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The following Act was passed by Parliament on 4 October 2023 and assented to by the President on 20 October 2023:—

REPUBLIC OF SINGAPORE

No. 34 of 2023.

I assent.

THARMAN SHANMUGARATNAM,

President.

20 October 2023.



An Act to amend the Societies Act 1966.

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

Short title and commencement

1. This Act is the Societies (Amendment) Act 2023 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. In the Societies Act 1966 (called in this Act the principal Act), in section 2 —

- (a) delete the definition of “place of business”;
- (b) after the definition of “political association”, insert —
 - ““registered address”, in relation to a registered society, means the address of the society that is kept and maintained with the Registrar as the registered address of the society;”;
- (c) after the definition of “Registrar”, insert —
 - ““regulations” means regulations made under this Act;
 - “rules”, in relation to a society, includes —
 - (a) the aims and objects for which a society is formed, or which it may pursue, or for which its funds may be applied;
 - (b) the qualifications for membership and for the holding of any office;
 - (c) the method of appointment or election to any office;
 - (d) the rules by which the society is to be governed; and
 - (e) the method and manner by and in which any of the above matters may be amended;”.

Amendment of section 4**3.** In the principal Act, in section 4 —*(a)* replace subsection (1) with —

“(1) Subject to this section, the Registrar may, upon the application of a society specified in the Schedule (called in this Act a specified society) and on payment of the fee prescribed for an application under this section, register the society under this section.”;

(b) in subsection (2)(*e*), replace “the national interest” with “Singapore’s national security or interest”; and*(c)* after subsection (3), insert —

“(3A) The Registrar may also refuse to register a specified society under this section unless the rules of the society include such provisions or exclude such provisions (as the case may be) as the Registrar may direct.”.

Amendment of section 4A**4.** In the principal Act, in section 4A —*(a)* in subsection (2), replace paragraph (*a*) with —

“(*a*) the fee prescribed for an application under this section;”;

(b) replace subsection (3) with —

“(3) Upon an application under subsection (1), the Registrar —

(a) may, subject to subsection (3A), register the society; and

(b) upon the registration, must inform the applicant —

(i) that the society has been registered; and

(ii) of the date of the registration of the society.

(3A) The Registrar must refuse to register a society under this section if the Registrar is satisfied that —

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

(b) it would be contrary to Singapore’s national security or interest for the society to be registered.”; and

(c) replace subsections (5) and (6) with —

“(5) Despite subsection (3), where the Registrar considers —

(a) that any society registered under this section ought to have been registered under section 4 by reason that it is a specified society; and

(b) that the society qualifies to be registered, and could have been registered, under section 4,

the Registrar may determine that the society be treated as being registered under section 4.

(6) Where the Registrar makes a determination under subsection (5) that a society be treated as being registered under section 4 —

(a) the Registrar must inform the society of the Registrar’s determination;

(b) the Registrar may recover from the society as a debt due to the Government any difference in the fee mentioned in subsection (2)(a) and the fee mentioned in section 4(1); and

(c) the society is deemed to have been registered under section 4 as on the date of its registration.

(7) Any person aggrieved by a decision of the Registrar not to, or to refuse to, register a society under this section may within 30 days after the date of the decision appeal to the Minister whose decision is final.

(8) Nothing in subsection (6)(c) prevents the Minister from exercising, in respect of any society mentioned in that provision, any power under section 24.”.

Amendment of section 6

5. In the principal Act, in section 6 —

(a) in subsection (1), delete “A copy of the notification shall be sent by registered post to the place of business of the society.”; and

(b) after subsection (1), insert —

“(1A) The Registrar or an Assistant Registrar must send a copy of the notification under subsection (1) to the society —

(a) by delivery or post to its registered address;
or

(b) by email to the email address given by the society to the Registrar as the email address for the service of documents from the Registrar or Assistant Registrar under this Act.”.

Amendment of section 8

6. In the principal Act, in section 8(2), replace “under the hand and seal of the Registrar or the Assistant Registrar” with “by the Registrar or Assistant Registrar in writing”.

Amendment of section 10

7. In the principal Act, in section 10 —

(a) in subsection (1), replace “notice under his hand” with “written notice”; and

(b) replace subsection (4) with —

“(4) A person who, in response to any order mentioned in subsection (1) —

(a) intentionally alters, suppresses or destroys —

(i) any information concerning a registered society; or

(ii) any document, account or book of a registered society,

that is required under the order to be furnished to the Registrar or Assistant Registrar; or

(b) in providing any document, account or book of a registered society, makes any statement which the person knows or ought reasonably to know is, or is reckless as to whether it is, false or misleading in a material particular,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.”.

