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COVID-19 (TEMPORARY MEASURES) ACT 2020 (ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES) (ALTERNATIVE ARRANGEMENTS FOR MEETINGS FOR REGISTERED SOCIETIES) ORDER 2020

ARRANGEMENT OF PARAGRAPHS

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In exercise of the powers conferred by section 27 of the COVID-19 (Temporary Measures) Act 2020, the Minister for Law makes the following Order:

Citation and commencement

1. This Order is the COVID-19 (Temporary Measures) (Alternative Arrangements for Meetings for Registered Societies) Order 2020 and is deemed to have come into operation on 27 March 2020.

Definitions

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

“electronic means” means electronic communication, video conferencing, tele-conferencing or other electronic means;

“meeting” means a general meeting of a registered society or a meeting of a governing body of a registered society;

“member” means —

- (a) in the case of a general meeting of a registered society — a member of the registered society; or
- (b) in the case of a meeting of a governing body of a registered society — a member of the governing body;

“registered society” has the meaning given by section 2 of the Societies Act (Cap. 311).

Control measures

3. This Order is made in respect of the following control measures:

- (a) the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 (G.N. No. S 254/2020);
- (b) the Infectious Diseases (Measures to Prevent Spread of COVID-19) Regulations 2020 (G.N. No. S 185/2020).

Application

4. This Order sets out the alternative arrangements to personal attendance in respect of the following classes of meetings:

- (a) general meetings of registered societies;
- (b) meetings of governing bodies of registered societies.

Alternative arrangements for general meetings of registered societies and meetings of governing bodies of registered societies

5.—(1) The alternative arrangements for the convening, holding, conducting or deferral of a meeting to which this Order applies set out in the second column of the Schedule apply in respect of the provisions of the written law or legal instrument relating to such a meeting set out in the first column of that Schedule.

(2) The alternative arrangements apply for the period starting on 27 March 2020 and ending on 30 September 2020.

THE SCHEDULE

Paragraph 5(1)

ALTERNATIVE ARRANGEMENTS FOR GENERAL MEETINGS OF REGISTERED SOCIETIES AND MEETINGS OF GOVERNING BODIES OF REGISTERED SOCIETIES

<i>First column</i>	<i>Second column</i>
<i>Provision of Societies Act or rules of the registered society</i>	<i>Alternative arrangement</i>
<p>1. Provision for convening, holding, conducting or deferral of a general meeting of a registered society or a meeting of a governing body of a registered society</p>	<p>A general meeting of a registered society or a meeting of a governing body of a registered society may be convened, held or conducted, whether wholly or partly, by electronic means.</p> <p>A general meeting of a registered society or a meeting of a governing body of a registered society may be deferred to a date no later than 30 September 2020.</p>
<p>2. Provision for attendance at a general meeting of a registered society or a meeting of a governing body of a registered society</p>	<p>A registered society may provide that a member may only attend a general meeting of the registered society by observing and listening to the proceedings of the meeting by electronic means, if access to both an audio broadcast and audio-visual broadcast is provided to the member.</p> <p>A member of a governing body may attend a meeting of the governing body of a registered society by electronic means.</p>
<p>3. Provision for right or entitlement to be heard or to require representations to be read out at a general meeting of a registered society</p>	<p>A registered society may provide that a member may only be heard at a meeting by electronic means in the manner provided in item 4.</p> <p>A representation may be read out at a meeting by electronic means.</p>

 THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Societies Act or rules of the registered society</i>	<i>Alternative arrangement</i>
<p>4. Provision for right or entitlement to speak on a resolution at a general meeting of a registered society</p>	<p>A registered society may require a member, before the meeting, to send to the chairman of the meeting, by post or electronic mail, the matters which the member wishes to raise at the meeting, and each such matter, if substantial and relevant and sent within a reasonable time before the meeting, is to be responded to at or before the meeting by electronic means.</p>
<p>5. Provision for quorum at a general meeting of a registered society or a meeting of a governing body of a registered society</p>	<p>A quorum may be formed by members personally or electronically present.</p> <p>A member is deemed to be present at a general meeting of a registered society if the member has appointed the chairman of the meeting as the member's proxy to attend, speak and vote at the meeting, and the relevant quorum requirements are to be determined by the voting instructions and proxies submitted by the members prior to the commencement of the meeting.</p> <p>A member is electronically present at a general meeting of a registered society or a meeting of a governing body of a registered society if the member —</p> <p>(a) attends the meeting in the manner provided in item 2;</p>

 THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Societies Act or rules of the registered society</i>	<i>Alternative arrangement</i>
<p>6. Provision for a member to vote at a general meeting of a registered society or a meeting of a governing body of a registered society</p>	<p>(b) is verified by the secretary of the registered society, or a person appointed by the governing body of the registered society, as attending the meeting in the manner provided in item 2; and</p> <p>(c) is acknowledged by electronic means by the chairman of the meeting as present at the meeting.</p> <p>A registered society may require a member to appoint the chairman of the meeting as the member's proxy to vote at a general meeting of a registered society by depositing with the registered society an instrument of appointment by post, or by electronic mail to an electronic mail address stated in the notice of the meeting. A member may not vote at the meeting otherwise than by way of appointing the chairman of the meeting as the member's proxy.</p> <p>Where a proxy is delivered by a member to the registered society before 27 April 2020 —</p> <p>(a) the registered society may treat the instrument of appointment appointing a person other than the chairman of the meeting as the member's proxy to vote at the meeting as an instrument of appointment appointing the chairman as the member's proxy to vote at the meeting, if —</p>

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Societies Act or rules of the registered society</i>	<i>Alternative arrangement</i>
	<ul style="list-style-type: none">(i) the member indicated how the member wished to vote on each resolution; and(ii) the member has been given an opportunity to withdraw the appointment and has not withdrawn the appointment; and
	<ul style="list-style-type: none">(b) the registered society may treat the instrument of appointment appointing a person other than the chairman of the meeting as the member's proxy to vote at an adjourned or postponed meeting as an instrument of appointment appointing the chairman as the member's proxy to vote at the meeting, if —<ul style="list-style-type: none">(i) the resolutions proposed at the adjourned or postponed meeting are the same as the resolutions to be proposed at the meeting;(ii) the member indicated how the member wished to vote on each such resolution; and(iii) the member has been given an opportunity to withdraw the appointment and has not withdrawn the appointment.

 THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Societies Act or rules of the registered society</i>	<i>Alternative arrangement</i>
	A member of a governing body of a registered society may vote at a meeting of the governing body by electronic means.
7. Provision for laying and production of documents at a general meeting of a registered society or a meeting of a governing body of a registered society	<p>A document required to be laid or produced before a general meeting of a registered society may be so laid or produced by being —</p> <p>(a) sent or published in the manner provided in item 8 with the notice of the meeting; or</p> <p>(b) published at an online location, the address of which is provided with the notice of the meeting, or on the website of the registered society.</p> <p>A document required to be laid or produced before a meeting of a governing body of a registered society may be so laid or produced by being sent in the manner provided in item 8 with the notice of the meeting.</p>
8. Provision for giving of notice of a general meeting of a registered society or a meeting of a governing body of a registered society	<p>A notice of a general meeting of a registered society or a meeting of a governing body of a registered society —</p> <p>(a) in the case of a general meeting of a registered society, must be sent by electronic mail to each member who has notified the registered society of his or her electronic mail address;</p>

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Societies Act or rules of the registered society</i>	<i>Alternative arrangement</i>
	(b) in the case of a general meeting of a registered society, must be published on the website of the registered society (if available);
	(c) in the case of a meeting of a governing body of a registered society, must be sent by electronic mail to all the members of the governing body, to the electronic mail address of each member of the governing body notified by the member of the governing body to the governing body;
	(d) must describe the means by which the meeting can be electronically accessed (including the online location, if the meeting is held at an online location);
	(e) in the case of a general meeting of a registered society, must set out how the chairman of the meeting may be appointed by a member entitled to vote at the meeting as the member's proxy to vote at the meeting;
	(f) in the case of a general meeting of a registered society, must state how a member may send to the chairman of the meeting the substantial and relevant matters which the member wishes to raise; and

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Societies Act or rules of the registered society</i>	<i>Alternative arrangement</i>
	(g) may be accompanied by any other documents relevant to the meeting.

Made on 27 April 2020.

LOH KHUM YEAN
Permanent Secretary,
Ministry of Law,
Singapore.

[LAW 63/009 COVID Relief-V1; AG/LEGIS/SL/65C/2020/1 Vol. 1]