

Preservation of Monuments Bill

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Bill No: 38/1970

Read the first time: 2nd September 1970

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Preservation of Monuments Bill

Bill No. 38/1970

Read the first time on 2nd September 1970.

An Act to establish a Board to preserve for the benefit of the nation, monuments of historic, traditional, archaeological, architectural or artistic interest.

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 Preservation of Monuments Act, 1970, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

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

“Board” means the Preservation of Monuments Board constituted by section 3 of this Act;

“Chairman” means the Chairman of the Preservation of Monuments Board;

“Fund” means the Preservation of Monuments Fund established by section 14 of this Act;

“monument” includes —

- (a) any building, structure, erection or other work whether above or below the surface of the land, any memorial, place of interment or excavation and any part or remains of a monument; and
- (b) any land comprising or adjacent to a monument which in the opinion of the Board is reasonably required for the purpose of maintaining the monument or the amenities thereof or for providing or facilitating access thereto or for the exercise of proper control or management with respect thereto,

which is considered by the Board to be worthy of preservation by reason of its historic, traditional, archaeological, architectural or artistic interest.

(2) (a) The following persons shall be deemed to be the owners of monuments for the purpose of this Act, that is to say, any person entitled —

- (i) to an estate in fee simple in land;
- (ii) to an estate in land in perpetuity; or
- (iii) to a lease of land for a term of years of not less than twenty-one years.

(b) The expression “land” means land which is the site of a monument, whether the land is or is not subject to incumbrances.

Establishment and incorporation of the Preservation of Monuments Board

3.—(1) There shall be constituted in Singapore a body corporate to be known as the “Preservation of Monuments Board” for the preservation of monuments.

(2) The Board shall have a common seal and such seal may from time to time be broken, changed, altered and made anew as the Board deems fit.

(3) The Board may enter into contracts, may sue and be sued in its corporate name and may acquire, purchase, lease, take, hold and enjoy movable and immovable property of every description, and may sell, exchange, convey, assign, surrender and yield up, mortgage, demise, re-assign, transfer or otherwise dispose of or deal with any movable and immovable property vested in it upon such terms as to it shall deem fit.

(4) All deeds, documents or other instruments requiring the seal of the Board shall be sealed with the common seal of the Board in the presence of the Chairman or Deputy

Chairman and one other member of the Board who shall sign every such deed, document or other instrument to which the common seal is affixed and such signing shall be sufficient evidence that the seal was duly and properly affixed and that the same is the lawful seal of the Board.

(5) The Board shall be exempt from the payment of stamp duty under any written law in force requiring payment of such duty.

(6) The Board shall be deemed to be an institution of a public character within the meaning of paragraph (c) of subsection (2) of section 37 of the Income Tax Ordinance (Cap. 166).

(7) The income of the Board shall be exempt from tax.

(8) The provisions of the Estate Duty Ordinance (Cap. 162) shall not apply to any monument that is the subject of a preservation order made under section 8 of this Act.

(9) Any monument shall be wholly or partially exempt, at the discretion of the Comptroller of Property Tax, from payment of any property tax imposed under the provisions of the Property Tax Ordinance, 1960 (Ord. 72 of 1960).

(10) The Board shall, subject to any directions from the Minister, regulate its own procedure and make rules for this purpose.

Members of the Board

4.—(1) The Board shall consist of a Chairman and not less than ten and not more than seventeen other members to be appointed by the Minister.

(2) The Chairman and members of the Board shall hold office for such period as the Minister shall decide but shall not in any case hold office for a period exceeding two years.

(3) The Chairman and members of the Board shall be eligible for re-appointment.

(4) The members of the Board shall elect one of their members to be Deputy Chairman who may assume the functions of the Chairman in the event of the absence of the latter.

Objects of the Board

5. The objects of the Board shall be —

- (a) to preserve monuments of historic, traditional, archaeological, architectural or artistic interest;
- (b) to protect and augment the amenities of such monuments;

- (c) to stimulate public interest and support in the preservation of such monuments; and
- (d) to take appropriate measures to preserve all records, documents and data relating to such monuments.

Powers of the Board

6.—(1) The Board shall have power to do all lawful acts necessary in order to further its objects and, without prejudice to the generality of the foregoing, may —

- (a) make periodic inspections of monuments, advise on, supervise, control and effect alterations, repairs, renovations or construction of any kind thereto whether by the Board itself or by the owner or occupier thereof, to ensure the better preservation thereof;
- (b) receive donations, grants, gifts of movable or immovable property from any source and raise funds by all lawful means;
- (c) contribute by grant or loan towards the expenses incurred or to be incurred in the repair and maintenance of a monument to ensure its proper preservation;
- (d) acquire compulsorily or by agreement, whether by purchase, lease or otherwise any land, site or monument appearing to the Board to be of outstanding historic, traditional, archaeological, architectural or artistic interest;
- (e) dispose of any lands, sites and monuments acquired by the Board as and when it deems fit to do so;
- (f) appoint committees consisting of persons who may or may not be members of the Board and delegate to such committees such of its powers and functions as the Board may determine; and
- (g) regulate and control public access to monuments and charge fees for such access.

(2) The Board may appoint such officers and servants as may be necessary to assist it in carrying out its functions and all officers and servants of the Board so appointed shall be under the administrative control of the Board and shall be appointed on such terms and conditions as the Board may determine.

(3) All members, officers and servants of the Board shall be deemed to be public servants within the meaning of the Penal Code (Cap. 119).

(4) The Board may delegate to any of its members, officers or servants such of its