

COVID-19 (Temporary Measures) (Alternative Arrangements for Meetings for Charities, Co-operative Societies and Mutual Benefit Organisations) Order 2020

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No. S 327

COVID-19 (TEMPORARY MEASURES) ACT 2020
(ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES)
(ALTERNATIVE ARRANGEMENTS FOR MEETINGS FOR
CHARITIES, CO-OPERATIVE SOCIETIES AND
MUTUAL BENEFIT ORGANISATIONS)
ORDER 2020

In exercise of the powers conferred by section 27 of the COVID-19 (Temporary Measures) Act 2020, the Minister for Law makes the following Order:

Citation and commencement

1. This Order is the COVID-19 (Temporary Measures) (Alternative Arrangements for Meetings for Charities, Co-operative Societies and Mutual Benefit Organisations) Order 2020 and is deemed to have come into operation on 27 March 2020.

Definitions

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

“charity”, “exempt charity” and “governing board members” have the meanings given by section 2(1) of the Charities Act (Cap. 37);

“co-operative society” has the meaning given to “society” by section 2(1) of the Co-operative Societies Act (Cap. 62);

“delegate” has the meaning given by section 2(1) of the Co-operative Societies Act;

“electronic means” means electronic communication, video conferencing, tele-conferencing or other electronic means;

“meeting” means —

(a) a general meeting of, or a meeting of a governing board of, any of the following charities:

(i) a registered charity that —

(A) is a trust;

(B) is an unincorporated association that is not a registered society; or

(C) is established, formed or incorporated by an Act of Parliament;

(ii) an exempt charity, other than the following:

(A) any public body;

(B) any exempt charity set out in the Schedule to the Charities (Exempt Charities) Order (Cap. 37, O 2);

(b) a general meeting of members of a co-operative society;

(c) a meeting of delegates of a co-operative society; or

(d) a general meeting of a registered organisation;

“member” —

(a) in the case of a meeting of a charity, means a member of the charity;

(b) in the case of a general meeting of members of a co-operative society, means a member of the co-operative society and includes an individual person or institution mentioned in the definition of “member” in section 2(1) of the Co-operative Societies Act; and

(c) in the case of a general meeting of a registered organisation, means a member of the registered organisation;

“mutual benefit organisation” and “registered organisation” have the meanings given by section 2 of the Mutual Benefit Organisations Act (Cap. 191);

“public body” has the meaning given by section 2(1) of the Public Sector (Governance) Act 2018 (Act 5 of 2018);

“registered charity” means a charity registered under section 5 of the Charities Act;

“registered society” has the meaning given by section 2 of the Societies Act (Cap. 311).

3. *[Deleted by S 827/2020 wef 29/09/2020]*

Application

4. This Order sets out the alternative arrangements to personal attendance in respect of the following classes of meetings:

(a) general meetings of, and meetings of governing boards of, any of the following charities:

- (i) a registered charity that —
 - (A) is a trust;
 - (B) is an unincorporated association that is not a registered society; or
 - (C) is established, formed or incorporated by an Act of Parliament;
 - (ii) an exempt charity, other than the following:
 - (A) any public body;
 - (B) any exempt charity set out in the Schedule to the Charities (Exempt Charities) Order;
- (b) general meetings of members of co-operative societies;
 - (c) meetings of delegates of co-operative societies;
 - (d) general meetings of registered organisations.

Alternative arrangements for meetings of charities

5.—(1) The alternative arrangements for the convening, holding, conducting or deferral of a general meeting of, or a meeting of a governing board of, a charity to which this Order applies set out in the second column of the First Schedule apply in respect of the provisions of any written law or legal instrument relating to such a meeting set out in the first column of that Schedule.

(2) *[Deleted by S 241/2021 wef 06/04/2021]*

Alternative arrangements for meetings of co-operative societies

6.—(1) The alternative arrangements for the convening, holding, conducting or deferral of a general meeting of members of a co-operative society, or a meeting of delegates of a co-operative society, set out in the second column of the Second Schedule apply in respect of the provisions of the written law or legal instrument relating to such a meeting set out in the first column of that Schedule.

(2) *[Deleted by S 241/2021 wef 06/04/2021]*

Alternative arrangements for meetings of mutual benefit organisations

7.—(1) The alternative arrangements for the convening, holding, conducting or deferral of a general meeting of a registered organisation set out in the second column of

the Third Schedule apply in respect of the provisions of the written law or legal instrument relating to such a meeting set out in the first column of that Schedule.

(2) [*Deleted by S 241/2021 wef 06/04/2021*]

FIRST SCHEDULE

Paragraph 5(1)

ALTERNATIVE ARRANGEMENTS FOR MEETINGS OF CHARITIES

<i>First column</i>	<i>Second column</i>
<i>Provision of any written law or legal instrument</i>	<i>Alternative arrangement</i>
1. Provision for convening, holding, conducting or deferral of a general meeting of, or a meeting of a governing board of, a charity	<p>A general meeting of, or a meeting of a governing board of, a charity may be convened, held or conducted, whether wholly or partly, by electronic means.</p> <p>A general meeting of, or a meeting of a governing board of, a charity may be deferred to a date no later than 31 December 2020.</p>
2. Provision for attendance at a general meeting of, or a meeting of a governing board of, a charity	<p>A charity may provide that a member or person may only attend a general meeting of the charity by observing and listening to the proceedings of the meeting by electronic means, if access to both an audio broadcast and audio-visual broadcast is provided to the member or person.</p> <p>A governing board member may attend a meeting of a governing board of a charity by electronic means.</p>
3. Provision for right or entitlement to be heard or to require representations to be read out at a general meeting of a charity	<p>A member or person may be heard at a meeting by electronic means in the manner provided in item 4.</p> <p>A representation may be read out at a meeting by electronic means.</p>
4. Provision for right or entitlement to speak on a resolution at a general meeting of a charity	<p>A member or person may be required to send, before the meeting, to the chairman of the meeting, by post or electronic mail, the matters which the member or person wishes to raise at the meeting, and each such matter, if substantial and relevant and sent within a reasonable time before the meeting, is to be responded to at or before the meeting by electronic means.</p>