Amendment of section 11

8. In the principal Act, in section 11 —

(a) in the section heading, delete “, **place of business**”;

(b) in subsections (1)(a) and (4), delete “or place of business”;

(c) after subsection (1), insert —

“(1A) Without limiting subsection (1), the grounds on which the Registrar or an Assistant Registrar may refuse to approve a change by a registered society of its name include where it appears to the Registrar or Assistant Registrar that the name to which the registered society is to be changed —

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

(1B) Without limiting subsection (1), the grounds on which the Registrar or an Assistant Registrar may refuse to approve an amendment by a registered society of its rules include where it appears to the Registrar or Assistant Registrar that the amendment of the rules would be —

- (a) contrary to Singapore’s national security or interest;
- (b) prejudicial to public peace, welfare or good order in Singapore; or
- (c) contrary to the provisions of this Act or any regulations.”; and

(d) replace subsection (3) with —

“(3) For the purposes of this section, “amend” includes making a new rule and rescinding an existing rule.”.

Amendment of section 11A

9. In the principal Act, in section 11A —

(a) in subsections (1) and (2), replace “notice under his hand” with “written notice”;

(b) in subsection (2), replace “would be contrary to national interest or prejudicial to the public peace, welfare or good order in Singapore.” with —

“would be —

(a) contrary to Singapore’s national security or interest;

(b) prejudicial to public peace, welfare or good order in Singapore; or

(c) contrary to the provisions of this Act or any regulations.”; and

(c) replace subsection (6) with —

“(6) In this section, “amend” has the meaning given by section 11(3).”.

Amendment of section 12

10. In the principal Act, in section 12 —

(a) in subsection (1), replace “No” with “Subject to subsection (1B), no”;

(b) in subsection (1)(b), replace “by the Minister” with “by the Registrar”;

(c) in subsection (1)(b), delete “, unless the written permission of the Minister to so act is first obtained”;

(d) after subsection (1), insert —

“(1A) A person who is prohibited from acting as an officer of a registered society or a branch of the registered society under subsection (1) may apply to the Minister for permission to act as an officer of the registered society or a branch of the registered society.

(1B) An application under subsection (1A) may be granted by the Minister if the Minister thinks fit to do so.”; and

- (e) in subsection (2), replace “this section” with “subsection (1)”.

Amendment of section 24

11. In the principal Act, in section 24(2), replace “be affixed in a conspicuous manner on any building occupied by the society” with “be sent to the address or email address given by the society to the Registrar as the registered address or email address for the service of documents from the Registrar or an Assistant Registrar under this Act or any regulations”.

Amendment of section 26

12. In the principal Act, in section 26 —

- (a) in the section heading, after “**place of meeting**”, insert “, **business, etc.**”; and
- (b) replace “or business” with “, business or other activity of the society”.

Amendment of section 27

13. In the principal Act, in section 27, replace “or business” with “, business or other activity”.

Replacement of section 29 and new sections 29A and 29B

14. In the principal Act, replace section 29 with —

“Purposes for which powers of investigation exercisable

29. The Registrar or an Assistant Registrar may exercise the powers specified in section 29A for all or any of the following purposes:

- (a) to investigate into the operations of any registered society to determine compliance with this Act and any regulations, including whether an offence under this Act or any regulations has been committed;
- (b) to investigate into the existence or operations of any unlawful society or suspected unlawful society;
- (c) to determine whether information provided to the Registrar or Assistant Registrar is correct.

Powers of investigation

29A.—(1) The Registrar or an Assistant Registrar may do all or any of the following:

- (a) where the Registrar or Assistant Registrar reasonably believes a person to have committed an offence under this Act or any regulations or contravened any provision of this Act or any regulations — require that person to provide evidence of that person’s identity;
- (b) require any person whom the Registrar or Assistant Registrar reasonably believes has —
 - (i) any information; or
 - (ii) any document or article in the person’s possession, custody or control,

that the Registrar or Assistant Registrar reasonably requires for any of the purposes of section 29, to provide, within a reasonable period specified by the Registrar or Assistant Registrar, that information or produce that document or article, and to provide an explanation of the information, document or article;

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- (c) issue a written notice requiring any person within the limits of Singapore, who appears to be acquainted with the facts or circumstances of a matter that is relevant to any of the purposes of section 29, to attend before the Registrar or Assistant Registrar;
 - (d) examine orally any person who appears to be acquainted with the facts or circumstances of a matter that is relevant to any of the purposes of section 29 —
 - (i) whether before or after that person or anyone else is charged with an offence in connection with the matter; and
 - (ii) whether or not that person is to be called as a witness in any inquiry, trial or other proceeding in connection with the matter.

