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SOCIETIES ACT

(CHAPTER 311)

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An Act relating to societies.

[27th January 1967]

Arrangement of Provisions

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THE SCHEDULE
SPECIFIED SOCIETIES

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SOCIETIES ACT
(CHAPTER 311)

An Act relating to societies.

[27th January 1967]

Short title.

1.This Act may be cited as the Societies Act.

Interpretation.

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

"Assistant Registrar," means an Assistant Registrar of Societies appointed under section 3;

"officer" means the president, the secretary and members of the committee of a society and includes persons holding positions analogous to those of president, secretary of member of a committee;

"place of business" means the place where the records and books of account of a society are kept;

"political association" includes any society which the Minister may by order declare to be a political association;

"registered society" means a society registered or deemed to be registered under this Act;

"Registrar" means the Registrar of Societies appointed under section 3;

"society" includes any club, company, partnership or association of 10 or more persons, whatever its nature or object, but does not include —

(a) any company registered under any written law relating to companies for the time being in force in Singapore;

(b) any company or association constituted under any written law;

(ba) any limited liability partnership registered under the Limited Liability Partnerships Act 2005;

(c) any trade union registered or required to be registered under any written law relating to trade unions for the time being in force in Singapore;

(d) any co-operative society registered as such under any written law;

(e) any mutual benefit organisation registered as such under any written law relating to mutual benefit organisations for the time being in force in Singapore;

(f) any company, association or partnership, consisting of not more than 20 persons, formed for the sole purpose of carrying on any lawful business that has for its object the acquisition of gain by the company, association or partnership, or the individual members thereof;

(fa) any class, society or association of foreign insurers carrying on insurance business in Singapore under any foreign insurer scheme established under Part IIA of the Insurance Act (Cap. 142); or

(g) any school or management committee of a school constituted under any law regulating schools for the time being in force in Singapore.

Appointment of Registrar and Assistant Registrars.

3. The Minister may appoint by name or office a Registrar of Societies and such Assistant Registrars as may be necessary.

Registration of specified societies and refusal to register.

4.—(1) Subject to this section the Registrar shall upon application by any society specified in the Schedule (referred to in this Act as a specified society) and on payment of the prescribed fee register the society.

(2) The Registrar shall refuse to register a specified society if he is satisfied that —

(a) the rules of the specified society are insufficient to provide for its proper management and control;

(b) the specified society is likely to be used for unlawful purposes or for purposes prejudicial to public peace, welfare or good order in Singapore;

(c) the application for registration does not comply with the provisions of this Act or any regulations made thereunder;

(d) it would be contrary to the national interest for the specified society to be registered; or

(e) in the case of any specified society which is a political association, its rules do not provide for its membership to be confined to citizens of Singapore or it has such affiliation or connection with any organisation outside Singapore as is considered by the Registrar to be contrary to the national interest.

(3) The Registrar may refuse to register a specified society if —

(a) he is satisfied that the specified society is a branch of or is affiliated to or connected with any society which has been dissolved under section 24 or under any previous written law relating to societies or which has been previously refused registration;

(b) a dispute exists among the members of the specified society as to the persons who are to be officers or to hold or to administer any property of the specified society; or

(c) it appears to him that the name under which the specified society is to be registered —

(i) is likely to mislead members of the public as to the true character or purpose of the specified society or so nearly resembles the name of some other society as is likely to deceive the members of the public or members of either society;

(ii) is identical to that of any other existing society; or

(iii) is in the opinion of the Registrar undesirable.

(4) Any person aggrieved by the decision of the Registrar under this section may within 30 days from the date of the decision appeal to the Minister whose decision shall be final.

(5) The Registrar shall, by notification in the *Gazette*, publish such particulars as he thinks fit in respect of every specified society registered under this section.

Registration of societies not specified in Schedule

4A.—(1) A society may apply to be registered under this section if it is not a specified society.

