

Charities Bill

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Bill No: 9/1982

Read the first time: 27th July 1982

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Charities Bill

Bill No. 9/1982

Read the first time on 27th July 1982.

An Act to make provision for the registration of charities, the administration of charities and their affairs and for purposes connected therewith.

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 Charities Act, 1982, 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 —

“charitable purposes” means purposes which are exclusively charitable according to the law of Singapore;

“charity” means any institution, corporate or not, which is established for charitable purposes and is subject to the control of the High Court in exercise of the Court’s jurisdiction with respect to charities;

“charity trustees” means the persons having the general control and management

of the administration of a charity;

“Commissioner” means the Commissioner of Charities appointed under this Act;

“exempt charity” means a charity specified in the Schedule to this Act;

“institution” includes any trust or undertaking;

“trusts”, in relation to a charity, means the provisions establishing it as a charity and regulating its purposes and administration, whether those provisions take effect by way of trust or not, and in relation to other institutions has a corresponding meaning.

PART II

COMMISSIONER OF CHARITIES

Appointment of Commissioner of Charities and other officers and servants

3.—(1) The Minister may appoint —

- (a) an officer to be known as the Commissioner of Charities who shall have such functions as are conferred on him by this Act; and
- (b) a Deputy Commissioner and such Assistant Commissioners of Charities or such other officers as he thinks necessary to assist the Commissioner in the proper discharge of his functions.

(2) The Deputy Commissioner of Charities shall have and may exercise all the powers, duties and functions of the Commissioner except those which are exercisable under sections 14, 15 and 17.

Functions of Commissioner

4.—(1) The Commissioner shall have the general function of promoting the effective use of charitable resources by encouraging the development of better methods of administration, by giving charity trustees information on any matter affecting the charity and by investigating and checking abuses.

(2) It shall be the general object of the Commissioner so to act in the case of any charity (unless it is a matter of altering its purposes) as best to promote and make effective the work of the charity in meeting the needs designated by its trusts; but the Commissioner shall not have power to act in the administration of a charity.

(3) The Commissioner shall, as soon as possible after the end of every year, make to the Minister a report on his operations during that year, and the Minister shall present a

copy of the report to Parliament.

PART III

REGISTRATION OF CHARITIES AND PROVISIONS FOR INQUIRING INTO CHARITIES

Registration of charities

5.—(1) The Commissioner shall establish and maintain a register of charities in which shall be entered such particulars as he may from time to time determine of any charity registered therein.

(2) There shall be entered in the register every charity not excepted by subsection (4); and a charity so excepted may be entered in the register at the request of the charity, but (whether or not it was excepted at the time of registration) may at any time, and shall at the request of the charity, be removed from the register.

(3) Any institution which no longer appears to the Commissioner to be a charity shall be removed from the register with effect, where the removal is due to any change in its purposes or trusts, from the date of that change; and there shall also be removed from the register any charity which ceases to exist or does not operate.

(4) The following charities are not required to be registered, that is to say: —

- (a) any charity specified in the Schedule to this Act; and
- (b) any charity which is excepted by regulations made under this Act.

(5) With any application for a charity to be registered there shall be furnished to the Commissioner copies of its trusts (or, if the trusts are not set out in any document, particulars of them) and such other documents or information as the Commissioner may require for the purpose of the application.

(6) It shall be the duty —

- (a) of the charity trustees of any charity which is not registered nor excepted from registration to apply for it to be registered, and to supply the documents and information required by subsection (5); and
- (b) of the charity trustees (or last charity trustees) of any institution which is for the time being registered to notify the Commissioner if it ceases to exist, or if there is any change in its trusts, or in its particulars entered in the register, and to furnish the Commissioner with particulars of any such change and copies of any new trusts or alterations of the trusts,