

Statutes (Miscellaneous Amendments) (No. 2) Bill

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Bill No: 49/2007

Read the first time: 12th November 2007

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Explanatory Statement

Expenditure of Public Money

Statutes (Miscellaneous Amendments) (No. 2) Bill

Bill No. 49/2007

Read the first time on 12th November 2007.

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. This Act may be cited as the Statutes (Miscellaneous Amendments) (No. 2) Act 2007 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of Interpretation Act

2. The Interpretation Act (Cap. 1, 2002 Ed.) is amended —

(a) by deleting paragraph (b) of section 20 and substituting the following paragraph:

“(b) authority to provide for fees and charges shall

include authority to provide for —

- (i) the determination of the manner and method of payment and the reduction, waiver or refund thereof, either generally or in any particular event or case or class of cases or in the discretion of any person; and
- (ii) the imposition of —
 - (A) charges and penalties for the late payment thereof; and
 - (B) interest on any outstanding amount of any fee, charge or penalty referred to in this paragraph or for any payment thereof by instalment; and”;

(b) by repealing section 46 and substituting the following section:

“Fees or charges may be prescribed and may be reduced, varied, remitted or refunded

46.—(1) Where any act is required to be done or a service performed by a public body, statutory authority or public officer under or in connection with any written law, and no special provision is made thereby or thereunder for making a charge in respect of the act or service, the Minister may, by order published in the *Gazette*, provide for the imposition of —

- (a) such fees or charges as he may consider proper;
- (b) the charges and penalties for the late payment of any fee or charge referred to in paragraph (a); and
- (c) the interest payable on any outstanding amount of any fee, charge or penalty referred to in paragraph (a) or (b) or for any payment thereof by instalment.

(2) Any fee or charge, any charge or penalty for the late payment of any fee or charge, and any interest payable on any outstanding amount of any fee, charge or penalty or for any payment thereof by instalment, under any written law made payable to the Government or to any public body, statutory authority or public officer (not being

any fee, charge, penalty or interest which is regulated by Rules of Court) may by order of the Minister be reduced, remitted or refunded, in whole or in part in the circumstances of any particular case.”.

Amendment of Broadcasting Act

3. Section 8 of the Broadcasting Act (Cap. 28, 2003 Ed.) is amended by inserting, immediately after subsection (4), the following subsections:

“(5) The Authority may require any licensee to pay a charge of such amount as the Authority may determine for the late payment of any royalty, fee or charge payable by that licensee to the Authority.

(6) Every amount collected before the date of commencement of the Statutes (Miscellaneous Amendments) (No. 2) Act 2007 as, or purportedly as, a charge for the late payment of any royalty, fee or charge shall be deemed to be and always to have been validly collected, and no legal proceedings shall lie or be instituted or maintained in any court of law on account of or in respect of any such collection.”.

Amendment of Environmental Public Health Act

4. The Environmental Public Health Act (Cap. 95, 2002 Ed.) is amended —

(a) by inserting, immediately after section 111, the following section:

“Validation of collection of fee or charge for late payment of fee or charge

111A. Every amount collected before the date of commencement of the Statutes (Miscellaneous Amendments) (No. 2) Act 2007 as, or purportedly as, a fee or charge for the late payment of any fee or charge under this Act shall be deemed to be and always to have been validly collected, and no legal proceedings shall lie or be instituted or maintained in any court of law on account of or in respect of any such collection.”; and

(b) by deleting paragraph 14 of the Third Schedule and substituting the following paragraph:

“14. The prescribing of —

(a) fees for licences;

(b) fees and charges for any of the purposes of this Act;

- (c) fees and charges for the late payment of any fee or charge referred to in sub-paragraph (a) or (b); and
- (d) any other matter which by this Act is required to be or may be prescribed.”.

Amendment of Fees Act

5. The Fees Act (Cap. 106, 1985 Ed.) is amended —

(a) by repealing sections 2 and 3 and substituting the following sections:

“Minister for Finance may prescribe fees, etc.

2. The Minister for Finance may by order prescribe —

- (a) the fees and payments for licences, permits and otherwise;
- (b) the charges and penalties for the late payment of any fee or payment referred to in paragraph (a); and
- (c) the interest payable on any outstanding amount of any fee, payment, charge or penalty referred to in paragraph (a) or (b) or for any payment thereof by instalment,

that are leviable or to be leviable, in the subordinate courts of civil and criminal jurisdiction, and in all public offices and departments.

Publication

3. Every order under section 2 shall —

- (a) be published in the *Gazette*;
- (b) have effect from the date of the publication; and
- (c) be presented to Parliament as soon as possible after publication.”;

(b) by repealing section 5 and substituting the following section:

“Fees, etc., recoverable as fines before Magistrate’s Court

5.—(1) All fees, payments, charges, penalties and interest prescribed in any order under section 2 shall be recoverable when not otherwise provided for by summary procedure before a Magistrate’s Court in the manner provided for the recovery of fines