- (2) An application for registration under this section shall be accompanied by —
- (a) the prescribed fee for the purposes of registration under this section;
 - (b) a copy of the proposed rules of the society;
 - (c) a declaration in such form as the Registrar may require as to the object, purpose or activity of the society; and
 - (d) such other documents and duly completed forms as the Registrar may require.
- (3) The Registrar shall, on the basis of an application under subsection (2) in respect of a society and without making any further inquiry —
- (a) register the society on the date he receives the application; and
 - (b) inform the applicant that he has received the application and registered the society.
- (4) The Registrar shall, by notification in the *Gazette*, publish such particulars as he thinks fit in respect of every society registered under this section.
- (5) Notwithstanding subsection (3) (a), where it appears to the Registrar that any society registered under that subsection ought not to have been so registered by reason that it is a specified society —
- (a) the Registrar shall recover from that society as a debt due to the Government any difference in the amount of the prescribed fee for the purposes of registration under this section and section 4; and
 - (b) that society shall, by virtue of this subsection, be deemed to be registered under section 4 on the date of its registration.
- (6) Nothing in subsection (5) shall be construed as preventing the Minister from exercising any of his powers under section 24 in respect of any society referred to in that subsection.

Annual registers to be published.

5. The Registrar shall as soon as may be after 1st April every year prepare and publish in the *Gazette* a list of all registered societies.

Cessation of existence of a society.

6.—(1) If the Registrar or an Assistant Registrar has reason to believe that any registered society has ceased to exist, he may publish in the *Gazette* a notification calling upon the society to furnish him with proof of its existence within 3 months from the date of the notification. A copy of the notification shall be sent by registered post to the place of business of the society.

(2) If at the expiration of the 3 months the Registrar is satisfied that the society has ceased to exist, a notification to that effect shall be published in the *Gazette*, and the society shall be deemed to have ceased to exist from the date of the publication.

Voluntary dissolution of a society.

7.—(1) Any registered society which proposes to dissolve itself voluntarily in accordance with its rules shall inform the Registrar in writing, and a certificate of dissolution, signed by the president, the secretary and the treasurer or officers of the society holding analogous positions, shall be sent to the Registrar within one week of the society's dissolution.

(2) On receiving the certificate of dissolution, the Registrar shall, if he is satisfied that the society has been dissolved in accordance with its rules, publish a notification in the *Gazette* declaring that the society has ceased to exist.

Inspection and certified copies of documents.

8.—(1) Subject to subsection (3), any person may on payment of the prescribed fees inspect any document in the possession of the Registrar or an Assistant Registrar received from any registered society

and be supplied with a copy of or extract from any such document.

(2) A copy of or extract from any such document certified to be a true copy or extract under the hand and seal of the Registrar or the Assistant Registrar shall be admissible in evidence in any proceedings.

(3) No person shall be allowed to inspect the accounts of a registered society or be supplied with a copy of or extract from those accounts unless the Registrar is satisfied that the person is a member of the society.

Branch of a society.

9.—(1) No registered society shall establish a branch without the prior approval of the Registrar.

(2) The Registrar may refuse to approve the establishment of a branch of the registered society if —

(a) the rules of the society do not provide for the establishment of a branch of the society; or

(b) the rules of the branch of the society are such as to make it an independent society not adequately under the control of the society.

(3) Where a registered society establishes a branch without the prior approval of the Registrar the branch so established shall be deemed to be an unlawful society.

(4) Any person who is aggrieved by the decision of the Registrar under this section may within 30 days from the date of the decision appeal to the Minister whose decision shall be final.

Information to be furnished by societies and persons responsible for supplying information.

10.—(1) The Registrar or an Assistant Registrar may at any time by notice under his hand order any registered society to furnish him with any such information as he may require concerning the society or any documents, accounts and books relating to the society.

(2) The obligations imposed upon a registered society by subsection (1) shall be binding upon every officer, and upon every person managing or assisting in the management, of that society in Singapore.

