

**Loans (International Banks) Act
(CHAPTER 164)**

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LOANS (INTERNATIONAL BANKS) ACT

(CHAPTER 164)

(Original Enactment: M. Ordinance 41 of 1958)

REVISED EDITION 1985

(30th March 1987)

An Act to provide for the raising of loans from the International Bank for Reconstruction and Development and the Asian Development Bank by the Government of Singapore and by statutory authorities and for matters connected therewith.

[1/71]

[8th October 1964]

Short title

1. This Act may be cited as the Loans (International Banks) Act.

[1/71]

Interpretation

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

“Bank” means the International Bank for Reconstruction and Development or the Asian Development Bank;

[1/71]

“statutory authority” means a local authority and any body incorporated directly by any written law and exercising powers vested in such body by law for a public purpose.

Power of Government to borrow from International Bank

3.—(1) Subject to the provisions of the Constitution and this Act, the Government may in such manner and on such terms and subject to such conditions as may be agreed between the Government and the Bank borrow from the Bank from time to time such sums as may be required by the Government.

(2) Any sums borrowed by the Government under the power conferred by subsection (1) for the requirements of the Government shall be paid into the Development Fund and shall, notwithstanding section 3 of the Development Fund Act [Cap. 80], be applied and are hereby appropriated to the purposes for which they were borrowed as specified in any agreement concluded with the Bank in respect of the sums so borrowed:

Provided that where any part of such a sum cannot be applied to those purposes that part may be applied to such other purposes as may be approved by the Minister and the Bank.

(3) Any agreement between the Government and the Bank in respect of sums borrowed under the powers conferred by subsection (1) shall be made in the name of the Republic of Singapore and may be signed on behalf of the Government by the Minister or by any person authorised thereto in writing by the Minister.

(4) As soon as possible after the conclusion of it a copy of any agreement concluded with the Bank in respect of any sum borrowed under the powers conferred by subsection (1) shall be presented by the Minister to Parliament.

(5) Nothing in this section shall affect or derogate from any other power to borrow money possessed by the Government.

Power to issue instruments including bonds

4.—(1) Notwithstanding anything in any written law, the Government may issue such bonds, promissory notes or other instruments on such terms and conditions as may be necessary for the purpose of giving effect to the terms of any agreement which may be entered into by it with the Bank in respect of any borrowing authorised by section 3(1).

(2) Any such bond, promissory note or other instrument may be signed on behalf of the Government by the Minister or by any other person authorised thereto in writing by the Minister.

Borrowing by statutory authority from Bank

5.—(1) Subject to the provisions of the Constitution and this Act, a statutory authority may in such manner and on such terms and subject to such conditions as may be agreed between the statutory authority and the Bank and with the approval in writing first obtained of the Minister borrow from the Bank from time to time such sums as may be required by the statutory authority.

(2) Notwithstanding anything in the written law by which a statutory authority is established any agreement between the statutory authority and the Bank shall be valid and binding on the authority if signed on behalf of the authority by a person authorised thereto in writing under the seal of the statutory authority.

(3) The power to borrow conferred by this section on a statutory authority shall be in addition to any power to borrow conferred on such authority by any other written law.

(4) Notwithstanding anything in the written law by which a statutory authority is established, the statutory authority may charge or mortgage all or any of its property