(2) In addition, if the Registrar or an Assistant Registrar is satisfied, after due inquiry, that a person examined under subsection (1)(d) is a member of an unlawful society or has refused to give information or has given false information as to the existence or operations of an unlawful society or suspected unlawful society, the Registrar or Assistant Registrar may, if he considers it advisable to identify that person, order that a photograph and finger impressions of that person be taken at such time and in such place and manner as the Registrar or Assistant Registrar thinks fit.

(3) The power to require a person to provide any information or produce any document or article under subsection (1)(b) includes the power —

- (a) if the information, document or article is not provided or produced, to require the person to state, to the best of the person's knowledge and belief, where it is; and
- (b) if the information is recorded otherwise than in legible form, to require the information to be made available to the Registrar or an Assistant Registrar in legible form.

(4) Any person examined under this section is bound to state truly what the person knows of the facts and circumstances of the matter, except that the person need not say anything that might expose the person to a criminal charge, penalty or forfeiture.

(5) A statement made by any person examined under this section must —

(a) be reduced to writing;

(b) be read over to the person;

(c) if the person does not understand English, be interpreted in a language that the person understands; and

(d) after correction (if necessary), be signed by the person.

(6) If any person fails to comply with a written notice issued to the person under subsection (1)(c), the Registrar or an Assistant Registrar may report the failure to a Magistrate who may then, in the Magistrate's discretion, issue a warrant ordering that person to comply with the written notice.

(7) The Registrar or an Assistant Registrar may make copies of any document or article produced under subsection (1)(b) for further investigation.

(8) The Registrar or an Assistant Registrar may take possession of any document or article produced under subsection (1)(b) for further investigation.

Offences

29B.—(1) A person who, without reasonable excuse, fails to do anything required of the person by the Registrar or an Assistant Registrar under section 29A(1)(a) or (b), or by written notice under section 29A(1)(c), or by order under section 29A(2), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

(2) A person —

- (a) who intentionally alters, suppresses or destroys any information, document or article which the person has been required by the Registrar or an Assistant Registrar under section 29A(1)(b) to provide or produce; or
- (b) who, in providing any information or producing any document or article required by the Registrar or an Assistant Registrar under section 29A(1)(b), makes any statement which the person knows or ought reasonably to know is, or is reckless as to whether it is, false or misleading in a material particular,

shall be guilty of an offence.

(3) A person who is guilty of an offence under subsection (2) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(4) In any proceedings for an offence under subsection (1), it is a defence for the accused to prove, on a balance of probabilities, that the person —

- (a) does not possess the information, document or article required; or
- (b) has taken all reasonable steps available to the person to obtain the information, document or article required and has been unable to obtain it.

(5) To avoid doubt, for the purposes of subsection (1), it is a reasonable excuse for a person to refuse or fail to provide any information, produce any document or article or answer any question if doing so might tend to incriminate that person.”.

New section 30A

15. In the principal Act, after section 30, insert —

“Composition of offences

30A.—(1) The Registrar or an Assistant Registrar may compound any offence under this Act or any regulations that

is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding one half of the amount of the maximum fine that is prescribed for the offence.

(2) On payment of the sum of money under subsection (1), no further proceedings are to be taken against that person in respect of the offence.

(3) All sums collected under this section must be paid into the Consolidated Fund.”

Replacement of section 33

16. In the principal Act, replace section 33 with —

“Service of documents

33.—(1) A document that is permitted or required by this Act or any regulations to be served on a person may be served as described in this section.

(2) This section does not apply to documents to be served in relation to proceedings in court or any other document mentioned in section 35(1)(c).

(3) A document permitted or required by this Act or any regulations to be served on an individual may be served —

- (a) by giving it to the individual personally;
- (b) by sending it by prepaid registered post to the address specified by the individual for the service of documents or, if no address is so specified, the individual’s residential address or business address;
- (c) by leaving it at the individual’s residential address with an adult apparently resident there, or at the individual’s business address with an adult apparently employed there;
- (d) by affixing a copy of the document in a conspicuous place at the individual’s residential address or business address; or

(e) by sending it by email to the individual's last email address.

(4) A document permitted or required by this Act or any regulations to be served on a partnership (other than a limited liability partnership) may be served —

(a) by giving it to any partner, secretary or other similar officer of the partnership;

(b) by leaving it at, or by sending it by prepaid registered post to, the partnership's business address; or

(c) by sending it by email to the partnership's last email address.

(5) A document permitted or required by this Act or any regulations to be served on a body corporate (including a limited liability partnership) or an unincorporated association may be served —

(a) by giving it to the secretary or other similar officer of the body corporate or unincorporated association, or the limited liability partnership's manager;

(b) by leaving it at, or by sending it by prepaid registered post to, the registered office or principal office in Singapore of the body corporate or unincorporated association; or

(c) by sending it by email to the last email address of the body corporate or unincorporated association.