(3) If any registered society fails to comply with the whole or part of any order given under this section, each of the persons mentioned in subsection (2) who has been served with the aforesaid order shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 unless he establishes to the satisfaction of the court that he has exercised due diligence and has failed to comply with the order for reasons beyond his control.

(4) If any information supplied to the Registrar or an Assistant Registrar in compliance with an order given under this section is false, incorrect or incomplete in any material particular, the person who supplied the information shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 unless he establishes to the satisfaction of the court that he had good reason to believe that the information was true, correct and complete.

Change of name, place of business and rules of society.

11.—(1) No registered society shall —

(a) change its name or place of business; or

(b) amend its rules,

without the prior approval in writing of the Registrar or an Assistant Registrar.

(2) If a registered society fails to comply with the requirement of subsection (1), the society and every officer of the society shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000.

(3) For the purposes of this section —

"amend" includes making a new rule and rescinding an existing rule; and

"rules" includes the aims and objects for which a society is formed, or which it may pursue, or for which its funds may be applied; the qualifications for membership and for the holding of any office; the method of appointment or election to any office; the rules by which the society is to be governed; and the method and manner by and in which any of the above matters may be amended.

(4) Any person aggrieved by the refusal of the Registrar or an Assistant Registrar to approve the change of name or place of business of a registered society or to amend its rules may within 30 days from the date of the decision appeal to the Minister whose decision shall be final.

Registrar may order change of name or rules of society registered under section 4A

11A.—(1) If the Registrar is of the opinion that the name of any society registered under section 4A —

- (a) is likely to mislead members of the public as to the true character or purpose of the society or so nearly resembles the name of some other society as is likely to deceive members of the public or members of either society;
- (b) is undesirable or offensive;
- (c) is identical to that of any existing society; or
- (d) is likely to give the impression that the society is connected in some way with the Government or any public authority, or with any other body of persons or any individual, when it is not so connected,

the Registrar may, at any time, by notice under his hand, order the society to change its name, within such time as is specified in the notice, to such other name as he may approve.

(2) The Registrar may, at any time, by notice under his hand, order any society registered under section 4A to amend its rules, within such time as is specified in the notice, in such manner as he may direct, if he is of the opinion that the rules of the society, if unchanged, would be contrary to national interest or prejudicial to the public peace, welfare or good order in Singapore.

(3) A society registered under section 4A and every officer of that society shall comply with any notice given under this section.

(4) If a society registered under section 4A fails to comply with any notice given under this section, the society and every officer of that society shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000.

(5) If an officer of a society registered under section 4A is charged with an offence under subsection (4), it shall be a defence for him to establish to the satisfaction of the court that he has exercised due diligence and has failed to comply with the notice for reasons beyond his control.

(6) In this section, "amend" and "rules" have the same meanings as in section 11 (3).

Persons who shall not act as officers of a society.

12.—(1) No person shall act as an officer of a registered society or a branch thereof if —

- (a) he has, while being a member of a society, been convicted for an offence involving the unlawful expenditure of the funds of the society; or
- (b) he has been declared, in writing, by the Minister to be unfit to act as an officer of a society by reason of any conviction for a criminal offence other than that specified in paragraph (a), unless the written permission of the Minister to so act is first obtained.

(2) Any person who acts in contravention of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 6 months or to both.

Use of symbol flag, etc.

13.—(1) No registered society shall use any flag, symbol, emblem, badge or other insignia without the

consent in writing of the Registrar or an Assistant Registrar.

(2) Any person aggrieved by the refusal of the Registrar or an Assistant Registrar to the use of a flag, symbol, emblem, badge or other insignia may appeal against that decision to the Minister whose decision shall be final.

(3) In any case where a registered society uses a flag, symbol, emblem, badge or other insignia in contravention of subsection (1) —

(a) the officers of the society; and

(b) all persons managing or assisting in the management of the society,

shall be deemed to be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding one year or to both.

Unlawful societies.

14.—(1) Every society, not being a registered society, shall be deemed to be an unlawful society:

Provided that no society shall be deemed to be unlawful under this section if and so long as the Registrar is satisfied that —

(a) it is organised wholly outside Singapore; and

(b) does not carry on any activity in Singapore.

(2) Any person who manages or assists in the management of any unlawful society shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 5 years.

(3) Any person who is or acts as a member of an unlawful society, or attends a meeting of an unlawful society, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.

(4) Every offence under subsection (3) shall be deemed to be a non-bailable offence and a seizable case within the meaning of the Criminal Procedure Code.

Cap. 68.

Persons allowing unlawful assembly in their premises.

15.—(1) Any person who knowingly allows a meeting of an unlawful society, or of members of an unlawful society to be held in any house, building or place belonging to or occupied by him, or over which he has control, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.

(2) Every offence under subsection (1) shall be deemed to be a non-bailable offence and a seizable case within the meaning of the Criminal Procedure Code.

Cap. 68.

Penalty for inciting, etc., a person to become a member of unlawful society.

16.—(1) Any person who incites, induces or invites another person to become a member of, or to assist in the management of, an unlawful society shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.

(2) Any person who uses any violence, threat or intimidation towards any person in order to induce him to become a member of, or to assist in the management of, an unlawful society shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 4 years or to both.

Penalty for procuring subscription or aid for unlawful society.

17. Any person who procures or attempts to procure from any other person any subscription or aid for the purposes of an unlawful society shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both.

Publishing etc., propaganda of unlawful society.

18. Any person who prints, publishes, displays, sells or exposes for sale, or transmits through the post or who, without lawful authority or excuse, has in his possession any placard, newspaper, book, circular, pictorial representation or any other document or writing whatsoever which is issued or appears to be issued by or on behalf of or in the interests of an unlawful society shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both, and any book, periodical, pamphlet, poster, proclamation, newspaper, letter or any other document or writing in respect of which the person is convicted shall be forfeited.

Penalty for misuse of money or property of a registered society.

19.—(1) Where on complaint made by a member of a registered society or by the Registrar it is shown to the satisfaction of a District Court or a Magistrate's Court that any officer or member of that society has in his possession or control any property of the society otherwise than in accordance with the rules of the society, or has unlawfully withheld any money of the society or wilfully applied such money to purposes other than those expressed or directed in the rules of the society and authorised by this Act, the Court shall, if it considers the justice of the case so requires, order the officer or member to deliver all such property to the trustees of the society or such other persons as the Court may appoint and to pay to them the money so unlawfully withheld or improperly applied.

(2) A complaint made under subsection (1) other than a complaint made by Registrar shall not be entertained unless the Court is satisfied that the complainant is, on the date of the complaint, a member of the registered society in respect of whose property the complaint is so made.

(3) Any person bound by an order made under subsection (1) who fails to comply with the terms thereof and the directions given therein within a time to be specified in the order shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

(4) An order made under subsection (1) shall not affect or prevent a prosecution of, or civil proceedings against, any such officer or member.

Punishment of fraud, false declaration and misappropriation.

20. Any person who with intent to mislead or defraud any other person gives to the other person a copy of any rules, regulations or other documents, other than the rules of a registered society, on the pretence that they are the existing rules of the society or that there are no other rules of the society or gives to the other person a copy of any rules on the pretence that those rules are the rules of a registered society when the society is not registered, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Presumptive proof of existence of a society.

21.—(1) In any prosecution for an offence under this Act where it is proved that a club, company, partnership or association exists —

(a) it shall be presumed, until the contrary is proved, that the club, company, partnership or association is a society within the meaning of this Act;

(b) it shall not be necessary to prove that the society possesses a name or that it has been constituted or is usually known under a particular name; and

(c) it shall be presumed until the contrary is proved that it consists of and has at all material times consisted of 10 or more persons.

