

FOURTH PARLIAMENT OF SINGAPORE

First Session

**REPORT OF THE SELECT COMMITTEE ON THE
SINGAPORE RED CROSS SOCIETY (INCORPORATION)
(AMENDMENT) BILL**

Parl. 1 of 1978

Presented to Parliament on

1st March, 1978

The Singapore Red Cross Society (Incorporation) (Amendment) Bill was referred to a Select Committee by a resolution of Parliament passed on 2nd September, 1977. The Committee consisted of the following Members:-

Mr Speaker (Dr Yeoh Ghim Seng, B.B.M., J.P.) (*Chairman*)

Mr Ahmad Haleem

Mr Bernard Chen (Minister of State, Ministry of Defence)

Mr Lim Chee Onn

Mr Ng Yeow Chong

Mr Tan Cheng San

Mr Teong Eng Siong

Dr Toh Chin Chye (Minister for Health).

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REPORT OF THE SELECT COMMITTEE ON THE SINGAPORE RED CROSS SOCIETY (INCORPORATION) (AMENDMENT) BILL

The Select Committee to whom the Singapore Red Cross Society (Incorporation) (Amendment) Bill was referred have agreed to the following Report:-

1. In accordance with Standing Order No. 75 (Advertisement when Bill committed to a Select Committee), an advertisement inviting written representations on the Singapore Red Cross Society (Incorporation) (Amendment) Bill was published in the following newspapers, namely, the *Berita Harian*, *Sin Chew Jit Poh*, *Tamil Murasu*, *Tamil Malar* and *Straits Times* of the 10th September, 1977. Publicity to the invitation was also given in a press release. Written representations could be submitted in Malay, Chinese, Tamil or English and the closing date was the 1st October, 1977.

2. A written representation which was received from the Singapore Red Cross Society is annexed to this Report as Appendix II.

3. Your Committee held three meetings.

4. Oral evidence was heard from Dr W. R. Rasanayagam, Chairman of the Council and Vice-President, Mr Leaw Kok Yin, Honorary Treasurer and Mr Chelva Retnam Rajah, Council Member, of the Singapore Red Cross Society. The Minutes of Evidence taken are annexed to this Report as Appendix III.

5. Your Committee have gone through the Bill and, in addition to textual corrections, have made material amendments thereto the purport of each of which is indicated hereunder:-

(1) *Clause 2 [renumbered as clause 3]*

Clause 2 of the Bill [renumbered as clause 3] has been amended by deleting sub-clause (2) thereof which provides for the appointment of the President of the Society by the President of Singapore on such terms and conditions as the President of Singapore thinks fit. The amendment abolishes the office of President of the Society.

(2) *Clause 3 [renumbered as clause 4]*

Subsection (2) of section 7 (*Council*) of the Singapore Red Cross Society (Incorporation) Act, 1973 (hereinafter referred to as "the principal Act") provides that the Chairman and the Honorary Treasurer of the Council of the Society shall be appointed by the President of the Society for a term of three years and shall be eligible for re-appointment. Subsection 3 of the said section 7 provides that the members of the first Council shall include all those persons who immediately before the appointed day were members of the Executive Committee of the Association; the Chairman and the Honorary Treasurer of the first Council shall be appointed by the President of the Society in accordance with the provisions of the aforementioned subsection (2); and the other office-bearers shall be elected by the Council members in accordance with the rules of the Society.

Clause 3 of the Bill [renumbered as clause 4] has been amended to delete the provisions of the aforementioned subsections (2) and (3) of section 7 of the principal Act and to substitute therefor a new subsection (2) to provide that the Chairman of the Council shall be appointed by the President of Singapore for a term of three years, and shall be eligible for re-appointment. By this amendment, only the Chairman of the Council therefore shall be appointed and he is to be appointed by the President of Singapore. The provisions in subsection (3) of section 7 of the principal Act relating to the appointment of the first Council have been repealed, as those provisions are spent and have ceased to have any effect.

(3) *Clause 4 [renumbered as clause 6]*

Clause 4 of the Bill [renumbered as clause 6], as originally drafted, seeks to amend section 9 (*Powers of Council*) of the principal Act to empower the Council of the Society to also make rules to regulate the management of the affairs of the Society and specifies matters for or in respect of which the Council may make rules.

The clause has been substituted with a new clause which repeals section 9 of the principal Act and substitutes therefor a new section 9 which-

- (a) incorporates the existing provisions of subsection (1) of section 9 of the principal Act setting out the powers of the Council with the additional power of the Council to recruit and train other persons to carry out such functions as may be necessary to achieve the objects of the Society, and assign those functions to such persons; and
- (b) incorporates the provisions of the original clause 4 of the Bill specifying the matters which may be set forth in the rules which the Council may make, with the proviso that rules which the Council may make shall be with the approval of the Director of Medical Services.

(4) *New clause [numbered as clause 2]*

Paragraph (a) of section 5 (Objects of the Society) of the principal Act provides that the objects of the Society, *inter alia*, shall be the improvement of health, the prevention of disease and the mitigation of suffering throughout the world without any distinction on the grounds of race, nationality, religion or political opinions.

A new clause [numbered as clause 2] has been inserted in the Bill to delete the aforesaid paragraph (a) and substitute therefor a new paragraph (a) to provide that the objects of the Society, *inter alia*, shall be the provision of assistance in relief operations in times of disaster and in auxiliary health and welfare services to the sick, the handicapped, the aged and the poor, without any distinction on the grounds of race, nationality, religion or political opinions.

(5) *New clause [numbered as clause 5]*

Section 8 of the principal Act provides that -

- (a) the President of the Society may at any time revoke the appointment of the Chairman or the Honorary Treasurer if he considers it desirable in the interests of the Society to revoke the appointment [*subsection (1)*];
- (b) the Chairman and the Honorary Treasurer may by writing addressed to the President of the Society resign such appointment [*subsection (2)*]; and
- (c) any vacancy arising among the appointed members of the Council shall be filled by the President of the Society and any such new member shall hold office for so long as the member in whose place he is appointed would have held office [*subsection (3)*].

A new clause [numbered as clause 5] has been inserted in the Bill to amend section 8 of the principal Act -

- (i) by substituting the words "President of Singapore" for the words "President of the Society" in subsections (1) and (2) [*vide sub-paragraphs (a) and (b) above*];
- (ii) by deleting the Honorary Treasurer from the provisions of subsections (1) and (2) [*vide sub-paragraphs (a) and (b) above*] as provision for appointment of the Honorary Treasurer has been deleted by renumbered clause 4 of the Bill; and
- (iii) by deleting subsection (3) of section 8 of the principal Act and substituting therefor a new subsection (3) to provide that if the Chairman dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, another person may be appointed by the President of Singapore for the unexpired period of the term of office of the Chairman in whose place the other person is appointed.

6. The amendments and the minor textual corrections recommended by your Committee are incorporated in the reprint of the Bill annexed to this Report as Appendix I.

Reprint of the Bill [Bill No. 4/77] as amended by the Select Committee

A BILL

intituled

An Act to amend the Singapore Red Cross Society (Incorporation) Act, 1973 (No. 16 of 1973).

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

- | | |
|--|--|
| <p>1. This Act may be cited as the Singapore Red Cross Society (Incorporation) (Amendment) Act, 1978, and shall
5 come into operation on such date as the Minister may, by notification in the <i>Gazette</i>, appoint.</p> | <p>Short title and commencement.</p> |
| <p>2. Section 5 of the Singapore Red Cross Society (Incorporation) Act, 1973 (hereinafter in this Act referred to as "the principal Act") is hereby amended by deleting paragraph (a)
10 thereof and substituting therefor the following:-</p> <p style="padding-left: 40px;">"(a) the provision of assistance in relief operations in times of disaster and in auxiliary health and welfare services to the sick, the handicapped, the aged and the poor, without any distinction on grounds of race, nationality, religion or political opinions; and"</p> | <p>Amendment of section 5.</p> |
| <p>3. Section 6 of the principal Act is hereby repealed and the following substituted therefor: -
"Patron of the society.
20 6. The President of Singapore shall be the Patron of the Society."</p> | <p>Repeal and re-enactment of section 6.</p> |
| <p>4. Section 7 of the principal Act is hereby amended -</p> <p>(a) by deleting the words "the rules for the time being in force of the Society" appearing at the end of subsection (1) thereof and substituting therefor the words "any rules made under section 9"; and
25</p> <p>(b) by deleting subsections (2) and (3) thereof and substituting therefor the following:-
" (2) The Chairman of the Council shall be appointed by the President of Singapore for a term. of three years, and shall be eligible for re-appointment. ".
30</p> | <p>Amendment of section 7.</p> |

Amend-
ment of
section 8.

5. Section 8 of the principal Act is hereby amended -

- (a) by deleting the words "President of the Society" appearing in subsections (1) and (2) thereof and substituting therefor in each case the words "President of Singapore"; 5
- (b) by deleting the words "or the Honorary Treasurer" appearing in the second and third lines of subsection (1) thereof;
- (c) by deleting the words "and the Honorary Treasurer" appearing in the first line of subsection (2) thereof; and 10
- (d) by deleting subsection (3) thereof and substituting therefor the following:-

"(3) If the Chairman dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, another person may be appointed by the President of Singapore for the unexpired period of the term of office of the Chairman in whose place the other person is appointed." 15 20

Repeal and
re-enact-
ment of
section 9.

6. Section 9 of the principal Act is hereby repealed and the following substituted therefor:-

"Powers of
Council.

- 9.-(1) The Council may -
- (a) appoint committees and allocate duties to and regulate the exercise of executive power by such committees and members of the Council; 25
 - (b) appoint such officers and servants as it thinks fit and regulate the conduct and dismissal of such officers and servants; 30
 - (c) recruit and train other persons to carry out such functions as may be necessary to achieve the objects of the Society, and assign those functions to such persons; 35
 - (d) organise classes, lectures, courses and symposia on subjects falling within the objects of the Society; 40
 - (e) disseminate information about the Society by selling or distributing books, pamphlets and papers; and

(f) generally do all such other acts as may be necessary to achieve the objects of the Society.

5 (2) The Council may, with the approval of the Director of Medical Services, make rules for or in respect of all or any of the following matters:-

- 10 (a) the proceedings of the Society and the Council, and the management of the affairs of the Society;
 - 15 (b) the different classes of members of the Society and the terms of admission of those members;
 - 20 (c) the appointment, election and removal of an executive committee and other officers;
 - 25 (d) the appointment and election of sub-committees and other bodies for special purposes and the delegation to them and the executive committee of any of the functions and powers of the Council;
 - 30 (e) the mode of holding meetings of the executive committee and the sub-committees, and other bodies, referred to in paragraph (d), and the right of voting at such meetings;
 - 35 (f) the keeping of the accounts of the Society and the audit of the same at least once a year;
 - (g) the convening of the annual general meeting of the Society for the purposes of receiving a report and statement of accounts for the preceding year, electing those members of the Council, who are to be elected pursuant to the rules, and deciding upon any proposal or matter, and transacting any other business which shall be duly submitted to the meeting."
-

Paper 1

From: Singapore Red Cross Society,
Red Cross House,
15 Penang Lane,
Singapore 9.

Dated: 30th September, 1977.

I have the honour to submit on behalf of the Council of the Singapore Red Cross Society the following representation relating to the Singapore Red Cross Society Incorporation (Amendment) Bill for consideration by the Select Committee.

For ease of reference the Society wishes to make its submission in three parts:

PART A: Proposed amendments to which the Society has no objection but wishes to suggest changes which in its view would improve the purpose of the Bill.

PART B: Proposed amendments to which the Society is opposed for the reasons stated, and wishes to offer alternative proposals.

PART C: Conclusion.

PART A

1. With reference to the proposed amendment to paragraph (a) in Section 5 of the principal Act we find it acceptable.
2. May we suggest that paragraph (b) in Section 5 of the principal Act be re-numbered as paragraph (c), and a new paragraph (b) be added as follows: -

"(b) to contribute to the prevention of disease and the improvement of health through programmes of instruction for the benefit of the community; and"

Reason:

The Society is already doing this especially among children and youth in its school units and it would be a pity if this contribution to preventive medicine became neglected in future because of this omission.

3. Re-numbered paragraph (c) to read as follows:-

"(c) the furnishing of voluntary aid to the sick and wounded in time of war and to non belligerents, prisoners of war and civilian sufferers from the effects of war; and"

4. May we suggest that a new paragraph (d) be added to Section 5 as follows: -

"(d) to propagate the humanitarian principles of the Red Cross in order to develop among the population, and in particular among children and youth, the ideals of peace, mutual respect, tolerance and understanding among all peoples; and"

Reason:

This is an important character building component in the Society's programme for schools and was overlooked when formulating the principal Act.

5. May we suggest that a new paragraph (e) be added to Section 5 as follows: -

"(e) to recruit, train and assign such personnel as are necessary for the discharge of its responsibilities."

Reason:

Section 12 of the principal Act specifies that the income of the Society "shall be applied solely towards the promotion of the objects of the Society as set out in this Act....." In view of this specific qualification it is necessary that the objects of the Society are spelt out more comprehensively in future so that the Society will be able to carry out all the duties expected of a National Red Cross.

6. With reference to the proposed amendments to Section 7 of the principal Act, the Society has no comment.
7. With reference to the proposed amendments to Section 9 of the principal Act, the Society has no comment.

PART B

With reference to the proposed amendment to Section 6 of the principal Act the Society wishes to make the following submission:

I. (a) In 1972 when the Attorney General was drafting the principal Act the Chairman of the Singapore Red Cross Society (before incorporation) consulted with President B H Sheares who agreed to be the Patron and President of the Singapore Red Cross Society. (Annex 1: copy of letter from Chairman to Attorney General dated 31st May, 1972).

(b) Under the principal Act the office of President of the Singapore Red Cross Society does not carry any direct executive function. Its intention under the Act is to bestow the Society, incorporated by Parliament, with a status and prestige symbolic of the State's recognition of the Geneva Conventions and the humanitarian principles it upholds. It is also cognitive of the special relationship of the Red Cross to the armed forces of the country during war. In these respects it is different from the other local voluntary bodies which enjoy the President's patronage.

(c) Further, the Presidency of the Red Cross by the Head of State is consistent with international practice. The Patron and President of the British Red Cross Society is the British Sovereign, presently Her Majesty Queen Elizabeth II. The President of India is the President of the Indian Red Cross. The Governor General of Canada is the Honorary President of the Canadian Red Cross. The Governor General of Australia is the President of the Australian Red Cross. The Governor General of Sri Lanka is President of Sri Lanka Red Cross. The President of the

United States is Honorary President of the American Red Cross. The President of the Philippines is President of the Philippine National Red Cross. The Prime Minister of Malaysia is the President of the Malaysian Red Crescent Society. The Queen of Thailand is President of the Thai Red Cross Society. Many more examples can be cited around the world.

(d) We have been verbally informed by the current private secretary to the President that it is not proper for the President of the State to be the President of the Red Cross. Whosoever advised the President on this matter did not consult with the Singapore Red Cross Society.

(e) We would therefore urge that the President of the Republic of Singapore continues to be the Patron and President (or Honorary President) of the Singapore Red Cross Society, and that Section 6 of the principal Act be retained without amendment.

II. (a) If the Parliamentary Select Committee considers that an amendment to Section 6 of the principal Act is necessary then the following matters are relevant.

(b) When the principal Act was passed in 1973 and the Singapore Red Cross applied for recognition to the International Committee of the Red Cross in Geneva, it had to comply with the ten conditions for recognition (see Annex 2).

(c) The International Committee of the Red Cross raised an objection (see Annex 3) on the appointment of the Chairman and Honorary Treasurer by Presidential nomination on the grounds that this did not comply with condition 4 (in Annex 2) which safeguards the autonomous status of the Society.

(d) The Singapore Red Cross appealed on the grounds that the President of the Republic of Singapore is a constitutional head of state, and did not play any political role.

(e) The International Committee of the Red Cross finally relented to persuasion and agreed to recognise the Singapore Red Cross on condition that we try to obtain approval to amend the Government Act so that the Chairman and Treasurer are elected by the Society. (see Annex 4 and Annex 5).

(f) The Chairman on behalf of the Singapore Red Cross agreed to this condition (see Annex 6).

(g) Therefore, if the President of the Republic relinquishes the Presidency of the Singapore Red Cross and nominates another person as the President, this would increase the number of nominated officials, and incur the review of our present recognised status by the International Committee of the Red Cross.

(h) Further, the appointment of the Chairman and Honorary Treasurer by a person other than the constitutional head of state will give rise to questions of partisan loyalty unacceptable to the International Committee of the Red Cross. (vide Section 7 subsection (2), if the proposed amendment to Section 6 is approved).

III. (a) Therefore if Section 6 of the principal Act is to be amended without endangering the present recognised status of the Singapore Red Cross it must take note of the conditions specified by the International Committee of the Red Cross. In our view there are two possibilities:-

- (i) The first is for the President of the Republic of Singapore to relinquish the Presidency of the Society without nominating any successor, but retaining the power to appoint the Chairman and Honorary Treasurer. The Presidency of the Society is annulled. This structure prevails in some Red Cross Societies including almost all the French speaking republics. The detailed amendments to the principal Act for this proposal are outlined in Schedule I attached.
- (ii) The second is for the President of the Republic of Singapore to relinquish the Presidency of the Society and nominate a successor, but the Chairman and Honorary Treasurer are no longer nominated. These two officials will then be elected by the Society according to its rules. The detailed amendments to the principal Act for this proposal are outlined in Schedule II attached.

(b) Of the above two possibilities the Singapore Red Cross Society favours the adoption of (a) (ii).

PART C: Conclusion

I. (a) We wish to bring to your attention that the International Red Cross Community holds the Singapore Red Cross in high regard. Singapore Red Cross Society was selected to manage the League of Red Cross Disaster Relief Warehouse in South Asia against competition from Thailand and Hongkong. The Red Cross Societies of the countries of ASEAN turned to Singapore Red Cross to organise the first joint meeting of ASEAN Red Cross Societies in 1975 at which the Hon. Mr Adam Malik of Indonesia was the keynote speaker. The Singapore Red Cross is consulted by the League of Red Cross in all important matters.

(b) It would therefore be a great embarrassment to the Singapore Red Cross if the International Committee of the Red Cross decides to censure it.

(c) Finally, withdrawal of recognition by the International Committee of the Red Cross would reflect adversely on the prestige of our Republic as a whole.

II. The following office bearers of the Society will be prepared, if invited, to appear before the Select Committee to give oral evidence:

- (a) Dr W. R. Rasanayagam - Chairman and Vice President
- (b) Mr Leaw Kok Yin - Honorary Treasurer
- (c) Mr Chelva Retnam Rajah - Council Member.

B. DAVIES (Mrs),
Secretary General.

SINGAPORE RED CROSS SOCIETY,
Red Cross House,
15 Penang Lane,
Singapore 9.
31st May, 1972.

To,

The Attorney General,
Singapore.

Dear Sir,

I wish to refer to a letter from the President Republic of Singapore, (Reference: Istana 41/71) relating to the Presidency of the Singapore Red Cross Society. Following this I have had separate discussions with the Director of Medical Services and Mr Chao Hick Tin of your Chambers. I suggested certain constitutional alternatives in the event the First Lady relinquishes her role of President of the Red Cross Society.

Since that date I have had the opportunity of discussing this matter with His Excellency President Sheares, who has very kindly agreed to be both Patron and President of the Singapore Red Cross Society. This is indeed welcome as it would be in keeping with the enhanced status of a National Red Cross Society.

A copy of this letter is being sent to the Director of Medical Services and to President B. H. Sheares.

Yours faithfully,
DR W. R. RASANAYAGAM,
Chairman,
Executive Committee.

Extract of "Handbook of the International Red Cross"
Eleventh edition, 1971

RECOGNITION
OF NEW NATIONAL RED CROSS SOCIETIES

To become a member of the International Red Cross, the applicant Society must satisfy the ten conditions for recognition listed below, and submit a request for recognition to the International Committee of the Red Cross, together with all relevant documents, in particular the following:

- (a) an authenticated copy of the governmental decree granting the National Society recognition in conformity with Condition No. 3 below;
- (b) a copy of the Statutes of the Society in force;
- (c) a copy of the latest report on activities.

The request for recognition must contain a statement in which the Society undertakes to comply with any conditions for recognition which may not have been the subject of statutory provisions.

CONDITIONS FOR THE RECOGNITION OF NATIONAL
RED CROSS SOCIETIES

The Society shall:

- (1) Be constituted on the territory of an independent State where the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick of August 12, 1949, is in force (1).
- (2) Be the only National Red Cross Society of the said State and be directed by a central body which shall alone be competent to represent it in its dealings with other members of the International Red Cross.
- (3) Be duly recognised by its legal Government as a Voluntary Aid Society, auxiliary to the public authorities, in particular in the sense of Article 26 of the First Geneva Convention of 1949, or, in States which do not maintain armed forces, as a Voluntary Aid Society auxiliary to the public authorities and acting for the benefit of the civilian population.
- (4) Be an institution whose autonomous status allows it to operate in conformity with the fundamental principles of the Red Cross, as formulated by the International Red Cross Conference.
- (5) Use the title and emblem of the Red Cross (Red Crescent, Red Lion and Sun), in conformity with the Geneva Convention.
- (6) Be so organized as to enable it to deal effectively with the tasks incumbent upon it. Become prepared in time of peace for wartime activities.
- (7) Extend its activities to the entire country and its dependencies.

- (8) Not withhold membership from any of its nationals, whoever they may be, on grounds of race, sex, class, religion or political opinions.
- (9) Adhere to the Statutes of the International Red Cross, share in the fellowship which unites its members - the National Societies and the international bodies - and keep in close touch with them.
- (10) Honour the fundamental principles of the Red Cross as defined by the International Red Cross Conferences: impartiality; political, religious and economic independence; the universality of the Red Cross and the equality of all National Societies; and be guided in all its work by the spirit of the Geneva Convention and the Conventions which complete it.

Telegrams

Redcross
Singapore

Acknowledge receipt your letter 31st August and Constitution your Society stop conditions for recognition by ICRC fulfilled excepted one concerning nomination your Chairman stop according new rules adopted by Board Governors Mexico and stipulated in model statute article 15 Chairman must be elected by General Assembly or Central Body of the Society and not appointed by the Head of the State stop we suggest you amend your Constitution so that Chairman your society also elected by your Council stop if as we hope you agree with this amendment please call urgently so that we could present your application for recognition to our Assembly Meeting on 19th September.

Gaillard intercross C1432.

Redcross
Singapore

Reference our cable C1432 would add that remark concerning President also applies Treasurer should be elected by Council and not appointed by Head of State.

Gaillard Intercross C1440.

Telegram

Redcross

Singapore

For President delighted inform you that International Committee Redcross decided on 20th September officially to recognize your Society in view statement in your letter 14th September that it is sufficiently autonomous but that you must still try to obtain authorities approval amendments requested in our cable 12.

September concerning election Chairman and Treasurer stop wish you good luck and a very successful start as the 119th recognized member of the Redcross family stop shall also inform press and all National Societies.

President Martin Intercross C1511.

Recognition of the Singapore Red Cross Society

Geneva, 30th September, 1973

*To the Central Committees of the National Red Cross, Red Crescent
and Red Lion and Sun Societies*

Ladies and Gentlemen,

We have the honour to inform you that the International Committee of the Red Cross, on 20th September, 1973 officially recognized the Singapore Red Cross Society.

The new Society formally applied for recognition by the International Committee on 31st August, 1973. Its request was supported by various documents including its Statutes, the Singapore Government Act recognizing the Singapore Red Cross as a National Society auxiliary to the public authorities, and a report on the Society's activities.

These documents, which were examined jointly by the International Committee and the Secretariat of the League of Red Cross Societies, showed that the ten qualifying conditions for recognition of a new National Society had been fulfilled. Nevertheless, the Society must still try to obtain from the authorities an amendment of the Government Act, which would change the process for the designation of some of its leaders, that would more effectively guarantee its autonomy.

This recognition, which the International Committee is pleased to announce, brings to 120 the total number of member Societies of the International Red Cross.

The Singapore Red Cross, which was visited on many occasions by representatives of the International Committee and of the League of Red Cross Societies, is active throughout the territory. It is concerned, in case of conflict, with assistance to military and civilian wounded and sick and to prisoners of war. In peacetime, it goes to the aid of victims of natural disasters, alleviates suffering, and takes part in health improvement schemes, including those adopted for the prevention of disease.

The Government of Singapore acceded to the 1949 Geneva Conventions on 27th April, 1973.

His Excellency Dr B. H. Sheares, President of the Republic of Singapore, is Patron of the Society, which is directed by a Council under the chairmanship of Dr W. R. Rasanayagam. The Society's headquarters is at Singapore*.

The International Committee of the Red Cross has pleasure in welcoming the Singapore Red Cross to membership of the International Red Cross, in accrediting it and commending it, by this circular, to all other National Societies, and in expressing sincere good wishes for its future and for the success of its humanitarian work.

FOR THE INTERNATIONAL COMMITTEE
OF THE RED CROSS,
ERIC MARTIN,
President.

*The new Society's address is: Singapore Red Cross Society, 15 Penang Lane, Singapore 9.

SINGAPORE RED CROSS SOCIETY,
Red Cross House,
15 Penang Lane,
Singapore 9.

17th October, 1973.

Mr Eric Martin,
President,
International Committee of the Red Cross,
1211 Geneva 1,
Switzerland.

Dear Dr Martin,

I thank you for your letter of 26th September, 1973 and for your kind observations.

The matters raised by the I.C.R.C. will be taken up with our Government on my return from the Teheran conference and I will keep you informed on the progress.

The other directing bodies are appointed by Council as provided for in our Constitution.

We look forward to meeting you in Teheran.

With kind regards,

Yours sincerely,
W. R. RASANAYAGAM (Dr),
Chairman,
Singapore Red Cross Society.

Amendments proposed to the principal Act arising from PART B paragraph III (a) (i) of this memorandum

1. Section 6 of the principal Act is hereby repealed and the following substituted therefor:-

"Patron of the Society 6. The President of the Republic of Singapore shall be the Patron of the Society"

2. Section 7 subsection (2), and Section 8 subsections (1), (2) and (3) of the principal Act are hereby amended by deleting the words "the President of the Society" and substituting therefor the words "the President of the Republic of Singapore".
3. Section 7 subsection (3) of the principal Act is hereby amended by deleting the words "in accordance with the provisions of subsection (2) of this section", and substituting therefor the words "in accordance with the provisions of the Singapore Red Cross Society (Incorporation) Act No. 16 of 1973.
4. Section 9 subsection (2) of the principal Act is hereby amended by deleting the words "the President of the Society" and substituting therefor the words "the Attorney General".

Reason:

In one previous instance an amendment was controversial and approval by the President seemed to involve his office in the controversy. It would therefore be proper to transfer this responsibility to the Attorney General who being a non political civil servant would be acceptable to the International Red Cross.

*Amendments proposed to the principal Act arising from PART B
paragraph III (a) (ii) of this memorandum*

1. Section 6 of the principal Act is amended as set out in the Singapore Red Cross Society (Incorporation) (Amendment) Bill, 1977.
2. Section 7 subsection (2) of the principal Act is hereby repealed and the following substituted therefor:-

"7.-(2) The Chairman and the Honorary Treasurer of the Council shall be elected by the Society in accordance with any rules made under Section 9."

3. Section 7 subsection (3) of the principal Act is hereby amended by deleting the words "in accordance with the provisions of subsection (2) of this section", and substituting therefor the words "in accordance with the provisions of the Singapore Red Cross Society (Incorporation) Act No. 16 of 1973.
4. Section 8 of the principal Act is hereby repealed, and the Sections which follow are accordingly renumbered.
5. Section 9 subsection (2) of the principal Act is hereby amended by deleting the words "the President of the Society" and substituting therefor the words "the Attorney General".

APPENDIX III

MINUTES OF EVIDENCE

<i>Representors</i>	<i>Pages</i>	<i>Columns</i>
<i>Representing the Singapore Red Cross Society:</i>		
Dr Wilmot Rajasingam Rasanayagam, Chairman	} B 1-14	1-28
Mr Leaw Kok Yin, Honorary Treasurer		
Mr Chelva Retnam Rajah, Council Member		

MINUTES OF EVIDENCE

TUESDAY, 6TH DECEMBER, 1977

PRESENT:

Mr Speaker (*in the Chair*)

Mr Ahmad Haleem
Mr Bernard Chen
Mr Lim Chee Onn
Mr Ng Yeow Chong

Mr Tan Cheng San
Mr Teong Eng Siong
Dr Toh Chin Chye

The following representatives of the Singapore Red Cross Society, 15 Penang Lane, Singapore 9, were examined:

Dr W. R. Rasanayagam, Chairman and Vice President.

Mr Leaw Kok Yin, Honorary Treasurer.

Mr Chelva Retnam Rajah, Council Member.

1

6 DECEMBER 1977

2

Chairman

1. Good afternoon, gentlemen. Please sit down. For the record, could you please give us your full name, address and the office you hold in the Society? — (*Dr Wilmot Rajasingam Rasanayagam*) I am Dr Rasanayagam. I am the Chairman of the Singapore Red Cross Society. The address is at 15 Penang Lane, Singapore 9. (*Mr Leaw Kok Yin*) My name is Leaw Kok Yin. I am the Honorary Treasurer of the Singapore Red Cross Society. The address is at 15 Penang Lane, Singapore 9. (*Mr Chelva Retnam Rajah*) My name is Chelva Retnam Rajah. I am a member of the Executive Committee of the Singapore Red Cross Society. My address is 7D Balmoral Road, Singapore 10.

2. Dr Rasanayagam, you will be the spokesman? — (*Dr Rasanayagam*) Yes.

Chairman] And, of course, your two colleagues can participate. Now, we have

studied your Society's written representation.* In Part A you have stated that you have no objections to the Minister for Health's proposed amendment to paragraph (a) in section 5 of the principal Act, i.e. the objects of the Society. However, you have proposed the addition of three new paragraphs in the "Objects of the Society". I think Dr Toh would like to say something on this.

Dr Toh Chin Chye] Yes. Perhaps the Chairman of the Society could give this Committee their reasons for making the proposed amendments.

Chairman

3. Dr Rasanayagam, could you please elaborate your reasons for wanting to add three new paragraphs to section 5 of the Act, as stated in your representation? - Yes. The addition is for two new paragraphs and we are re-numbering the existing paragraph (b) to read para-

*Appendix II, pages A 1-4.

graph (c). So the new paragraphs we are proposing are the new paragraph (b) which is:

'to contribute to the prevention of disease and the improvement of health through programmes of instruction for the benefit of the community; and'

We have given a brief reason there in our representation. It says:

'The society is already doing this especially among children and youth in its school units and it would be a pity if this contribution to preventive medicine became neglected in future because of this omission.'

For the other new paragraph, which is at paragraph 4, it says:

'May we suggest that a new paragraph (d) be added to section 5 as follows:-

"(d) to propagate the humanitarian principles of the Red Cross in order to develop among the population, and in particular among children and youth, the ideals of peace, mutual respect, tolerance and understanding among all peoples; and".'

This was really overlooked when the principal Act was being drafted at that time and it acquired some greater importance later on after the 1973 Conference in Teheran where the member countries present felt that if we were going to look towards a better world of peace our principles should be given greater propagation in the sense that there should not only be information but some kind of follow-up on it in terms of instruction either in schools or the communities. Therefore, we are now requesting that this object be included as a later development, after the time when the Bill was first drafted.

Dr Toh Chin Chye

4. Can you explain how do you propose to go about propagating this? — Yes. We are already doing it to a small extent in the schools through our units, that means, the Red Cross units in the schools, involving children from Secondary I upwards. In fact, this year they have drafted something like a textbook for use in the schools, and each national

Red Cross Society has been asked to adapt to its own needs and then to re-publish it in its own country in the language it chooses. This is a very recent development and we are doing it to a small extent, not in an organised and curriculumised way. But we hope to do better.

5. Can you describe to us what you mean by "humanitarian principles"? What is human and what is inhuman? May I suggest that we apply our minds to the original purpose of the Red Cross, namely, to assist the wounded and those refugees involved in the war. Now you are expanding the scope of your Society. In other words, it is more than what the Geneva Convention is:

'Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field.

'Geneva Convention for the amelioration of the condition of the wounded, sick and shipwrecked members of armed forces at sea.

'Geneva Convention relative to the treatment of prisoners of war.

'Geneva Convention relative to the protection of civilian persons in time of war.'

These are fundamentals? - Yes.

6. We must not depart from that. I must add that if you are going to put these in as objects of your Society, it will be like some other organisation outside going round and saying, "Well, we are going to do A, B, C, D and E at the community centres or some other places". In that case, the purpose of this Act will be misused. You might as well register the Society under the Societies Act. We must not escape from that. I think it is necessary for us to bear in mind that you are expanding your objectives. That is why I asked you what do you mean by "humanitarian principles of the Red Cross". By itself, the Red Cross is assumed to be a humane organisation as spelt out in the Geneva Convention. You do not have to add on to that? - Can I just add? By putting this paragraph into the Bill, we are actually restricting the principles of the Red Cross. We have got eight principles of the Red Cross included in the

Geneva Convention. But here, when we say "humanitarian principles", we are in fact referring to one of the principles, which is voluntary service. So our interpretation of this is narrower, in the sense that we want to develop voluntary service in a larger context. Perhaps it could be changed to mean the same thing. This is our intention - we would like to develop voluntary service in a bigger way.

7. But what has this got to do with the "propagation of humanitarian principles"? That is your object? - As a Red Cross, we should stick to the principles of the Red Cross.

8. Does it say so in the principles? - Voluntary service is one of our principles.

9. As it is, it is already a voluntary service. The Act says so. You do not have to put this as an object. It is quite different. Members of your Society are volunteers? - Yes.

10. It is quite different from the objects. We are talking about objects, not membership? - I have no objection if you wish to delete it. We just thought that it might be more comprehensive. (*Mr C. R. Rajah*) Mr Chairman, if I may just say something. In fact, the additional amendments which we have recommended to section 5 substantively do not give us any more rights or any more functions or objects to do which we cannot do if those amendments were not there. In other words, if we did not have the additional paragraphs as we have suggested, it does not mean that we cannot go on and do humanitarian service. It does not mean that we cannot go along and do our work in the schools and elsewhere. But the important aspect of including those objects in the Act would be to focus the attention of the various members of the Red Cross that these are, in fact, our objects and these are the things which we should concentrate on. There would be something in black and white to say, "This is what we

ought to do. This is what our prime objects are." And the important function is that it would serve as a reminder to the Society and its members that this is what we are here for; this is what we are here to do. It does not mean that if it is not there, we cannot do it.

Dr Toh Chin Chye] If what Mr Rajah says is true, then there is no purpose in incorporating it in the Act. If he can do it without including this in the Act, then go ahead. I agree absolutely with you, Mr Rajah, that there is no necessity to include it, and that what you have proposed need not be made part of the Act.

Chairman] Dr Toh, are you suggesting that we should take it off?

Dr Toh Chin Chye] Yes. I am suggesting that we should take it off.

Chairman] And allow them free play of what they want to do?

Dr Toh Chin Chye

11. Yes. Allow them to do what they want to do. Let me put it very clearly. By pushing this Bill through Parliament, the Red Cross Society is being given *locus standi* which you would not otherwise have. We have got to be very careful so that we know what should be the main purpose of the Red Cross Society. Otherwise if you keep on adding more objects to it, we will find that we have built up a special society and giving it privileges which other societies do not have. I am very anxious that this should be understood. If they are already as you said, doing this in the schools without incorporating this object in the Act, then there is no purpose in making it part of the Act. This will incur interpretation in the Act? - (*Dr Rasanayagam*) I think we will leave it to the wishes of the Minister.

Chairman

12. You are prepared to drop your three paragraphs? - Yes. But we would recommend including paragraph 5 (*e*)

which I have omitted to mention just now. The proposed new paragraph (e) reads:

'to recruit, train and assign such personnel as are necessary for the discharge of its responsibilities.'

I would suggest that we retain this object because section 12 of the principal Act specifies that:

'The income and property of the society . . . shall be applied solely towards the promotion of the objects of the society as set out in this Act

This is an important function "to recruit, train and assign such personnel" in voluntary aid services such as our ambulance services and others. Perhaps it ought to be in the Act as an object in order to make it clear that it is one of the functions. With regard to our proposed paragraphs (b) and (d), our Society is willing to go along with the wishes of the Minister.

Dr Toh Chin Chye] I have got no objections. Your Society must train personnel to discharge its responsibilities. Could it not be inserted elsewhere in the Bill? If you have to carry out a function, then it is very obvious that you must have the people to do it. It need not be included as an object. Can it be incorporated somewhere else? I do not think section 12 stops you from training people at all. It says, "The income and property of the Society . . . shall be applied solely towards the promotion of the objects of the Society ...". Can it be inserted somewhere else? Have you any idea? I have got no objections, of course, since you have to (train nurses and so on, if you like. But to put it as an object of the Society is a bit anomalous.

Mr Bernard Chen] It could probably be put under section 9 where it specifies the powers of the Council.

Dr Toh Chin Chye

13. Yes. We could put it under section 9, "The Council may recruit, train and assign such personnel as are necessary for the discharge of its responsibilities."? - Yes, that is more appropriate. It is really Powers of the Council.

14. Section 9 (1) (d) says:

"The Council may organise classes, lectures, courses and symposia on subjects falling within the objects of the society";.

There is no objection to "recruit and train such personnel." I think section 9 is the proper place to have it in? - Yes, Mr Chairman.

Chairman

15. We will go on to clauses 3 and 4 of the Bill. I see that you have no comments on them in your representation? - Yes, that is right.

Chairman] In Part B of your written representation, you have made a submission on the office of the Patron and President of the Society. Dr Toh would like to say something on this.

Dr Toh Chin Chye

16. Dr Rasanayagam, can you tell us how the Red Cross Society should be organised? - May I begin by saying that the main problem today, which is posed to the hon. Members of this Committee, does not really concern the functions of the Red Cross Society as such. We are actually willing to perform all the duties which the Ministry of Health or such other relevant Government agency may wish us to do. But the problem today is really more a constitutional one relating to the Presidency of the Society. In fact, this is what we consider as our major problem today. In this connection, perhaps I should very quickly and very briefly give this Committee a bird's eye view of the history of events that led to the appointment of the President of Singapore as the President of the Singapore Red

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Cross. Prior to 1973, before the introduction of the Act of Parliament incorporating the Red Cross Society, we functioned as the Singapore Red Cross Society without legal status but by recognition which was in the form of the President of the Society being the First Lady. This continued into the second Presidency until 1973, and when the Bill was being drafted, President Sheares wrote to the Attorney-General saying that he felt that "the President of the Red Cross Society should be some person other than the First Lady". When I was told about this, I sought an appointment with the President. In the course of our conversation, I told him that in several other countries the President of the Red Cross Society is the Head of State wherever that person is a constitutional Head of State and where it is a political Head of State, like in the United States, that person is the Honorary President. After some thought he agreed to be both the Patron and the President of the Society. Having ascertained this from him, I wrote to the Attorney-General and told him that the President had agreed to be both Patron and President of the Society. Then when the passage of the Bill had been completed, we applied to the International Committee of the Red Cross and sought recognition for the Society and admission to membership of the League of Red Cross Societies. At that time, it was specified in our Bill that the President of the Society who is the President of Singapore appoints the Chairman and Honorary Treasurer of the Society. The International Committee of the Red Cross objected to this condition in our statute, maintaining that this would interfere with the autonomy of the Society and they regard it as one of the necessities for any national Red Cross. In my appeal to them, I pointed out that even though the President of the State is the President of the Red Cross Society, he is the constitutional Head of State and not a political Head of State and therefore, by implication, these appointments would not be political in nature. They

still would not accept this totally but they agreed to give us conditional approval for admission to the League of Red Cross Societies and conditional recognition on the understanding that, at some future date, we would attempt to change the statute so that the Honorary Treasurer and the Chairman became elected officials of the Society. Three years went by and the International Committee of the Red Cross did not raise the subject again, and we were hoping that they would let it pass. Then late last year, at the end of 1976, a new person was appointed as Private Secretary to the President. I approached him to request, as in every other year, the President to chair the Annual General Meeting of the Society. I was very surprised when he suddenly told me that this could not be done as it was not proper "for the President of the State to be the President of a Society". And then he said, "In fact, I have advised the President and the First Lady to withdraw from the Presidency of all societies and this includes St. John's Ambulance", and he named a few other societies. He said that, in the case of the other societies, it was a simple matter of putting in an amendment to be passed at the Annual General Meeting but that in our case he had already written to the Attorney-General and the Ministry of Health to amend the Red Cross Act. I was taken aback and I replied that this view might be true for other associations, i.e. the view that it is not proper for the President of the State to be the President of a society. I mentioned to him that it was traditional in Red Cross Societies for the Head of State to be the President of the Red Cross, and I cited several examples to him. I also mentioned to him that if there was any change in our statute then we would again be drawing the attention of the International Committee of the Red Cross to review our statute, and we would have further problems. When I casually asked him why had he not consulted me, or even informed me when he made this move, he became very irritated. Then I sug-

gested that perhaps I should have a short discussion with the President on this matter. He cut it short and said that the decision had already been made. As this was an official matter, I did not think I should approach the President privately, even though I had the opportunity to do so. So I did not discuss this matter with the President. The way I perceive this problem, the Hon. Members of this Committee will have to consider, is firstly the appropriateness and desirability of the President of Singapore remaining as the President of the Singapore Red Cross. Secondly, if the President of Singapore is to relinquish this post, then Members of the Committee will have to consider what the consequent structure of the Society should be. These are the hypothetical positions that we have posed in our submission. But if you agree with us that it is appropriate and desirable for the President of Singapore to remain as the President of the Singapore Red Cross, we would be most delighted.

Dr Toh Chin Chye

17. Can you say that again? I cannot quite get you. Because this involves section 7 as well, is it not so? You are discussing sections 6 and 7 concerning the Patron and President of the Society and the Council. I think the fact is that the President does not want to get involved in the running of the Society. He has made it quite clear to me. As you know very well, it is not easy in the running of a society to avoid controversies within your Council. I think it is invidious for a President of the State to be involved. That, I believe, is the reason. This is why he has declined. Your fundamental fear is that you will not be accepted by the International Red Cross, am I right? - Yes.

Chairman

18. From what you have said just now, the International Red Cross was

not happy when President Sheares was appointed President of the Society? — No. They were not happy when the Head of State appointed officials. They do not want appointed officials. In fact, they accept the fact that in many countries it is traditional for the Head of State to be the President of the Society.

Dr Toh Chin Chye

19. Can you show us the letter that they wrote to you? - Unfortunately, at that time it was dealt through telegrams, which we have appended as Annex 3* of our submission—we sent you. According to the new rules adopted by the Board of Governors in Mexico and stipulated in the model statutes, Article 15 states that the Chairman must be elected by the General Assembly or Central Body of the Society and not appointed by the Head of State. There was another later telegram which said that the remark concerning the President should also apply to the Treasurer who should be elected by the Council and not appointed by the Head of State.

20. In the first instance, how do you constitute your Council? - Our Council is constituted by representatives from six Government Ministries, and representatives from three of the active divisions in the Society, and six elected representatives from the subscribing and life members of the Society. So that means the representative members come from four distinct groups of four each and six from the subscribing membership. When I say "active divisions", I wish to elaborate a bit. We have a division that is called the Voluntary Aid Detachment Division, which is the Ambulance Division. So the Council will have four representatives each from among this body.

21. Can you please tell us the formation of your Council? Who are the people? - Yes. Six representatives from Government Ministries; six elected representatives from the subscribing and

*Appendix II, page A 8.

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life membership; four elected representatives each from each of the three active divisions which are the Voluntary Aid Detachment Division, the Red Cross Youth Division and the Red Cross Welfare Division.

22. From your members? - Yes, from our members.

23. So you have a Council of 24 representatives? - Yes. And we have the Honorary Treasurer and the Chairman. The Council has powers to co-opt five other members.

24. So that makes 31 members? - Then again, there is a potential two members if we appoint two Vice-Presidents, which we can appoint from outside.

25. It is a very large Council that you have got? - Yes.

26. Is it necessary that you must have such a large Council? I do not know what telegrams have been transmitted to you, but according to my understanding, in the Conditions* for the recognition of National Red Cross Societies, the more important thing is, "Use the title and emblem of the Red Cross (Red Crescent, Red Lion and Sun). - In other words, you cannot use the Red Star. In the tenth condition. "Honour the fundamental principles of the Red Cross as defined by the International Red Cross Conferences: impartiality; political, religious and economic independence; .. ", but the fact is that you are already receiving a grant. So where is your independence? The tenth condition further states: ". . . the universality of the Red Cross and the equality of all National Societies; and be guided in all its work by the spirit of the Geneva Convention and the Conventions which complete it." I do not quite understand why there was objection to your acceptance by the International Committee of the Red Cross. What were the grounds that they gave? - The grounds that they have given were that we have

not complied with the rules adopted by the Board of Governors in Mexico (I think it was in 1971) which stipulated that the Chairman, and the principal officials must be elected. In our case, the other officials were elected but the Chairman and the Treasurer were not elected. That is what they objected to.

27. Can we see the resolution? - We have a copy of the model statutes where this is mentioned.

28. May I ask in the first instance how important it is that you should be accepted by the International Red Cross? It is just like the World Health Organisation. All members who are members of the United Nations, and some are not even members of the UN, are accepted in WHO because it concerns World health. Let me ask you how important it is that you must be accepted by the International Red Cross or you cannot fulfil your objects? - I think this is really for the State to decide. As far as we, in Singapore are concerned, it does not affect our work. In our international relations we have been delegated by the League of Red Cross Societies to man and operate disaster relief services for East and South-east Asia from Singapore, which the Singapore Red Cross provides as a service to the Red Cross community. Therefore, if there is a disaster in the countries around us, we ship supplies from here and we manage these relief affairs for them. So if we are out of the International Red Cross, perhaps they might ask somebody else to do that. And that does not matter to us personally except in terms of prestige. The other point is that, looking at it from our side in a sense not even as a member of the public but from your point of view, Sir, perhaps it may not be a very happy event for the Singapore Red Cross to be ejected from the International Red Cross which may appear as if there is something wrong with us.

* Appendix II, pages A 6-7.

29. I do not believe that you have been rejected because under the old Act, when President Sheares was the President of the Society, you were already being asked to act as an agent of the International Red Cross. Am I right? - We were actually acting as an agent even before recognition.

30. There you are?-Because they then considered us as a society in formation. So they were hoping that we would be formed very soon. In fact they appointed us in 1969. But, as I told you, that is a side matter. But now that we have sought admission, if we are thrown out, it would be a matter of concern for the Government, not for the Society.

31. My conclusion is that they will continue to ask you to act for them. I think the Americans themselves are using Singapore as a centre for the relief of disaster in neighbouring countries regardless of whether or not they are acceptable to the International Red Cross? - I agree with you. They will probably still use us.

32. They will use you? - But there is still the possibility that we might be thrown out.

33. I do not think that should worry you at all? - It would not worry us, Sir. I think it is meant for the country.

Chairman] I do not see the purpose of what you said just now. Why should they get out of the International Red Cross?

Dr Toh Chin Chye] Because they are already inside.

Chairman] If they are already in, why not stay in?

Dr Toh Chin Chye] Exactly.

Chairman] Why try to get out of it?

Dr Toh Chin Chye] No, they are not trying to get out of it.

Chairman] That is what I thought you said.

Dr Toh Chin Chye

34. I do not believe that they will throw you out? - In fact, we are here because we do not want to have that eventuality.

Dr Toh Chin Chye] Do you seriously believe that they will throw you out?

Chairman

35. Surely they have got certain regulations and so on. If you want to be part of it, you have got to conform to the regulations? - I cannot really say. It has not happened to anybody in the past.

Dr Toh Chin Chye

36. There you are! As I have told you, it is the purpose? - These rules were accepted by the International Red Cross in 1971. So anybody who formulated their structure before 1971, even if they were not in compliance, will probably keep on respecting them. But in our case, after 1971, I believe they wanted to be tough and said, "Look. We want to lay down the law." Then we would be thrown out.

37. Can you name me countries which are not members of the International Red Cross? - I know there are, but I cannot name them offhand.

38. How many members are there? - I think the International Red Cross has 126 members.

Dr Toh Chin Chye] There you are! They are almost the independent countries in the UN. They will accept that.

Chairman

39. You want to say something, Mr Chelva Rajah? - (*Mr C. R. Rajah*) Yes, Sir. As far as our Society here is concerned, we for ourselves do not think that we will be materially affected whether the Society's President is, in fact, the President of the Republic of

Singapore or a nominee, other than the fact that there is a certain prestige attached to the Society if its President is the President of the State. But being a Red Cross Society perhaps we should not be looking for things like prestige. The important point is whether this change is going to affect us in our relationship with the International Committee of the Red Cross. When we were first admitted, they said, "OK. The President would be the Head of State. And since it is your non-political head of state who is appointing your Chairman and Treasurer, we will allow you to proceed on that basis." In other words, there will be two nominated members. But under the proposed amendment, we will end up having three nominated members. It is not so much that there will be three nominated members but we will have to inform the International Committee of the Red Cross about this change in our incorporation statutes. Their attention will be drawn to the earlier situation whereby they asked us whether we could change and bring down the two nominated members into elected members, and the whole issue would be brought up again. Whether or not it is going to result in us being thrown out of the International Red Cross body, we do not know. This is something which is a matter of judgment which the Government would be in a much better position to make. But our duty is to point out this possibility to this Committee and it is for the Committee to then decide in its recommendation along those lines.

Dr Toh Chin Chye] I think we would like to hear the views of the other Members of the Select Committee.

Mr Bernard Chen

40. Are there any instances where the President of the State is not the President of the Society? If so, in those countries who is the President of the Society? - In some countries, the President is in fact an elected President.

He is elected by members of the Red Cross. The point at issue is not so much that the President of the Red Cross must be the President of the State. The point is that we must try to reduce the number of nominated members. If the President is also a nominated member, then we would have increased the number of nominated members. We were supposed to bring down the number of nominated members from two to below two or to make them all elected members. As a result of this amendment, we are going to have three nominated members. What we do not know is how the International Committee of the Red Cross will react to this. As far as the President of the Singapore Red Cross is concerned, whether or not it is the President of Singapore, I do not think that will worry the International Committee of the Red Cross too much. (*Dr Rasamayagam*) You are correct that there are many countries where the Head of State is not the President of the Red Cross Society. Nearly all of them are elected, and in some instances they are nominated. (*Mr C. R. Rajah*) That is why we have made an alternative proposal. If the Select Committee feels that the President of our Republic should not be the President of the Society, then let him nominate the President but let the Society elect its Chairman and Treasurer. That is one way out. We can then tell the International Committee of the Red Cross, "Yes, it is true that the President of the Society is being nominated by the Head of State but we are now having elections for our Chairman and Treasurer. They are no longer nominated. They are being elected by the general body."

Dr Toh Chin Chye] I am confused between the President and the Chairman.

Chairman] In other words, why must you have two persons? Why can you not have the elected President who is also the Chairman? .

Dr Toh Chin Chye

41. What happened in the past? This is what I do not understand? - (*Dr Rasanayagam*) In the past it was the First Lady.

42. Why do we not keep it that way? - The President does not want it.

Chairman

43. Dr Rasanayagam said that President Sheares himself asked to be the President? - No. He asked that it should be some person other than the First Lady.

Mr Bernard Chen] He was persuaded to be the President.

Chairman] I think it was to put it in a nice way.

Dr Toh Chin Chye

44. I think that is the point. When Encik Yusof bin Ishak was the President, who was the President of the Society? - The First Lady was the President.

45. It was the First Lady. You could just carry on the tradition. What happened at that time? You had your Council? - Yes, we had a Council.

46. Who presided at your Council? - The Chairman presided at the Council. The First Lady presided at the Annual General Meeting.

47. How was the Chairman appointed? - I really cannot say. In 1967 Dr Thevathasan was the Chairman of the Singapore Red Cross Society and he had been Chairman ever since that position was relinquished by Lionel Cresson. I think at that time he was elected. Then, upon his sudden death, the First Lady approached Dr Phay Seng Whatt to look around for a Chairman. I do not know what were the real mechanics of it, but I was

requested by Dr Phay Seng Whatt to take on the chairmanship. Then I just became the Chairman as the Society had no Constitution at that time. In fact, I was just the *de facto* Chairman.

48. You were appointed by Dr Phay Seng Whatt? - I was appointed by the First Lady on the recommendation of Dr Phay Seng Whatt. When the statutes were formulated, I was formally appointed by President Sheares for three years and then re-appointed for another three years now.

Chairman

49. Can we not at this stage have an elected President who will also chair all the meetings? - (*Mr C. R. Rajah*) Yes, we could. (*Dr Rasanayagam*) We have two options here. What we have said now is that in order not to incur the displeasure of the International Committee of the Red Cross - not that we mind incurring their displeasure but just to make things smooth - either we just keep the two nominated Chairman and Treasurer and elect a new President or annul the post of President like in the French-speaking societies because they have got no word for the Chairman. Even for the Chairman, they say "le President". They have no word for the Chairman so they do away with the Chairman. They have the President and that is all. In other words, the two posts are merged into one. That is one possibility. The other possibility is for us to elect the President and keep on appointing the Chairman and Treasurer. Another possibility is to nominate the President and elect the Chairman and Treasurer. With all of these, we can at least successfully argue with the International Committee of the Red Cross that we are in no way worse than our present position in that it does not increase the number of nominated officials. So these are the proposals we have put forward as options which we hope the Committee will accept.

Mr Lim Chee Onn

50. Could I seek a clarification? In societies where the President, Chairman and Treasurer are elected by the Council, what is the relationship of these societies vis-a-vis the State or the government? In other words, are these societies established under an Act of Parliament? - Yes. In all countries it is one of the mandatory provisions of the Geneva Conventions that unless the Society is recognised in its own State by an Act incorporating it or some other official Act recognising it, the International Committee of the Red Cross will not admit it. So therefore if all officials are elected, then in most of these countries the Head of State or the wife of the Head of State would be the Patron. In other words, it is given some recognition. But there would also be a legal status in its Act of Parliament or in its statutes recognising the Society as we have done.

Dr Toh Chin Chye

51. That is where we think the problem arises. You are asking Parliament to give you a special privilege of running your own organisation. At the same time, you are receiving a grant from the Government through Parliament whereas other societies do not have that. This is the point? - I am not belittling the Government's grant, but if I may just mention this. The grant was given at the time when we started the Crippled Children's Home in Changi as an extension of the orthopaedic lying-in wards. In those days, we had a lot of cases of TB of the spine and TB of the hip, and the lying-in period was so long that the Ministry of Health suggested that perhaps we should just have open wards where these children could lie for six months because that is the normal convalescence and why not let some other agency run this. So the Red Cross Society was

approached and a piece of ground in Changi was alienated to the Red Cross on lease. They were given an initial grant and donations were raised from the public. A building was then put up and this was how it came to pass. Then the Government voluntarily at that time said that they would give \$20,000 to run this Home, and to this day it is still \$20,000 a year. We have not asked for more even though it costs us much more to run it. Although it is a form of recognition by Government, it does not really imply that Government is controlling us. This is something which will come up when they see our accounts because we spent \$355,000 last year and our Government grant is about \$20,000. So obviously the International Committee of the Red Cross knows that with that kind of grant we cannot be under control at least for purposes of financial control.

52. It satisfies the condition for admission as stated in Annex 2, No. (10) of your representation: political, religious and economic independence;" They are satisfied, are they not? - Yes.

53. The point is, as he has pointed out, how will the Society be responsible to Parliament? We are setting up this organisation with powers and recognition given by Parliament which no other society has got. How will the Society be responsible to Parliament? - (*Mr C. R. Rajah*) If the Society is mismanaged by its officials, then they will be held responsible just like the officials of any other society. If they swindle the Society, they will be prosecuted under the Criminal Procedure Code. If they commit some other offence, they will be prosecuted accordingly. There is no special procedure whereby they can be directly responsible to Parliament. But if at any time Parliament thinks that the Red Cross Society

of Singapore is being run in such a way that it is a discredit to the country, Parliament can always scrap the whole society by repealing the Act which incorporates the Society. That is the hold which Parliament has over the Society. (*Dr Rasanayagam*) I think you are right in asking that question. But I would stress that on the whole, the responsibility is really a moral one in that we are volunteers. We owe a moral responsibility more than any other responsibility to the authorities that appoint and legislate in such a way that they recognise the Society.

54. That is why they have suggested that the Chairman and Honorary Treasurer should be nominated, at least one of them, that is, the Chairman should be nominated. You were nominated by Dr Phay Seng Whatt? - Even now.

Dr Toh Chin Chye] Yes. Let us continue with the good tradition then. We can delete the Honorary Treasurer. Just say that the Chairman should be nominated, and continue with it.

Chairman] What about the President of the State? Would he be the President or Patron of the Society?

Dr Toh Chin Chye] The Patron.

Chairman

55. We will call him "Patron"? - (*Mr C. R. Rajah*) At the moment it is "President and Patron". But after the passage of the Bill, it might well be merely "Patron".

Dr Toh Chin Chye

56. And then the Patron can nominate the President of the Society? - (*Dr Rasanayagam*) Yes, of course, the Patron can nominate him. If we are going to have a President, then our

suggestion is that the Patron will nominate the President, and then stop at that.

Dr Toh Chun Chye] And that is that. I am quite agreeable to that. The President of the State shall be the Patron of the Society. The Patron will nominate the Chairman, or whatever you call him.

Chairman] No. The Patron will nominate the President.

Dr Toh Chin Chye

57. Yes. The President of the Society. You are really representing him, is that not so? And that is that. I am quite happy? - But I do not know how they want to function in the future, that is, whether or not they want to split the post of President and Chairman.

58. No, the President will preside at the meetings. Here, I am talking of the President of the Society. The President of the State shall be the Patron. In other words, he will not personally get involved and attend your meetings. But he will nominate the President of the Society. I must re-emphasise that Parliament is being asked to give special recognition and power to a society which other societies do not have? - Yes.

Dr Toh Chin Chye] That is fair enough. Being the Patron, he must appoint someone who is a respectable person to be the President of the Society. I think that is quite fair enough.

Chairman] In other words, we do not use the word "Chairman" any more.

Dr Toh Chin Chye] We do not use the word "Chairman". He can be the President of the Society.

Mr Bernard Chen] We can combine the two posts into one.

Dr Toh Chun Chye

59. The President of the State shall be the Patron who will have the power to nominate the President of the Society. I think we stop at that? - And all other officials will be elected.

Mr Tan Cheng San] I think normally the President of the State nominates the Chairman and the Treasurer. But now the President of the State will nominate the President and Treasurer of the Society.

Chairman] No. Just the President. The Treasurer has got to be elected.

Dr Toh Chin Chye] The Treasurer is neither here nor there. Let us have the views of the other Members. I have been doing all the talking.

Mr Bernard Chen] In terms of autonomy I think the nomination of the President of the Society will be enough. The Treasurer and other Council members can be elected because their function is more administrative. As long as we have the President of the State to nominate the President of the Society, the other officials can be elected.

Mr Ahmad Haleem] Yes, I agree to that. We can abolish the post of Chairman.

Dr Toh Chin Chye] Dr Rasanayagam, would you like to call yourself the "President of the Society" or the "Chairman of the Society"?

Chairman

60. I think the President of the Society? - It may not be me.*

61. Is what the Minister has proposed acceptable? - Yes, that is acceptable. There is one small point which is not related to the structure. At the moment, it is spelt out that before the constitution of the society can become effective, it must be approved by the

President of the Society who at the moment is the President of the State. We have recommended in our submission that this duty be transferred to the Attorney-General whose appointment is also non-political in our country. I would recommend it partly for the reason that if, as before, the President is the approving authority for our constitution, although he does not himself approve it but actually referring it to the Attorney-General, the fact is that in the public eye his approval or disapproval would make him appear as if he were partisan to any changes that might affect one or other of the interested groups. In order to keep him aloof and non-partisan, we have recommended that in the light of our experience this duty should be transferred to the Attorney-General.

Chairman] Any objections to that, Dr Toh?

Dr Toh Chin Chye

62. You want the constitution of the Society to be approved by the Attorney-General? - Yes.

Dr Toh Chin Chye] That is all right.

Mr Bernard Chen

63. According to the legislation, the Council is empowered to make rules and amendments. Does this include the constitution as well? - Yes, but it has to be approved.

Dr Toh Chin Chye] I think we must insert it in the Bill. That is quite fair.

Mr Bernard Chen] In practice it is vetted by the Attorney-General.

Mr Ahmad Haleem

64. By the President? - At the moment it is the President.

*The witness subsequently supplied further information, reproduced at page B 15.

MINUTES OF EVIDENCE

27

6 DECEMBER 1977

28

Dr Toh Chin Chye

65. How are you going to put it in the Bill? — (*Mr C. R. Rajah*) We can strike off the words "President of the Society" and insert "Attorney-General".

Mr Ahmad Haleem

66. In subsection (2) of section 9, we change "President of the Society" to the "Attorney-General"? - Yes.

Dr Toh Chin Chye

67. So that it will read, "unless it shall have been approved by the Attorney-General."? — (*Dr Rasanayagam*) Yes. We have it in our Schedule I and Schedule II.

Chairman

68. Does it sound, all right internationally? - Yes.

Mr Bernard Chen

69. Is he brought in because the President of the State is the President of the Society? He is the President of the State, but now he is no longer the President of your Society. Is there any necessity to have it cleared by the Attorney-General? - It is actually more a subtle form of control by the State. As Dr Toh has said, Parliament is giving the Society privileges and certain rights; so it is only fair that the State should have at least some remote control over the rights in that the Attorney-General will not be able to formulate the constitution but only to disapprove the

constitutional features that are unattractive or undesirable.

Chairman] You are trying to put the blame on the Attorney-General if anything goes wrong!

Dr Toh Chin Chye

70. You already have a constitution, have you not? - Yes.

71. That has already been approved? - Yes.

72. So you are already operating under that constitution? - Yes.

73. And if you want to make any amendments, you have got to go to the Attorney-General? - Yes.

74. That is the idea? - Yes. (*Mr C. R. Rajah*) It is to get his sanction.

Chairman] Is that agreed?

Hon. Members indicated assent.

Chairman

75. Gentlemen, I think that concludes the meeting. The transcript of today's proceedings will be sent to you in a few days' time. If you wish to correct any mistakes in grammar or style please do so, but do not add anything because it is all recorded here. Please send the transcript back to the Chief Reporter and Editor as soon as possible? - Yes, thank you.

Chairman] Thank you very much.

(*The witnesses withdrew.*)

SINGAPORE RED CROSS SOCIETY,
Red Cross House,
15 Penang Lane,
Singapore 9.

8th December, 1977.

The Hon'ble Dr Yeoh Ghim Seng,
Chairman,
Parliamentary Select Committee,
Parliament House.

Re: SINGAPORE RED CROSS SOCIETY AMENDMENT BILL

Dear Sir,

Towards the end of the Select Committee's session on Tuesday the 6th December, 1977 you posed the question as to whether the Red Cross would prefer the Presidential nominee to be known as the Chairman or as the President of the Society. I indicated that we would rather leave that decision to you.

On further reflection, I find that I should supply you with more information to make this decision.

If it is the intention of the Select Committee to recommend that the positions of President and Chairman be combined into one post then the following will apply.

1. If the appointee is called the President of the Society, the Constitution of the Society will have to be amended to reassign the duties and powers of that office. Although (in future) the Attorney General will have to approve the amendment, it is not possible to initiate any amendment to the Society's constitution, except from within the Council of the Society. If there is difficulty in making these amendments there could be a temporary impasse.

2. If the appointee is called the Chairman of the Society, the duties and powers of this office are already defined in the Society's constitution and only minor modifications will be necessary.

If my advice is admissible at this stage I would propose the latter course. My colleagues who attended the Select Committee's session with me are in agreement with the view stated above.

Thanking you.

Yours faithfully

(Sgd.) Dr W. R. Rasanayagam

MINUTES OF PROCEEDINGS OF THE SELECT COMMITTEE

1st Meeting

MONDAY, 24TH OCTOBER, 1977

3.15 p.m.

PRESENT:

Mr Speaker (*in the Chair*).

Mr Ahmad Haleem.

Mr Bernard Chen.

Mr Lim Chee Onn.

Mr Ng Yeow Chong.

Mr Teong Eng Siong.

Dr Toh Chin Chye.

ABSENT:

Mr Tan Cheng San (with apologies).

-
1. The Committee deliberated.
 2. Written representations from the Singapore Red Cross Society were considered.
 3. Agreed that representatives of the Society be invited to give oral evidence.

Adjourned till 3.15 p.m. on
Tuesday, 6th December, 1977.

2nd Meeting

TUESDAY, 6TH DECEMBER, 1977

3.15 p.m.

PRESENT:

Mr Speaker (*in the Chair*).

Mr Ahmad Haleem.

Mr Bernard Chen.

Mr Lim Chee Onn.

Mr Ng Yeow Chong.

Mr Tan Cheng San.

Mr Teong Eng Siong.

Dr Toh Chin Chye.

1. The Committee deliberated.

2. Dr W. R. Rasanayagam, Chairman of the Council and Vice-President, Mr Leaw Kok Yin, Honorary Treasurer, and Mr Chelva Retnam Rajah, Council Member, of the Singapore Red Cross Society were examined.

3. The Committee further deliberated.

Adjourned till 3.15 p.m. on
Tuesday, 14th February, 1978.

3rd Meeting

TUESDAY, 14TH FEBRUARY, 1978

3.15 p.m.

PRESENT:

Mr Speaker (*in the Chair*).
Mr Ahmad Haleem.
Mr Bernard Chen.
Mr Ng Yeow Chong.
Mr Tan Cheng San.
Mr Teong Eng Siong.
Dr Toh Chin Chye.

ABSENT:

Mr Lim Chee Omn (on leave of absence).

1. The Committee deliberated.
2. Bill considered, clause by clause.

Clause 1:

Alteration made, in page 1, line 4, by leaving out "1977" and inserting "1978".

Clause 1 agreed to.

Clause 2:

Amendment made, in page 1, line 7, by leaving out from "2." to the end of line 16 and inserting -

"Section 6 of the principal Act is hereby repealed and the following substituted therefor: -

"Patron of the Society. 6. The President of Singapore shall be the Patron of the Society." - (Minister for Health).

Clause 2, as amended, agreed to.

Clause 3:

Amendment made, in page 2, by leaving out lines 6 to 9 inclusive and inserting -

"(b) by deleting subsections (2) and (3) thereof and substituting therefor the following:-

"(2) The Chairman of the Council shall be appointed by the President of Singapore for a term of three years, and shall be eligible for re-appointment." - (Minister for Health).

Clause 3, as amended, agreed to.

Clause 4 disagreed to.

New clause in substitution brought up and read a first time: -

"Repeal and
re-enact
ment of
section 9.

Section 9 of the principal Act is hereby repealed and the following substituted therefor: -

"Powers of
Council.

9.-(1) The Council may-

- (a) appoint committees and allocate duties to and regulate the exercise of executive power by such committees and members of the Council;
- (b) appoint such officers and servants as it thinks fit and regulate the conduct and dismissal of such officers and servants;
- (c) recruit and train other persons to carry out such functions as may be necessary to achieve the objects of the Society, and assign those functions to such persons;
- (d) organise classes, lectures, courses and symposia on subjects falling within the objects of the Society;
- (e) disseminate information about the Society by selling or distributing books, pamphlets and papers; and
- (f) generally do all such other acts as may be necessary to achieve the objects of the Society.

(2) The Council may, with the approval of the Director of Medical Services, make rules for or in respect of all or any of the following matters: -

- (a) the proceedings of the Society and the Council, and the management of the affairs of the Society;
- (b) the different classes of members of the Society and the terms of admission of those members;
- (c) the appointment, election and removal of an executive committee and other officers;

- (d) the appointment and election of sub-committees and other bodies for special purposes and the delegation to them and the executive committee of any of the functions and powers of the Council;
- (e) the mode of holding meetings of the executive committee and the sub-committees, and other bodies, referred to in paragraph (d), and the right of voting at such meetings;
- (f) the keeping of the accounts of the Society and the audit of the same at least once a year;
- (g) the convening of the annual general meeting of the Society for the purposes of receiving a report and statement of accounts for the preceding year, electing those members of the Council, who are to be elected pursuant to the rules, and deciding upon any proposal or matter, and transacting any other business which shall be duly submitted to the meeting."." - (Minister for Health).

New clause read a second time and added to the Bill.

New clause (A) immediately after clause 1:

New clause (A) brought up and read a first time: -

"Amend-
ment of
section 5.

Section 5 of the Singapore Red Cross Society (Incorporation) Act, 1973 (hereinafter in this Act referred to as "the principal Act") is hereby amended by deleting paragraph (a) thereof and substituting therefor the following:-

"(a) the provision of assistance in relief operations in times of disaster and in auxiliary health and welfare services to the sick, the handicapped, the aged and the poor, without any distinction on grounds of race, nationality, religion or political opinions; and"." - (Minister for Health).

New clause read a second time and added to the Bill.

New clause (B) immediately after clause 3:

New clause (B) brought up and read a first time:-

"Amend-
ment of
section 8.

Section 8 of the principal Act is hereby amended -

- (a) by deleting the words "President of the Society" appearing in subsections (1) and (2) thereof and substituting therefor in each case the words "President of Singapore";
- (b) by deleting the words "or the Honorary Treasurer" appearing in the second and third lines of subsection (1) thereof;
- (c) by deleting the words "and the Honorary Treasurer" appearing in the first line of subsection (2) thereof; and
- (d) by deleting subsection (3) thereof and substituting therefor the following:-

"(3) If the Chairman dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, another person may be appointed by the President of Singapore for the unexpired period of the term of office of the Chairman in whose place the other person is appointed." - (Minister for Health).

New clause read a second time and added to the Bill.

Alterations made to the numbering of clauses consequent on the addition of the two new clauses.

Bill to be reported:

Report

3. The Chairman's Report brought up and read the first time.

4. Resolved, "That the Chairman's Report be read a second time paragraph by paragraph."

Paragraphs 1 to 6 inclusive read and agreed to.

5. Resolved, "That this Report be the Report of the Select Committee to Parliament."

6. Agreed that the Chairman do present the Report to Parliament upon printed copies thereof being available for distribution to Members of Parliament.

OFFICIAL REPORT
TUESDAY, 14TH FEBRUARY, 1978

CONTENTS

Clause 1 agreed to

Clause 2, as amended, agreed to

Clause 3, as amended, agreed to

Clause 4 disagreed to

New Clause 4 agreed to

New Clauses A and B agreed to

Bill to be reported

Report agreed to

OFFICIAL REPORT

Tuesday, 14th February, 1978

The Committee met at 3.15 p.m.

PRESENT:

Mr Speaker (Dr Yeoh Ghim Seng, B.B.M., J.P. (Joo Chiat)).
 Mr Ahmad Haleem (Telok Blangah).
 Mr Bernard Chen (Radin Mas), Minister of State, Ministry of Defence.
 Mr Ng Yeow Chong (Mountbatten).
 Mr Tan Cheng San (Paya Lebar).
 Mr Teong Eng Siong (Sembawang).
 Dr Toh Chin Chye (Rochore), Minister for Health.

ABSENT:

Mr Lim Chee Onn (Bukit Merah) (*on leave of absence*).

[Mr Speaker in the Chair]

The Chairman: Good afternoon, gentlemen. The first item on the agenda today is to consider the Bill clause by clause. One notice of amendments has been received from the Minister for Health and it has been circularised to Members.

Clause 1 - (Short title and commencement.)

The Chairman: The citation year will be altered from "1977" to "1978".

Clause 1 agreed to stand part of the Bill.

Clause 2 - (Repeal and re-enactment of section 6.)

Amendment made:

In page 1, line 7, to leave out from "2." to the end of line 16 and insert -

"Section 6 of the principal Act is hereby repealed and the following substituted therefor:-

"Patron of the society shall be the Patron of the Society." - [Dr Toh Chin Chye].

Clause 2, as amended, agreed to stand part of the Bill.

Clause 3 - (Amendment of section 7.)

Amendment made:

In page 2, to leave out lines 6 to 9 inclusive and insert -

"(b) by deleting subsections (2) and (3) thereof and substituting therefor the following:-

"(2) The Chairman of the Council shall be appointed by the President of Singapore for a term of three years, and shall be eligible for re-appointment." - [Dr Toh Chin Chye].

Clause 3, as amended, agreed to stand part of the Bill.

Clause 4 - (Amendment of section 9.)

Question, "That clause 4 stand part of the Bill," *put, and negatived.*

Clause 4 accordingly disagreed to.

New Clause 4 -

"Repeal and re-enactment of section 9. Section 9 of the principal Act is hereby repealed and the following substituted therefor:-

"Powers of Council (1) The Council may -

- (a) appoint committees and allocate duties to and

- regulate the exercise of executive power by such committees and members of the Council;
- (b) appoint such officers and servants as it thinks fit and regulate the conduct and dismissal of such officers and servants;
- (c) recruit and train other persons to carry out such functions as may be necessary to achieve the objects of the society, and assign those functions to such persons;
- (d) organise classes, lectures, courses and symposia on subjects falling within the objects of the Society;
- (e) disseminate information about the Society by selling or distributing books, pamphlets and papers; and
- (f) generally do all such other acts as may be necessary to achieve the objects of the Society.
- (2) The Council may, with the approval of the Director of Medical services, make rules for or in respect of all or any of the following matters: -
- (a) the proceedings of the Society and the Council, and the management of the affairs of the Society;
- (b) the different classes of members of the Society and the terms of admission of those members;
- (c) the appointment, election and removal of an executive committee and other officers;

- (d) the appointment and election of sub-committees and other bodies for special purposes and the delegation to them and the executive committee of any of the functions and powers of the Council;
- (e) the mode of holding meetings of the executive committee and the sub-committees, and other bodies, referred to in paragraph (d), and the right of voting at such meetings;
- (f) the keeping of the accounts of the society and the audit of the same at least once a year;
- (g) the convening of the annual general meeting of the Society for the purposes of receiving a report and statement of accounts for the preceding year, electing those members of the Council, who are to be elected pursuant to the rules, and deciding upon any proposal or matter, and transacting any other business which shall be duly submitted to the meeting."
- [Dr Toh Chin Chye].

Brought up, and read the First time.

Dr Toh Chin Chye: Mr Speaker, Sir, I beg to move, "That the clause be read a Second time."

Mr Speaker, may I explain why the original clause 4 has to be substituted, and also explain why the Director of Medical Services has been recommended to approve the rules of the Council and

its procedures.

The Attorney-General has written us a letter stating specifically that it is not his position to approve any rules at all. In fact, it has never been his role to do that for any law. His views are:

(a) If the Singapore Red Cross Society does not wish to have any connection with the Government in order not to jeopardise its recognition by the International Red Cross, it should not have its constitution approved by the Attorney-General who is Government's chief legal adviser.

(b) Nowhere in our Constitution or legislative scheme has the Attorney-General been designated as the authority for the purpose of approving or disapproving any subsidiary legislation. He is responsible for drafting legislation but he is not empowered with authority to make rules.

We have advised the Singapore Red Cross Society of the Attorney-General's objections. The Society has now recommended that its constitution be approved by the Chairman of the Society. I feel that there is a contradiction here because the Chairman now is no longer the President of Singapore who will appoint the Chairman of the Society.

As I have mentioned to the Select Committee before, Parliament is giving the Society special status and privileges and, in fact, if we were to accept the recommendations of the Society that its own Chairman approves its own rules, then, of course, he would no longer be responsible to Parliament. In fact, any change in the rules will have to be made in Parliament. This is a hybrid Bill and it is under the charge of a Minister. In this particular case, the Minister for Health has the closest responsibility for the Bill. Therefore, I have suggested that the Director of Medical Services should approve the rules and procedures of the Society.

Mr Bernard Chen: Will the introduction of this new clause which provides for the approval of the Society's rules by the Director of Medical Services affect the autonomy of the Singapore Red Cross Society, as they had claimed at the last meeting?

Dr Toh Chin Chye: I do not think so. *Brought up, and read the First time.*

Mr Bernard Chen: The Attorney-General has looked at it from the legal

point of view, whereas in the case of the Director of Medical Services -

The Chairman: If he has any doubt, he can consult the Attorney-General.

Dr Toh Chin Chye: The Singapore Red Cross Society has a very close connection with the Ministry of Health. But if they want the Permanent Secretary to the Minister for Foreign Affairs to approve the Society's rules, I have no objection.

Mr Bernard Chen: This point was stressed at the last meeting.

Dr Toh Chin Chye: I think there is no way out of this. The Attorney-General has opposed it very strongly in his letter. We just cannot ignore his views. He just does not want to have anything to do with the Singapore Red Cross Society's rules. There were suggestions that the President of Singapore should be responsible for approving the rules. This would take us back to square one because the President does not wish to be involved with the Singapore Red Cross Society politics. I think that was the main reason why he chose to withdraw from being the President of the Society.

Question put, and agreed to.

Clause read a Second time and added to the Bill.

New Clause A -

“Amendment of section 5.

Section 5 of the Singapore Red Cross Society (Incorporation) Act, 1973 (hereinafter in this Act referred to as “the principal Act”) is hereby amended by deleting paragraph (a) thereof and substituting therefor the following:-

- (a) the provision of assistance in relief operations in times of disaster and in auxiliary health and welfare services to the sick, the handicapped, the aged and the poor, without any distinction on grounds of race, nationality, religion or political opinions; and “.”. - [Dr Toh Chin Chye].

Dr Toh Chin Chye: Mr Speaker, Sir, I beg to move, “That the Clause be read a Second time.”

May I point out that it is the intention to insert this new clause immediately after clause 1.

Question put, and agreed to.

Clause read a Second time and added to the Bill.

The Chairman: As indicated, this new clause is to be inserted immediately after clause 1.

New Clause B -

"Amend Section 8 of the principal Act of section is hereby amended - 8.

- (a) by deleting the words "President of the Society" appearing in subsections (1) and (2) thereof and substituting therefor in each case the words "President of Singapore";
 - (b) by deleting the words "or the Honorary Treasurer" appearing in the second and third lines of subsection (1) thereof;
 - (c) by deleting the words "and the Honorary Treasurer" appearing in the first line of subsection (2) thereof; and
 - (d) by deleting subsection (3) thereof and substituting therefor the following:-
"If the Chairman dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, another person may be appointed by the President of Singapore for the unexpired period of the term of office of the Chairman in whose place the other person is appointed.".
- [Dr Toh Chin Chye].*

Brought up, and read the First time.

Dr Toh Chin Chye: Sir, I beg to move, "That the clause be read a Second time."

It is the intention to insert this new clause immediately after clause 3.

Question put, and agreed to.

Clause read a Second time and added to the Bill.

The Chairman: This new clause is to be inserted immediately after clause 3. Amendments will also be made to the numbering of clauses consequent on the addition of the two new clauses.

Bill to be reported.

REPORT

The Chairman: We now come to the next item on the agenda, that is, to consider the Report of the Committee to Parliament. Hon. Members have before them the Chairman's draft Report. Is it agreed that the Chairman's draft Report be accepted as the basis for discussion?

Hon. Members indicated assent.

Chairman's Report brought up, and read the First time.

Question put, and resolved, .

That the Chairman's Report be read a Second time, paragraph by paragraph.

Paragraphs 1 to 6 inclusive read and agreed to stand part of the Report.

Question put, and resolved,

That this Report be the Report of the Committee to Parliament.

The Chairman: In regard to the date of presentation of the Report to Parliament, I suggest that we present the Report upon printed copies thereof being available for distribution to Members of Parliament. Is that agreed?

Hon. Members indicated assent.

The Chairman: Thank you. The Committee is now *functus officio*.

Committee adjourned at 3.34 p.m.