

Building and Construction Authority Bill

Table of Contents

Bill No: 51/1998

Read the first time: 23rd November 1998

Long Title

Enacting Formula

Part I PRELIMINARY

1 Short title and commencement

2 Interpretation

Part II ESTABLISHMENT, INCORPORATION AND CONSTITUTION OF AUTHORITY

3 Establishment and incorporation of Authority

4 Common seal

5 Membership of Authority

6 Term of office of members

7 Meetings and proceedings of Authority

8 Disclosure of interest of members

Part III FUNCTIONS AND POWERS OF AUTHORITY

9 Functions of Authority

10 Powers of Authority

11 Committees

12 Delegation of powers

Part IV PROVISIONS RELATING TO STAFF

13 Appointment of Chief Executive and other staff

14 Protection from personal liability

15 Public servants for purposes of Penal Code

Part V FINANCIAL PROVISIONS

16 Financial year

17 Estimates

18 Grants-in-aid

19 Loans

20 Bank accounts and application of moneys

21 Accounts and financial statements

22 Audit of accounts

23 Failure to furnish information to auditor

24 Presentation of financial statements and auditor's report to Parliament

Part VI TRANSFER OF PROPERTY, LIABILITIES AND EMPLOYEES

25 Transfer to Authority of property, assets and liabilities

26 Transfer of employees

27 Pension rights, etc., of Government employees to be preserved

28 No benefits in respect of abolition or reorganisation of office

29 Existing contracts

30 Continuation and completion of disciplinary proceedings

31 Misconduct or neglect of duty by employee before transfer

Part VII MISCELLANEOUS

32 Annual report

33 Authority's symbol

34 Penalty for obtaining grants, loans or financial assistance by false or misleading statements

35 Regulations

36 Repeal, transitional and saving provisions

37 Consequential amendments to other written laws

THE SCHEDULE Consequential amendments

Explanatory Statement

Expenditure of Public Money

Building and Construction Authority Bill

Bill No. 51/1998

Read the first time on 23rd November 1998.

An Act to establish the Building and Construction Authority, to provide for its functions and powers, and for matters connected therewith, to repeal the Construction Industry Development Board Act (Chapter 51 of the 1985 Revised Edition) and the Land Improvement Act (Chapter 153 of the 1985 Revised Edition) and to make consequential amendments to certain other written laws.

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

PART I

PRELIMINARY

Short title and commencement

1. This Act may be cited as the Building and Construction Authority Act 1998 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

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

“appointed day” means the date of commencement of this Act;

“Authority” means the Building and Construction Authority established under section 3;

“Board” means the Construction Industry Development Board established under section 3 of the repealed Construction Industry Development Board Act (Cap. 51);

“Chairman” means the Chairman of the Authority and includes any acting Chairman of the Authority;

“Chief Executive” means the Chief Executive of the Authority appointed under section 13 and includes any person acting in that capacity;

“construction industry” means the industry concerning the carrying out of construction works and services;

“construction works and services” includes all aspects of architectural,

engineering, development and construction works and services including such other related production, design and consultancy works and services which result in the construction, maintenance, retrofitting, repair or removal of all types of buildings and infrastructure;

“Deputy Chairman” means the Deputy Chairman of the Authority;

“member” means a member of the Authority.

PART II

ESTABLISHMENT, INCORPORATION AND CONSTITUTION OF AUTHORITY

Establishment and incorporation of Authority

3. There is hereby established a body to be known as the Building and Construction Authority which shall be a body corporate with perpetual succession and a common seal and shall, by that name, be capable of —

- (a) suing and being sued;
- (b) acquiring, owning, holding and developing or disposing of property, both movable and immovable; and
- (c) doing and suffering all such other acts or things as a body corporate may lawfully do and suffer.

Common seal

4.—(1) All deeds and other documents requiring the seal of the Authority shall be sealed with the common seal of the Authority and all instruments to which the common seal is affixed shall be signed by any 2 members generally or specially authorised by the Authority for the purpose or by one member and the Chief Executive.

(2) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Authority affixed to any document and shall presume that it was duly affixed.

Membership of Authority

5.—(1) The Authority shall consist of —

- (a) a Chairman;
- (b) a Deputy Chairman; and