

**Preservation of Monuments Act
(CHAPTER 239)**

Table of Contents

Long Title

Part I PRELIMINARY

1 Short title

2 Interpretation

Part II FUNCTIONS AND POWERS OF BOARD UNDER THIS ACT

3 Board to administer Act

4 Functions of Board under this Act

5 Powers of Board under this Act

6 Directions by Minister

7 Appointment of National Monuments Advisory Committee

Part III APPOINTMENT OF DIRECTOR AND OTHER OFFICERS

8 Appointment of Director of National Monuments

9 Appointment of Monument Inspectors

10 Public servants

Part IV PROVISIONS FOR PRESERVATION OF MONUMENTS

11 Power of Minister to make preservation orders

12 Saving for dwelling-house

13 Duty to maintain national monument

14 Execution and costs of works required by preservation notice

15 Control over work

16 Power to require information about activities affecting national monument

17 Non-compliance with information notice

18 Enforcement notice

19 Appeal to Minister against enforcement notice

20 Non-compliance with enforcement notice

21 Injunctions

22 Defacing, damaging or interfering with national monuments

Part V TRANSFER OF PROPERTY, ASSETS AND LIABILITIES

23 Interpretation of this Part

24 Transfer of property, assets and liabilities to National Heritage Board

25 Existing contracts

26 No breach or default because of transfer

Part VI MISCELLANEOUS

27 Powers of entry and enforcement

28 Powers of arrest

29 Offences by bodies corporate, etc.

30 Jurisdiction of court

31 Composition of offences

32 General exemption

33 Authentication of documents

34 Service of documents

35 Regulations

36 Saving and transitional provisions

Legislative History

Comparative Table

PRESERVATION OF MONUMENTS ACT

(CHAPTER 239)

(Original Enactment: Act 16 of 2009)

REVISED EDITION 2011

(31st December 2011)

An Act to provide for the preservation and protection of national monuments by the National Heritage Board and for matters connected therewith.

[1st July 2009]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Preservation of Monuments Act.

Interpretation

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

“Board” means the National Heritage Board established under the National Heritage Board Act (Cap. 196A);

“Director” means the Director of National Monuments appointed under section 8;

“enforcement notice” means a notice issued by the Board under section 18;

“information notice” means a notice served by the Director or a Monument Inspector under section 16;

“monument” means the whole or any part of, or the remains of —

- (a) any building, structure, erection, statue, sculpture or other work, whether above or below the surface of the land, and any cave or excavation;
- (b) any site comprising the remains of any such building, structure, erection, statue, sculpture or other work or of any cave or excavation; or
- (c) any site comprising, or comprising the remains of, any vehicle, vessel, aircraft or other movable structure or part thereof which neither constitutes nor forms part of any work which is a monument within paragraph (a),

and includes any machinery attached to or forming part of a monument which cannot be detached from the monument without being dismantled;

“Monument Inspector” means any person appointed under section 9 to be a Monument Inspector for the purposes of this Act;

“national monument” means any monument that is subject to a preservation order and includes any land containing or adjacent to such monument that is specified in the preservation order under section 11(3);

“occupier”, in relation to any monument or land, means the person in occupation of, or having the charge, management or control of, such monument or land,

whether on his own account or as an agent of another person, but does not include a lodger;

“owner” —

- (a) in relation to any monument or land, means the person for the time being receiving the rent of the monument or land whether on his own account or as agent or trustee or as receiver, or who would receive the same if the monument or land were let to a tenant, and the person whose name is entered in the Valuation List prepared under section 10 of the Property Tax Act (Cap. 254) as the owner of the monument or land; and
- (b) in relation to the common property of any subdivided building, means the person receiving any rent or charge for the maintenance of that common property;

“preservation notice” means a notice issued by the Board under section 13;

“preservation order” means an order made by the Minister under section 11 placing a monument under the protection of the Board.

PART II

FUNCTIONS AND POWERS OF BOARD UNDER THIS ACT

Board to administer Act

3. The Board shall be responsible for the administration and enforcement of this Act.

Functions of Board under this Act

4. Without prejudice to section 6 of the National Heritage Board Act (Cap. 196A), the functions of the Board under this Act shall be —

- (a) to identify monuments that are of such historic, cultural, traditional, archaeological, architectural, artistic or symbolic significance and national importance as to be worthy of preservation under this Act, and to make recommendations to the Minister for the preservation under this Act of the monuments so identified;
- (b) to undertake, commission, sponsor or facilitate research on monuments which have been identified for preservation or which are being preserved under this Act;