term or condition relating to the length of service with the Government shall recognise the length of service of the persons so transferred while in the employment of the Board to be service with the Government.

No redundancy benefits

19E. Notwithstanding any other written law or any contract, no person who is transferred from the Board to the service of the Government under section 19C shall be entitled to claim any benefit under that written law or contract for termination of his service on the ground of redundancy or abolition of his office in consequence of the transfer of the Trade Facilitation Division and the Statistics Audit Unit of the Board to the Government.

Existing contracts

19F. All deeds, contracts, schemes, bonds, securities, agreements, instruments and arrangements subsisting immediately before the appointed day to which the Board is a party and relating to —

- (a) any property transferred to the Government under section 19B;

- (b) any person transferred to the service of the Government under section 19C; or
- (c) any matter regulated under the Regulation of Imports and Exports Act (Cap. 272A) or the Strategic Goods (Control) Act 2002 (Act 40 of 2002) by the Board,

shall continue in force on and after that day and shall be enforceable by or against the Government as if the Government had been named therein or had been a party thereto instead of the Board.

Continuation, completion of disciplinary proceedings, etc.

19G.—(1) Where, on the appointed day, any disciplinary proceedings were pending against any employee of the Board transferred to the service of the Government under section 19C, the proceedings shall be carried on and completed by the Public Service Commission.

(2) The Public Service Commission 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 Board, been guilty of any misconduct or neglect of duty which would have rendered him liable to be reprimanded, reduced in rank, retired, dismissed or punished in some other manner if he had continued to be in the employment of the Board, and if section 19C had not been enacted.”.

Consequential and related amendments to other written laws

3. The provisions of the Acts specified in the first column of the Schedule are amended in the manner set out in the second column thereof.

Transitional and savings provisions

4.—(1) Any decision, document, licence, permit, consent, approval or authorisation prepared, made, issued or granted by the Board under any provision of the Regulation of Imports and Exports Act (Cap. 272A) or the Strategic Goods (Control) Act 2002 (Act 40 of 2002) before the date of commencement of this Act shall, as from that date, be deemed to have been prepared, made, issued or granted under the same provision of the relevant Act by the Director-General of Customs appointed under section 4(1) of the Customs Act (Cap. 70).

(2) The Minister for Finance may, by regulations, prescribe such other transitional, savings and consequential provisions as he may consider necessary or expedient.

THE SCHEDULE

Section 3

CONSEQUENTIAL AND RELATED AMENDMENTS TO OTHER WRITTEN LAWS

<i>First column</i>	<i>Second column</i>
(1) Regulation of Imports and Exports Act (Chapter 272A, 1996 Ed.)	
(a) Section 2(1)	(i) Delete paragraphs (a), (b) and (c) of the definition of “authorised officer” and substitute the following paragraphs: “(a) any officer of customs; (b) any senior authorised officer; (c) any officer of the Board appointed in writing by the Director-General;”.
	(ii) Insert, immediately after the definition of “database report”, the following definition: “ “Director-General” means the Director-General of Customs appointed under section 4(1) of the Customs Act (Cap. 70);”.
	(iii) Delete paragraphs (a) and (b) of the definition of “senior authorised officer” and substitute the following paragraphs: “(a) any senior officer of customs; (b) any officer of the Board appointed in writing by the Director-General;”.
(b) New section 2A	Insert, immediately above section 3, the following section: