

THE STATUTES OF THE REPUBLIC OF SINGAPORE

INTERPRETATION ACT

(CHAPTER 1)

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10 of 1965**

**Amended by
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Interpretation Act

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An Act to define certain terms and expressions used in written law and to make provision for the construction, interpretation and publication of written law and for matters connected therewith.

[28th December 1965]

1. This Act may be cited as the Interpretation Act. Short title.

PART I

GENERAL PROVISIONS OF INTERPRETATION

2.—(1) In this Act, and in every written law enacted before or after the commencement of this Act, the following words and expressions shall, without prejudice to anything done prior to the commencement of this Act, have the meanings respectively assigned to them unless there is something in the subject or context inconsistent with such construction or unless it is therein otherwise expressly provided:

“abet”, with its grammatical variations and cognate expressions, has the same meaning as in the Penal Code; Interpretation of certain words and expressions.
Cap. 224.

“Accountant-General” means the Accountant-General of Singapore;

“act”, when used with reference to an offence or civil wrong, includes a series of acts, and words which refer to acts done shall be construed as extending to illegal omissions;

“Act” or “Act of Parliament” means an Act of the Parliament of Singapore and includes any Ordinance or Act of Singapore or Malaysia having the force of law in Singapore; and “Act” when used in any subsidiary legislation means the Act under the authority of which the subsidiary legislation was made;

“advocate” and “advocate and solicitor” mean an advocate and solicitor of the Supreme Court;

- “animal” includes bird, reptile, fish and every kind of vertebrate animal and the young thereof;
- “Attorney-General” means the Attorney-General of Singapore;
- “Auditor-General” means the Auditor-General of Singapore;
- “Cabinet” means the Cabinet constituted under the Constitution;
- “Chief Justice” means the Chief Justice of Singapore;
- “citizen of Singapore” means any person who, under the provisions of the Constitution, has the status of a citizen of Singapore;
- “civil list” means the provision made under the Constitution for the maintenance of the President;
- “commencement”, when used with reference to an Act, means the time at which the Act comes into operation in Singapore;
- “common law” means the common law of England;
- “Commonwealth” or “British Commonwealth” means collectively the Commonwealth countries and includes any colony, protectorate or protected state or any other territory administered by any Commonwealth country;
- “Commonwealth country” means any country recognised by the President to be a Commonwealth country and “part of the Commonwealth” means any Commonwealth country, any colony, protectorate or protected state or any other territory administered by the government of any Commonwealth country;
- “Consolidated Fund” means the Consolidated Fund established by the Constitution;
- “Constitution” means the Constitution of the Republic of Singapore;
- “consular officer” means consul-general, consul, vice-consul, consular agent and any person for the time being authorised to discharge the duties of consul-general, consul, vice-consul or consular agent;
- “court” means any court of competent jurisdiction in Singapore;

- “Crown Agents” means the persons for the time being acting as Crown Agents for Overseas Governments and Administrations in the United Kingdom;
- “Deputy Speaker” means the Deputy Speaker of Parliament elected under the Constitution;
- “District Court” means any District Court constituted under any written law for the time being in force relating to the courts;
- “District Judge” means a District Judge appointed as such under any written law for the time being in force relating to the courts;
- “export”, with its grammatical variations and cognate expressions, means to take or cause to be taken out of Singapore by land, sea or air;
- “*Gazette*” or “*Government Gazette*” means the *Gazette* published by order of the Government and includes any supplement thereto and any *Gazette Extraordinary* so published;
- “Government” means the Government of Singapore;
- “Government Printer” includes any printer purporting to be the printer authorised to print Acts and other documents of the Government;
- “High Court” means the High Court constituted under any written law for the time being in force relating to the courts;
- “immovable property” includes land, benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth;
- “import”, with its grammatical variations and cognate expressions, means to bring or cause to be brought into Singapore by land, sea or air;
- “Judge” means a Judge of the Supreme Court and includes any person appointed to exercise the powers of a Judge;
- “legislature”, when used with reference to any part of the Commonwealth, means the authority competent to make laws for that part of the Commonwealth;

- “Magistrate” means a Magistrate appointed as such under any written law for the time being in force relating to the courts;
- “Malaya” means Singapore and the States of Malaya;
- “Malaysia” means the Federation known as Malaysia;
- “Malaysian citizen” or “Federal citizen” means any person who is a citizen of Malaysia by virtue of the provisions of any law for the time being in force, or any instrument for the time being having the force of law, in Malaysia;
- “master”, when used with reference to a ship, means any person, except a pilot or harbour master, having for the time being control or charge of the ship;
- “Minister” means the Minister for the time being charged with the responsibility for the department or subject to which the context refers;
- “monogamous marriage” means a marriage which is recognised by the law of the place where it is contracted as a voluntary union of one man and one woman to the exclusion of all others during the continuance of the marriage;
- “month” means calendar month;
- “movable property” means property of every description except immovable property;
- “national language” means the Malay language;
- “oath” and “affidavit” in the case of persons for the time being allowed by law to affirm or declare instead of swearing, include affirmation and declaration, and “swear” in the like case includes affirm and declare;
- “Ordinance” means any Ordinance of Singapore, and includes any Ordinance of the Colony of the Straits Settlements, any Ordinance of the Colony of Singapore or of the State of Singapore and any Proclamation having the force of law in Singapore; and “Ordinance” when used in any subsidiary legislation means the Ordinance under the authority of which such subsidiary legislation has been made;
- “Parliament” means the Parliament of the Republic of Singapore;

- “person” and “party” include any company or association or body of persons, corporate or unincorporate;
- “police officer” means any member of the Singapore Police Force;
- “prescribed” means prescribed by the Act in which the word occurs or by any subsidiary legislation made thereunder;
- “President” means the President of the Republic of Singapore and includes any person for the time being appointed to perform the functions of the President under the provisions of the Constitution;
- “public holiday” means any day which is declared to be or proclaimed as a public holiday or which under any written law is to be observed as a public holiday in Singapore;
- “public officer” means the holder of any office of emolument in the service of the Government;
- “public seal” means the public seal of Singapore;
- “public service” means service under the Government;
- “Public Service Commission” means the Public Service Commission constituted under the provisions of the Constitution;
- “registered”, when used with reference to a document, means registered under the provisions of any written law for the time being applicable to the registration of such document;
- “repeal” includes rescind, revoke, cancel or replace;
- “Rules of Court”, when used in relation to any court, means rules made by the authority having for the time being power to make rules or orders regulating the practice and procedure of such court, together with the forms necessary thereto;
- “Secretary to the Cabinet” means the Secretary to the Cabinet appointed in accordance with the provisions of the Constitution;
- “ship” includes every description of vessel used in navigation not exclusively propelled by oars or paddles;
- “sign”, with its grammatical variations and cognate expressions, with reference to a person who is

- unable to write his name, includes “mark” with its grammatical variations and cognate expressions;
- “Singapore” means the Republic of Singapore and shall be deemed to include the Island of Singapore and all islands and places which on 2nd June 1959, were administered as part of Singapore and all territorial waters adjacent thereto;
- “Solicitor-General” means the Solicitor-General of Singapore;
- “Speaker” means the Speaker of the Parliament elected in accordance with the provisions of the Constitution;
- “States of Malaya” means the States of Johore, Kedah, Kelantan, Malacca, Negri Sembilan, Pahang, Penang, Perak, Perlis, Selangor and Trengganu, which constitute part of Malaysia;
- “statutory declaration”, if made —
- (a) in Singapore, means a declaration made under the Statutory Declarations Act;
 - (b) in the United Kingdom or any part of the Commonwealth other than in Singapore, means a declaration made before a justice of the peace, notary public or other person having authority therein under any law for the time being in force to take or receive a declaration;
 - (c) in any other place, means a declaration made before a consul or vice-consul or before any person having authority under any law for the time being in force to take or receive a declaration;
- “subsidiary legislation” means any order in council, proclamation, rule, regulation, order, notification, by-law or other instrument made under any Act, Ordinance or other lawful authority and having legislative effect;
- “Supreme Court” means the Supreme Court of Singapore constituted under any written law for the time being in force relating to the courts and includes the High Court;
- “United Kingdom” means Great Britain and Northern Ireland;

“value”, when used with reference to a suit, means the value of the subject-matter of the suit;

“vessel” includes floating craft of every description;

“will” includes a codicil;

words importing the masculine gender include females;

words in the singular include the plural and words in the plural include the singular;

“writing” and expressions referring to writing include printing, lithography, typewriting, photography and other modes of representing or reproducing words or figures in visible form;

“written law” means the Constitution and all previous Constitutions having application to Singapore and all Acts, Ordinances and enactments by whatever name called and subsidiary legislation made thereunder for the time being in force in Singapore;

“Yang di-Pertuan Agong” means the Yang di-Pertuan Agong or Supreme Head of Malaysia and includes the Deputy Supreme Head of Malaysia or a Ruler of a Malay State, whenever he is lawfully exercising the functions of the Yang di-Pertuan Agong;

“year” means a year reckoned according to the Gregorian calendar.

(2) In every written law enacted before the commencement of this Act —

(a) references to the Colony of the Straits Settlements, the Settlement of Singapore, the Colony of Singapore, the Colony, the State of Singapore or the State, shall be construed as references to Singapore;

(b) references to the Federated Malay States shall, unless there is something repugnant in the context, be construed as references to the States of Malaya;

(c) references to the Governor of the Malayan Union shall be construed as references to the Yang di-Pertuan Agong;

- (d) references to the Malayan Union shall be construed as references to Malaysia or the territories comprised therein, as the case may require;
 - (e) references to the Chief Justice or to any court, judge or magistrate of the Malayan Union or of the Federated Malay States or of any of the Malay States shall be construed as references to the Chief Justice or to the corresponding court, judge or magistrate of Malaysia or the territories comprised therein, as the case may require;
 - (f) references to any officer of, or authority or body constituted in or for, the Federated Malay States, any Malay State or the Malayan Union shall be construed as references to the corresponding officer of, or authority or body constituted in or for, Malaysia or the territories comprised therein, as the case may require;
 - (g) references to the Assembly or the Legislative Assembly shall be construed as references to the Parliament;
 - (h) references to the Yang di-Pertuan Negara shall be construed as references to the President;
 - (i) references to the Federal Minister shall be construed as references to the appropriate Minister of Singapore;
 - (j) references to the State Advocate-General shall be construed as references to the Attorney-General;
 - (k) references to the High Court in Singapore shall be construed as references to the High Court of Singapore;
 - (l) references to a Judge of the High Court and the Registrar of the High Court shall be construed as references to a Judge of the Supreme Court and the Registrar of the Supreme Court, respectively.
- (3) In any Act, Ordinance or order specified in paragraphs (b), (c) and (e) of the definition of "Act" in section 38 (3), references to —
- (a) the Yang di-Pertuan Agong shall be construed as references to the President; and

(b) the Minister shall be construed as references to the appropriate Minister of Singapore.

(4) Where an Act authorises or requires any document to be served by post, whether the word “serve”, “give” or “send” or any other word is used, then, unless a contrary intention appears, the service shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the document, and, unless the contrary is proved, shall be deemed to have been effected at the time at which the letter would be delivered in the ordinary course of post.

PART II

GENERAL PROVISIONS REGARDING WRITTEN LAW

3. Every Act shall be a public Act, and shall be judicially noticed as such unless the contrary is expressly provided by the Act. Acts to be public Acts.

4. All Acts shall be divided into sections, if there be more enactments than one, which sections shall be deemed to be substantive enactments without any introductory words. Acts to be divided into sections without introductory words.

5. Every Schedule to an Act shall, together with any note thereto, be construed and have effect as part of the Act. Schedules.

6. When an Act is divided into Parts, Chapters, titles or other subdivisions, the fact and particulars of such division shall, with or without express mention thereof in the Act, be taken notice of in all courts and for all purposes whatsoever. Subdivisions of Acts.

7. Except as is otherwise expressly provided, whenever forms are prescribed, slight deviations therefrom, not affecting the substance or calculated to mislead, shall not invalidate them. Forms.

8.—(1) Where any Act is referred to, it shall be sufficient for all purposes to cite the Act either by the short title, if any, by which it is made citable, or by the year in which it was made and its number among the Acts of that year or, in the case of a revised edition of the Acts issued under any written law providing for the issue of a revised edition, by its short title or its chapter number; and the reference may in Mode of citing Acts.

all cases be made according to the copies of Acts printed by the Government Printer.

(2) Any such citation of an Act shall, unless the contrary intention appears, be construed as a reference to the Act as amended from time to time by any other Act.

Construction in an Act of references to sections, etc.

9.—(1) Where in any Act there is a reference to a section, Part, Chapter or Schedule by number or letter only, and not in conjunction with the title or number of an Act, the reference shall be construed as a reference to the section, Part, Chapter or Schedule of that number or letter contained in the Act in which the reference occurs.

(2) Where in any section of an Act there is a reference to a subsection, paragraph or sub-paragraph by number or letter only, the reference shall be construed as a reference to the subsection, paragraph or sub-paragraph of that number or letter contained in the section in which the reference occurs.

(3) This section shall, with suitable modification, apply to subsidiary legislation.

Coming into operation of written law.

10. Any written law which is expressed to come into operation on a particular day shall come into operation on the expiration of the previous day.

Effect of repeal of Act on subsidiary legislation made thereunder.

11. Where any Act or part of an Act is repealed, subsidiary legislation issued under or made in virtue thereof shall remain in force so far as it is not inconsistent with the repealing Act and unless the contrary intention appears until it has been revoked or replaced by subsidiary legislation issued or made under the provisions of the repealing Act.

Repeal of repealing laws.

12. Where any written law repealing in whole or in part any former written law is itself repealed, the last repeal shall not revive the written law or the provisions previously repealed, unless words be added reviving that written law or those provisions.

Repeal of amended law to include amendments.

13. Where any written law which has been amended by any other written law is itself repealed, such repeal shall be deemed to include the repeal of all written laws or parts of written laws by which the first-mentioned written law has been amended.

14. Where a written law repeals wholly or in part any former written law and substitutes other provision therefor, the repealed written law shall remain in force until the substituted provision comes into operation.

Repeal and substitution.

15.—(1) Where in any written law a reference is made to another written law, the reference shall, except where the context otherwise requires, be deemed to include a reference to the last-mentioned written law as the same may from time to time be amended.

References to amended and re-enacted provisions.

(2) Where any written law repeals and re-enacts, with or without modification, any provision of a former written law, references in any other written law to the provision so repealed shall, unless the contrary intention appears, be construed as references to the provision so re-enacted.

16. Where a written law repeals in whole or in part any other written law, then, unless the contrary intention appears, the repeal shall not —

Effect of repeal.

- (a)** revive anything not in force or existing at the time at which the repeal takes effect;
- (b)** affect the previous operation of any written law so repealed or anything duly done or suffered under any written law so repealed;
- (c)** affect any right, privilege, obligation or liability acquired, accrued or incurred under any written law so repealed;
- (d)** affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any written law so repealed; or
- (e)** affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing law had not been passed.

17. Where an Act amends or adds to any Act, the amending Act shall, so far as is consistent with the tenor

Construction of amending Act.

thereof, and unless the contrary intention appears, be construed as one with the amended Act and as part thereof.

Effect of
expiration of
written law.

18. The expiration of a written law shall not affect any civil or criminal proceeding previously commenced under such written law, but every such proceeding may be continued and everything in relation thereto may be done in all respects as if the written law continued in force.

PART III

SUBSIDIARY LEGISLATION

General
provisions
with respect
to power
given to any
authority
to make
subsidiary
legislation.

19. When any Act confers power on any authority to make subsidiary legislation, the following provisions shall, unless the contrary intention appears, have effect with reference to the making and operation of the subsidiary legislation:

- (a) subsidiary legislation may at any time be amended, varied, rescinded or revoked by the same authority and in the same manner by and in which it was made:

Provided that where any Act is to come into operation on a date to be fixed by subsidiary legislation, the power to make the subsidiary legislation shall not include the power of amending, revoking or suspending the same:

And provided that where the authority has been replaced wholly or partially by another authority, the power conferred herein upon the original authority may be exercised by the replacing authority concerning all matters or things within its jurisdiction as if it were the original authority;

- (b) when any Act confers powers on any authority to make subsidiary legislation for any general purpose, and also for any special purpose incidental thereto, the enumeration of the special purposes shall not be deemed to derogate from the generality of the powers conferred with reference to the general purpose; and
- (c) no subsidiary legislation made under an Act shall be inconsistent with the provisions of any Act.

20. The following provisions shall also apply to subsidiary legislation:

Additional provisions as to subsidiary legislation.

- (a) authority to make subsidiary legislation shall include —
 - (i) authority to provide that a contravention thereof shall be punishable by a fine not exceeding \$2,000 or with imprisonment for a term not exceeding one year or both as may be specified in the subsidiary legislation;
 - (ii) authority to amend any forms prescribed by the written law under which the subsidiary legislation was made; and
 - (iii) authority to prescribe new forms for the purpose thereof and for the purpose of the subsidiary legislation;
- (b) authority to provide for fees and charges shall include authority to provide for the reduction, waiver or refund thereof, either generally or in any particular event or case or class of cases or in the discretion of any person; and
- (c) a reference in a written law to another written law shall include reference to any subsidiary legislation made thereunder.

21. Where an Act confers powers to make any subsidiary legislation, expressions used in the subsidiary legislation shall, unless the contrary intention appears, have the same respective meanings as in the Act conferring the power.

Use of defined terms in subsidiary legislation.

22. When an Act which is not to come into operation immediately on the passing thereof confers power to make any appointment or to make subsidiary legislation or to issue notifications or to prescribe forms or to do any other thing for the purposes of the Act, such power may, unless the contrary intention appears, be exercised at any time after the passing of the Act so far as may be necessary or expedient for the purpose of bringing the Act into operation at the date of the commencement thereof, subject to the restriction that any appointment, instrument, notification or thing made, granted, issued, given or done under such power shall not, unless the contrary intention appears in the

Exercise of statutory powers between enactment and commencement of Act.

Act or the appointment, instrument, notification or thing is necessary for bringing the Act into operation, have any effect until the Act comes into operation.

Commence-
ment of
subsidiary
legislation.

23.—(1) Subsidiary legislation made under any Act or other lawful authority shall, unless it be otherwise expressly provided in any Act, be published in the *Gazette* and, unless it be otherwise provided in the subsidiary legislation, shall take effect and come into operation on the date of its publication.

(2) Any such subsidiary legislation may be made to operate retrospectively to any date not being a date earlier than the commencement of the Act or the establishment of the authority by or under which the subsidiary legislation is made.

Judicial
notice of
subsidiary
legislation.

24. Judicial notice shall be taken of all subsidiary legislation made or purporting to be made in pursuance of any Act or other lawful authority.

Construction
of amending
subsidiary
legislation.

25. Where subsidiary legislation amends other subsidiary legislation, the amending subsidiary legislation shall, so far as is consistent with the tenor thereof and unless the contrary intention appears, be construed as one with the amended subsidiary legislation.

Acts done
under
subsidiary
legislation to
be deemed to
be done
under Act.

26. An act shall be deemed to be done under any Act or by virtue of the powers conferred by any Act or in pursuance or execution of the powers of, or under the authority of any Act, if it is done under, or by virtue of, or in pursuance of, subsidiary legislation made under any power contained in the Act.

PART IV

POWERS AND APPOINTMENTS

Construction
of provisions
as to exercise
of powers
and duties.

27.—(1) Where a written law confers a power or imposes a duty, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires.

(2) Where a written law confers a power or imposes a duty on the holder of an office as such, then, unless the contrary intention appears, the power may be exercised and

the duty shall be performed by the holder of the office for the time being or by a person duly appointed to act for him.

(3) Where any Act confers a power to make subsidiary legislation, to issue any order or to do any act, the power shall, unless the contrary intention appears, be construed as including the power exercisable in like manner and subject to the like consent and conditions, if any, to amend, vary, rescind, revoke or suspend the subsidiary legislation made or order issued or any part thereof or to abstain from doing the act.

28. Where a written law confers upon any person or authority a power to make appointments to any office or place, the power shall, unless the contrary intention appears, be construed as including a power to dismiss or suspend any person appointed and to appoint another person temporarily in the place of any person so suspended or in place of any sick or absent holder of the office or place:

Power to appoint includes power to dismiss.

Provided that where the power of the person or authority to make such appointment is only exercisable upon the recommendation or subject to the approval or consent of some other person or authority, the power of dismissal shall, unless the contrary intention appears, only be exercisable upon the recommendation or subject to the approval or consent of such other person or authority.

29.—(1) Where a written law confers power on any person to do or enforce the doing of any act or thing, all such powers shall be understood to be also conferred as are reasonably necessary to enable the person to do or enforce the doing of the act or thing.

Construction of enabling words.

(2) Without prejudice to the generality of subsection (1) —

(a) a power to prohibit or to control or to regulate any matter includes power to provide for the same by the licensing thereof and power to prohibit acts whereby the prohibitions, control or regulations affecting the matter might be evaded;

(b) a power to grant a licence, permit, authority, approval or exemption includes power to impose reasonable conditions subject to which

the licence, permit, authority, approval or exemption may be granted.

Appointment of officers by name or office.

30.—(1) Where by or under any Act, the President, Minister or any public officer or body is empowered to appoint or name a person to have and exercise any powers or perform any duties, the President, Minister, public officer or body may either appoint a person by name or direct the person for the time being holding the office designated by the President, Minister, public officer or body to have and exercise those powers and perform those duties; and thereupon, or from the date specified by the President, Minister, public officer or body, the person appointed by name or the person holding the office aforesaid shall have and may exercise those powers or perform those duties accordingly.

(2) Any such appointment may be made with retrospective effect to any date not being a date earlier than the commencement of the Act under which the appointment is made.

Official designation to include officer executing duties.

31. When reference is made in any written law, instrument, warrant or process of any kind made or issued by the President, Minister, public officer or any body or person having authority under any written law to make or to issue the same to any public officer by the term designating his office, such public officer shall include the officer for the time being executing the duties of that office or any portion of those duties.

Appointments having retrospective effect.

32. Any appointment may be declared to have effect as from the date upon which the appointee commenced to exercise the powers and discharge the duties of his appointment, not being a date earlier than the date of the coming into operation of the written law under which the appointment is made.

Powers of a board, etc., not affected by vacancy, etc.

33. Where by or under any Act, any board, commission, committee or similar body, whether corporate or unincorporate, is established, then, unless the contrary intention appears, the powers of such board, commission, committee or similar body shall not be affected by —

(a) any vacancy in the membership thereof;

- (b) the fact that it is afterwards discovered that there was some defect in the appointment or qualification of a person purporting to be a member thereof; or
- (c) the fact that there was any minor irregularity in the convening of any meeting thereof.

34. Where any power is conferred upon the President to make any subsidiary legislation or appointment, give any directions, issue any order, authorise any thing or matter to be done, grant any exemption, remit any fee or penalty or exercise any other power under any written law, it shall be sufficient if the exercise of such power by the President be signified under the hand of any Minister or of the Secretary to the Cabinet:

Signification of orders, etc., of President.

Provided always that the foregoing shall not apply to the power of the President to make or issue any warrants or proclamations which shall be made or issued only under the hand of the President himself.

35. Where any written law confers upon a Minister power to make any subsidiary legislation or appointment, give any directions, issue any order, authorise any thing or matter to be done, grant any exemption, remit any fee or penalty or exercise any other power, it shall be sufficient, unless in such written law it is otherwise provided, if the exercise of such power by the Minister be signified under the hand of the Permanent Secretary to the Ministry for which the Minister is responsible.

Signification of orders, etc., of a Minister.

36.—(1) Where in any written law a Minister is empowered to exercise any powers or perform any duties, he may, in the absence of any provision of law to the contrary, with the approval of the President and by notification in the *Gazette*, depute any person by name or the person for the time being discharging the duties of an office designated by him to exercise such powers or perform such duties on behalf of the Minister subject to such conditions, exceptions and qualifications as the President may determine, and thereupon or from the date specified by the President, the person so deputed shall have and exercise those powers and perform those duties:

Delegation of powers of Minister.

Provided that nothing herein shall authorise a Minister to depute any person to make subsidiary legislation under the

power in that behalf conferred upon the Minister by any Act.

(2) The Minister may exercise any powers or perform any duties conferred upon him by an Act notwithstanding the delegation by him of those powers or duties.