(6) Service of a document takes effect —

(a) if the document is sent by email — at the time that the email becomes capable of being retrieved by the person to whom it is sent; or

(b) if the document is sent by prepaid registered post — 2 days after the day the document was posted (even if it is returned undelivered).

(7) However, service of any document on a person by email may be effected only with the person’s prior consent (express or implied) to service in that way.

(8) In this section —

“business address” means —

(a) in the case of an individual, the individual’s usual or last known place of business in Singapore; or

(b) in the case of a partnership (other than a limited liability partnership), the partnership’s principal or last known place of business in Singapore;

“document” includes a notice permitted or required to be served;

“last email address” means the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents;

“residential address” means an individual’s usual or last known place of residence in Singapore.”.

Amendment of section 34

17. In the principal Act, in section 34 —

(a) in subsection (1)(c), replace “place of business” with “registered address”;

(b) in subsection (1), after paragraph (i), insert —

“(ia) to require registered societies to prepare annual returns in such form, and file the annual returns in such manner, as the Registrar may determine;

(ib) to prescribe the offences under this Act or any regulations that may be compounded;”;
and

(c) after subsection (1), insert —

“(1A) Regulations made under subsection (1)(ia) may empower the Registrar to determine that different forms of annual returns be prepared by different classes of registered societies.”.

Miscellaneous amendments to penalties

18.—(1) The sections of the principal Act specified in the first column of the Schedule to this Act are amended by replacing the maximum fine or term of imprisonment or both and maximum further fine (if any) specified in the second column of that Schedule opposite that section with the maximum fine or term of imprisonment or both (as the case may be) and maximum further fine (if any) specified in the third column of that Schedule.

(2) In the principal Act, in section 14(2), replace “imprisonment for a term not exceeding 5 years” with “a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 5 years or to both”.

Saving and transitional provisions

19.—(1) Subject to subsection (2), where before the date of commencement of sections 2, 5, 8 and 17, a registered society had been required by the Registrar or an Assistant Registrar to provide its place of business for the purpose of registration as a registered society, the place of business provided by the registered society to the Registrar or Assistant Registrar is, on and after that date, treated as the registered address of the society.

(2) Where, before the date of commencement of sections 2, 5, 8 and 17, a registered society has changed its place of business with the approval in writing of the Registrar or an Assistant Registrar under section 11 of the principal Act as in force immediately before that date —

(a) the place of business so approved; or

(b) if there had been more than one change of place of business, the last place of business so approved, is, on and after that date, treated as the registered address of the society.

(3) Where any person has been summoned by the Registrar or an Assistant Registrar under section 29 of the principal Act before the date of commencement of section 14, the provisions of section 29 of the principal Act as in force immediately before that date continue to apply to and in respect of the person summoned as if section 14 had not been enacted.

(4) For a period of 2 years after the date of commencement of any provision of this Act, the Minister may, by regulations, prescribe such additional provisions of a saving or transitional nature consequent on the enactment of that provision as the Minister may consider necessary or expedient.

 THE SCHEDULE

Section 18(1)

MISCELLANEOUS AMENDMENTS TO PENALTIES

| <i>First column</i> <i>Section</i> | <i>Second column</i> <i>Old penalty</i> | <i>Third column</i> <i>New penalty</i> |
|---------------------------------------|--|---|
| Section 10(3) | Fine – \$5,000 | Fine – \$10,000 |
| Section 11(2) | Fine – \$3,000 | Fine – \$6,000 |
| Section 11A(4) | Fine – \$3,000 | Fine – \$6,000 |
| Section 12(2) | Fine – \$3,000 | Fine – \$10,000 |
| Section 12(2) | Imprisonment – 6 months | Imprisonment – 2 years |
| Section 13(3) | Fine – \$3,000 | Fine – \$6,000 |
| Section 14(3) | Fine – \$5,000 | Fine – \$10,000 |
| Section 15(1) | Fine – \$5,000 | Fine – \$10,000 |
| Section 16(1) and (2) | Fine – \$5,000 | Fine – \$10,000 |
| Section 17 | Fine – \$5,000 | Fine – \$10,000 |
| Section 18 | Fine – \$5,000 | Fine – \$10,000 |
| Section 19(3) | Fine – \$5,000 | Fine – \$10,000 |
| Section 20 | Fine – \$5,000 | Fine – \$10,000 |
| Section 23(2) | Fine – \$5,000 | Fine – \$10,000 |
| Section 24(5) | Fine – \$5,000 | Fine – \$10,000 |
| Section 24(5) | Imprisonment – one year | Imprisonment – 2 years |
| Section 34(2) | Fine – \$500 | Fine – \$1,000 |
| Section 34(2) | Further fine – \$50 | Further fine – \$100 |