(2) Notwithstanding any other written law in any prosecution for an offence under this Act, for the purpose of proving the existence of a society, evidence may be adduced and shall be admitted which shows that —

(a) any person is reputed to be a member of the society;

(b) any announcement has been made, whether by the person charged or by any other person by any means whatever that the society has been formed or is in existence; or

(c) by repute the society is in existence.

Presumptive proof of membership, etc., of society.

22.—(1) Where any books, accounts, writings, seals, banners or insignia of or relating to or purporting to relate to any society are found in the possession of any person, it shall be presumed, until the contrary is proved, that that person is a member of the society, and the society shall be presumed, until the contrary is proved, to be in existence at the time the books, accounts, writings, seals, banners or insignia are so found.

(2) When any books, accounts, lists of members or seals of or relating to any society are found in the possession of any person, it shall be further presumed, until the contrary is proved, that that person assists in the management of the society.

Society using a triad ritual to be deemed an unlawful society.

23.—(1) Every society, whether it is registered or not, which uses a triad ritual shall be deemed to be an unlawful society.

(2) Any person found in possession of or having the custody or control of any books, accounts, writings, seals, banners or insignia of or relating to any triad society or branch of a triad society, whether the society or branch is established in Singapore or not, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.

(3) Every offence under subsection (2) shall be deemed to be a non-bailable offence and a seizable case within the meaning of the Criminal Procedure Code.

Cap. 68.

Minister may order dissolution of any society.

24.—(1) Whenever it appears to the Minister that —

(a) any registered society is being used for unlawful purposes or for purposes prejudicial to public peace, welfare or good order in Singapore;

(aa) the registration of any society has been procured by fraud or misrepresentation;

(b) any registered society is being used for purposes incompatible with the objects and rules of the society;

(c) the rules of any registered society are or have been inadequate for its proper management and control and the registered society has failed without reasonable cause to amend its rules within 3 months of, and in accordance with, a direction from the Registrar to amend its rules for those purposes;

(d) the rules of any registered society which is a political association do not provide for its membership to be confined to Singapore citizens, and the society has failed without reasonable cause to amend its rules within 3 months of, and in accordance with, a direction from the Registrar to amend its rules for those purposes;

(e) any registered society which is a political association has such an affiliation or connection with any organisation outside Singapore as is considered by the Registrar to be contrary to the national interest, and has failed to satisfy the Registrar that it has taken appropriate action to sever that affiliation or connection within 3 months of, and in accordance with, a direction from the Registrar to take such action; or

(f) any registered society has wilfully contravened any provision of this Act or of any regulations made thereunder, or of any of the rules of the society,

the Minister may order that the society shall be dissolved.

(2) Notification of every such order shall be published in the *Gazette*, and shall be affixed in a conspicuous manner on any building occupied by the society.

(3) Every society against which an order for dissolution is made shall thenceforward be deemed to be an unlawful society.

(4) Where an order of dissolution has been made against any society every person who on the date on which the order was made was an officer of that society shall, during the period of 3 years from the date on which the order was made, be ineligible, except with the written permission of the Minister, to act or be elected as an officer of any other society.

(5) Any person who acts without the written permission of the Minister as an officer of a society while he is ineligible under subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding one year or to both.

(6) The fact that a political association uses a name or symbol which is the same as that of an organisation outside Singapore shall be deemed to be sufficient evidence that the political association has an affiliation or connection with that organisation.

Consequences upon the order of Minister under section 24.

25.—(1) Upon the making of an order of dissolution against any society under section 24 —

(a) the property of the society shall forthwith vest either in the Official Receiver or, if any other officer is appointed for the purpose of winding up by the Minister in the notification of the order, then in that officer; and

(b) the Official Receiver or that other officer shall proceed to wind up the affairs of the society and, after satisfying and providing for all debts and liabilities of the society and the costs of winding up, shall pay the surplus assets, if any, of the society —

(i) where the Minister so directs, into the Consolidated Fund; and

(ii) in the absence of a direction by the Minister, to the members of the society according to the rules of the society.