Signing of documents.

37. Where in any written law any document is required to be under the hand of or countersigned by a Minister in exercise of any powers conferred thereby, it shall be sufficient for such document to be under the hand of or signed or countersigned by the Permanent Secretary to the Ministry for which the Minister is responsible or by any public officer duly authorised in writing by the Minister.

PART V

REPRINT OF ACTS

Reprint of Acts.

38.—(1) The Attorney-General may, with the authority of the President, cause to be printed reprints of Acts; and any such reprints may contain amendments as the Attorney-General is authorised to make by subsection (2).

(2) The Attorney-General, in preparing any reprint, shall have the following powers:

- (a) to incorporate in or omit from the reprint, as the case may be, all matters required to be added to, omitted from or substituted for any provisions of the Act as a result of any amendments made to that Act by any other Act;
- (b) to delete any words, expressions, nomenclature or other provisions in any written law which have expired or become obsolete, including references to repealed Acts, and to substitute therefor, where necessary, appropriate words, expressions, nomenclature or provisions or references to the appropriate Acts;
- (c) to renumber the sections in any Act as a result of any amendment made thereto by any other Act;
- (d) to correct grammatical, typographical and similar mistakes in the Act and to make verbal additions, omissions or alterations not affecting the meaning of any Act;
- (e) to make such alterations as may be necessary to bring any Act into conformity with Singapore

becoming an independent nation, including such formal alterations as to names, localities, departments, offices and titles;

- (f) to correct cross references; and
- (g) to supply or alter tables of contents, marginal notes and Part and Chapter headings.

(3) In this section, unless the context otherwise requires —

“Act” includes —

- (a) a law as originally passed or made, or where the law has been lawfully reprinted, the latest official printed copy of the law;
- (b) any Ordinance or Act of Malaysia extended to have application in Singapore, by means of an order made under the provisions of the Malaysia Act or by an Act of the Parliament of Malaysia, during the period 16th September 1963 to 8th August 1965; M 26/63.
- (c) any Act of the Parliament of Malaysia enacted during the period 16th September 1963 to 8th August 1965 to have application in Singapore;
- (d) the Constitution; Vol. 1.
- (e) any order made under the provisions of the Constitution, the Republic of Singapore Independence Act and section 74 of the Malaysia Act; and Vol. 1.
- (f) any subsidiary legislation;

“section” includes subsection, paragraph and sub-paragraph and, in the case of subsidiary legislation, section, subsection, article, paragraph and sub-paragraph.

(4) Any reprint of any Act purporting to have been printed pursuant to this Act shall be deemed to be the authentic text of that Act in force on such date as may be specified in the reprint and shall for the purposes of subsection (6) be the official printed copy of that Act.

(5) A reference in an Act to the number of a section in any reprinted Act, the sections of which have been renumbered, shall mean a reference to the renumbered section of such reprinted Act.

(6) A reference in an Act to the number of a line of any section of any other Act shall mean the line in the latest official printed copy of that other Act at the time of the passing of the Act containing such reference.

PART VI

PENAL PROVISIONS

Attempt to commit an offence to be deemed an offence.

39. A provision which constitutes an offence shall, unless the contrary intention appears, be deemed to provide also that an attempt to commit such offence shall be an offence against such provision, punishable as if the offence itself had been committed.

Imposition of a penalty not a bar to civil action.

40. The imposition of a penalty by any written law, in the absence of express provision to the contrary, shall not relieve any person from liability to answer for damages to a person injured.

Provisions as to offences under two or more laws.

41. Where any act or omission constitutes an offence under two or more written laws, the offender shall, unless the contrary intention appears, be liable to be prosecuted and punished under any one of those written laws but shall not be liable to be punished twice for the same offence.

Penalties prescribed to be deemed maximum penalties.

42. Whenever in any written law a penalty is provided for an offence, such provision shall imply that such offence shall be punishable upon conviction by a penalty not exceeding (except as may be otherwise expressly mentioned in the written law) the penalty provided.

PART VII

MISCELLANEOUS

Powers of President, Minister or other authority to appoint public officer as such to serve on board and to appoint chairman.