(1A) For the purposes of the winding up of the affairs of the society, the Official Receiver or that other officer shall have all the powers vested in the Official Receiver under the Companies Act (Cap. 50) for the purpose of the discovery of the property of a debtor and the realisation thereof, and the provisions of that Act shall apply, with the necessary modifications, to the winding up of the affairs of the society under this Act.

(2) The Minister may, for the purpose of enabling a society to wind up its own affairs, suspend the operation of this section for such period as to him seems expedient.

Power of Magistrate, etc., to enter place kept as place of meeting.

26.The Registrar or an Assistant Registrar or a Magistrate or any police officer authorised in writing by the Registrar or an Assistant Registrar or a Magistrate may at any time enter any place which he has reason to believe is kept or used by any registered society or any of its members as a place of meeting or business.

Power to enter and search in special cases.

27.The Registrar or an Assistant Registrar or a Magistrate, who has reason to believe that any registered society is being used for purposes prejudicial to public peace, welfare or good order in Singapore or incompatible with the rules and objects of the society as entered in the Register of Societies or furnished to the Registrar or to an Assistant Registrar under this Act, may enter or may in writing authorise a police officer to enter, with or without assistance and using force for that purpose, if necessary, into any place which he has reason to believe is used as the place of meeting or business of the society, and may search or may in writing authorise a police officer to search that place and any person found therein or escaping therefrom for evidence that the society is being used for such purposes as aforesaid.

Magistrate, etc., may enter house, etc., where unlawful meeting held, or books, accounts, etc., kept, may arrest and seize persons and property found.

28.—(1) Any Magistrate or Justice of the Peace or police officer not below the rank of assistant superintendent may enter, with or without assistance, or may by warrant under his hand or by writing under his hand, as the case may be, authorise any other police officer to enter, with or without assistance, using force in either case, if necessary, into any dwelling-house or other building, or into any place in which he has reasonable ground to believe that a meeting of an unlawful society, or of persons who are members of an unlawful society, is being held, or that any books, accounts, writings, banners or insignia belonging to an unlawful society are concealed, kept or deposited, and to arrest or cause to be arrested all persons found in the house and to search that house, building or place, and seize or cause to

be seized all books, accounts, writings, banners, documents, flags, insignia, arms and other articles which he has reasonable cause to believe to belong to any unlawful society, or to be in any way connected therewith.

(2) All persons so arrested and all articles so seized may be detained in custody till they can conveniently be brought before a District Court or Magistrate's Court to be dealt with according to law.

Registrar and Assistant Registrar to have power to summon witnesses.

29.—(1) The Registrar or an Assistant Registrar may summon before him any person who he has reason to believe is able to give any information as to the existence or operations of any unlawful society, or suspected unlawful society, or as to the operations of any registered society.

(2) The person so summoned shall attend at the hour and place specified in the summons and produce all documents in his custody, possession or power relating to that society or suspected society, and shall answer truthfully all questions which the Registrar or an Assistant Registrar may put to him.

(3) The Registrar and every Assistant Registrar shall be deemed to be public servants within the meaning of the Penal Code, and may administer oaths to and examine on oath any person summoned before him under this section.

Cap. 224.

(4) If the Registrar or an Assistant Registrar is satisfied, after due inquiry, that a person summoned under this section is a member of an unlawful society or has refused to give information or has given false information as to the existence or operations of an unlawful society or suspected unlawful society, the Registrar or the Assistant Registrar may, if he considers it advisable to make provision for the identification of that person order that a photograph and finger impressions of the person shall be taken at such time and in such place and manner as the Registrar or the Assistant Registrar thinks fit.

(5) If that person refuses to comply with such an order, he may be arrested and detained in custody until he can conveniently be brought before a District Court or Magistrate's Court to be dealt with according to law.

(6) Any person who fails to comply with any such order shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Charges.

30.—(1) Except in the case of persons arrested under section 28, no person shall be charged with an offence under this Act or any regulations made thereunder unless the sanction in writing of the Registrar or of an Assistant Registrar has been first obtained.

(2) Prosecutions in a District Court or in a Magistrate's Court under this Act or any regulations made thereunder may be conducted by the Registrar or by an Assistant Registrar or by some person authorised in writing by the Registrar or by an Assistant Registrar to appear on his behalf.

Jurisdiction.

31.—(1) Any offence under section 14 (2) may be tried by a District Court which may pass the sentence specified in that section.

(2) Any offence under any other section of this Act or any regulations made thereunder may be tried by a District Court or by a Magistrate's Court.

Forfeiture.

32. Any books, accounts, writings, banners, insignia or other property belonging to any unlawful society shall be forfeited and given to the Registrar or to an Assistant Registrar.

Service of summons, etc.

33. Every summons, notice or other document issued under this Act, or under any regulations made thereunder, shall be deemed to have been validly and effectually served, if served in the manner prescribed by the Criminal Procedure Code for the service of summonses under that Code.

Cap. 68.

Amendment of Schedule

33A. The Minister may, by notification in the *Gazette*, amend the Schedule.

Regulations.

34.—(1) The Minister may from time to time make regulations for or with respect to all or any of the following matters:

- (a) to prescribe the manner of registration of societies under this Act;
- (b) to regulate or restrict changes of the name of registered societies;
- (c) to regulate or restrict changes of the place of business or place of meeting or of the registered rules or objects of registered societies;
- (d) to prescribe the manner and conditions in and under which the powers conferred by this Act shall be exercised by the persons on whom the powers are conferred;
- (e) to prescribe the fees which may be charged and taken under this Act;
- (f) to prescribe the forms which may be used for carrying out the provisions of this Act;
- (fa) to require the accounts and financial statements of registered societies to be in compliance with —
 - (i) accounting standards that are made or formulated by the Accounting Standards Council under Part III of the Accounting Standards Act 2007 and applicable to societies; or
 - (ii) other requirements substituted by the Minister in lieu of compliance with the accounting standards applicable to societies;
- (fb) to provide for relief from the requirements of such accounting standards applicable to societies;
- (fc) to provide that the regulations made under paragraph (fa) shall not apply to any society that is registered as a charity or approved as an institution of a public character under the Charities Act (Cap. 37) to the extent that that Act requires the society's accounts and financial statements for any financial year to comply with the accounting standards applicable to charities to the exclusion of other accounting standards;
- (g) generally for carrying into effect the provisions of this Act.

(2) The Minister in making any regulations under this Act may direct that a person committing a breach of such regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 and, where the breach is a continuing one, to a fine not exceeding \$50 for every day after the first day during which the breach continues.

(3) All such regulations shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication.

Provisions applicable to registered societies.

35.The following provisions shall apply to all registered societies:

- (a) the movable property of a society, if not vested in trustees, shall be deemed to be vested for the time being in the governing body of the society, and in all proceedings civil and criminal may be described as the property of the governing body of the society by their proper title;
- (b) every such society may sue or be sued in the name in which it was registered under this Act;
- (c) a writ of summons or other legal process may be served on a society by serving it on an officer of the society, or by leaving it at, or sending it by registered post to, the registered address of the society;

(d) except as otherwise provided in section 36, no judgment in any suit against a registered society shall be put into force against the person or property of any officer or member of the society but only against the property of the society;

(e) any member who is in arrears of subscriptions which, according to the rules of the society, he is bound to pay, or who takes possession or detains any property of the society contrary to those rules, or who injures or destroys any property of the society, may be sued for the arrears or for the damage accruing from his wrongful possession, detention, injury or destruction of that property by and in the name of the society;

(f) any member of the society who steals, purloins or embezzles any money or other property, or wilfully and maliciously destroys or injures any property of the society, or forges any deed, bond, security for money, receipt or other instrument whereby the funds of the society may be exposed to loss, shall be subject to the same prosecution, and, if convicted, shall be liable to be punished in like manner as any person, not a member, would be subject and liable to in respect of the like offence;

(g) in the absence of any specific provision in the rules of a society any number not less than three-fifths of the members for the time being resident in Singapore of the society may determine that it shall be dissolved forthwith, or at a time agreed upon, and all necessary steps shall be taken for the disposal and settlement of the property of the society and its claims and liabilities according to the rules of the society applicable thereto, and if none, then as the governing body finds expedient:

Provided that in the event of any dispute arising among the members of the governing body or the members of the society, the adjustment of its affairs shall be referred to the High Court, and the Court shall make such order in the matter as it thinks fit;

(h) no society shall be dissolved unless three-fifths of the members so resident as aforesaid have expressed a wish for such dissolution by their votes delivered in person or by proxy at a general meeting convened for the purpose.

16/82.

Security for costs and liability of officers.

36.—(1) Where a registered society or any of its officers purporting to act on its behalf is plaintiff in any action or other legal proceeding, the court having jurisdiction in the matter may, if it appears by credible testimony that there is reason to believe that the society or the officer will be unable to pay the costs of the defendant if successful in his defence, require sufficient security to be given for those costs and stay all proceedings until the security is given.

(2) Where a society is required to give security for costs under subsection (1) and the amount of the security is not sufficient to pay the costs of the defendant —

(a) the officers of the society who approved the institution of the action or legal proceeding; and

(b) any person who, on subsequently becoming an officer of the society, does not take any reasonable measure for the purpose of seeking the discontinuance of the action or legal proceeding,

shall be jointly and severally liable for any part of the costs awarded against the society which, after deducting the amount of the security, remains unsatisfied after one month from the date the costs became payable.

(3) This section shall apply to any action or legal proceeding whether instituted before or after 10th September 1982.

[35A
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16/82.

Power to exempt.

37.The Minister may at his discretion in writing exempt any society registered under this Act from all or

any of the provisions of this Act.

[36

Transitional provision.

38. Any society which immediately before the commencement of this Act was registered under the provisions of the Societies Ordinance shall be deemed to be registered under this Act.

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1955 Ed. Cap 228

THE SCHEDULE

Sections 4 (1) and 33A

SPECIFIED SOCIETIES

1. Any society whose object, purpose or activity, whether primary or otherwise, is to —

- (a) represent;
- (b) promote any cause or interest of; or
- (c) discuss any issue relating to,

any religion, ethnic group, clan, nationality or a class of persons defined by reference to their gender or sexual orientation.

2. Any political association.

3. Any society which uses the word "National" or "Singapore" in its name, except where the word "Singapore" or any abbreviation thereof is used to indicate the society's place of registration.

4. Any society whose object, purpose or activity, whether primary or otherwise, is to —

- (a) represent persons who advocate;
- (b) promote; or
- (c) discuss any issue relating to,

any civil or political right (including human rights, environmental rights and animal rights).

5. Any society whose object, purpose or activity, whether primary or otherwise, is to discuss any matter relating to the governance of the Singapore society.

6. Any society whose object, purpose or activity, whether primary or otherwise, is to promote or discuss the use or status of any language.

7. Any society which is formed under the instruction of a foreign government or an organisation affiliated to a foreign government.

8. Any society which is formed under the instruction of a foreign organisation or is affiliated to a foreign organisation or whose major source of funding is from outside Singapore, but does not include the Rotaract Club, the Rotary Club, the Toastmaster's Club and the Lions Club.

9. Any alumni of an educational institution that is not established in Singapore.

10. Any society which has an office bearer who —

(a) was previously holding office in a society that was dissolved under section 24 and the order for dissolution was made less than 3 years ago;

(b) while being a member of any society, was convicted for an offence involving the unlawful expenditure of the funds of the society; or

(c) has been previously declared in writing by the Minister to be unfit to act as an officer of a society.

11. Any society whose object, purpose or activity, whether primary or otherwise, is to promote, discuss any issue relating to, or to provide training in any form of pugilistic or martial arts.

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