43.—(1) Where under the provisions of any Act, power is given to the President, Minister or other authority to appoint any person to be a member of any board, commission, committee or similar body, it shall be lawful for the President, Minister or other authority, in the absence of any provision to the contrary, to appoint, by his official designation, any public officer, and, on such appointment and until such appointment is cancelled or otherwise determined, the person for the time being filling the office in question shall

be a member of that board, commission, committee or similar body.

(2) Where under the provisions of any Act power is given to the President, Minister or other authority to appoint any board, commission, committee or similar body, it shall be lawful for the President, Minister or other authority, in the absence of any provision to the contrary, to appoint a chairman of that board, commission, committee or similar body.

44. Whenever the fiat, authorisation or sanction of the President, the Minister, the Attorney-General, the Solicitor-General, the Public Prosecutor, a Deputy Public Prosecutor or of any public officer is necessary before any prosecution or action is commenced or for any purpose whatsoever in connection with any proceeding, any document purporting to bear the fiat, authorisation or sanction of the President, the Minister, the Attorney-General, the Solicitor-General, the Public Prosecutor, such Deputy Public Prosecutor or such public officer, as the case may be, shall be received as prima facie evidence in any proceeding without proof being given that the signature to such fiat, authorisation or sanction is that of the President, the Minister, the Attorney-General, the Solicitor-General, the Public Prosecutor, such Deputy Public Prosecutor or such public officer, as the case may be.

Prima facie evidence of signature.

45. A reference in any written law to any public officer by the usual or common title of his office shall, if there be such an office customarily in Singapore and unless the contrary intention appears, be read and construed as referring to the person for the time being holding or carrying out the duties of that office in Singapore.

Public officers.

46.—(1) Whenever any person, public officer, public department or statutory authority is required to do anything for which a fee is to be paid or a charge made under any written law, the person, public officer, public department or statutory authority may decline to do that thing until the fee is paid or payment be made and, where the precise amount of the payment to be made cannot be ascertained until the thing is done, until there be paid such an amount as may be estimated to be the correct amount by the person, public

Act for which payment is required need not be performed till payment be made.

officer, public department or statutory authority required to do that thing.

(2) Whenever a thing has been done for which an estimated amount has been paid, the amount shall be adjusted to the correct amount either by means of a further payment or by a refund of the amount overpaid.

Fees or charges may be prescribed and may be reduced, varied, remitted or refunded.

47.—(1) Whenever any act requires to be done or a service performed by a public body, statutory authority or a public officer under or in connection with any written law, and no special provision is made thereby or thereunder for making a charge in respect of the act or service, the Minister may, by order published in the *Gazette*, provide for the imposition of such fees or charges as he may consider proper.

(2) Any fee or charge under any written law made payable to the Government or to any public body, statutory authority or public officer, not being a fee or charge which is regulated by Rules of Court, may by order of the Minister be reduced, remitted or refunded, in whole or in part in the circumstances of any particular case.

Proceedings not to abate on death, etc., of official.

48. Any civil or criminal proceedings taken by or against any person by virtue of his office shall not be discontinued or abated by his death, resignation, absence or removal from office, but may be carried on by or against, as the case may be, the person appointed to perform the duties of the office.

Gazette to be evidence of matters therein.

49. All printed copies of the *Gazette*, purporting to be published by authority and to be printed by the Government Printer, shall be admitted in evidence by all courts and in all legal proceedings whatsoever without any proof being given that those copies were so published and printed, and shall be taken and accepted as prima facie evidence of subsidiary legislation, appointments, notifications and other publications therein printed and of the matters and things contained in such subsidiary legislation, appointments, notifications and publications respectively.

Measurement of distance.

50. In the measurement of any distance for the purposes of any written law, that distance shall, unless the contrary intention appears, be measured in a straight line on a horizontal plane.

51. In computing time for the purposes of any written law, unless the contrary intention appears — Computation of time.

- (a) a period of days from the happening of an event or the doing of any act or thing shall be deemed to be exclusive of the day on which the event happens or the act or thing is done;
- (b) if the last day of the period is a Sunday or a public holiday (which days are referred to in this section as excluded days) the period shall include the next following day not being an excluded day;
- (c) when any act or proceeding is directed or allowed to be done or taken on a certain day, then, if that day happens to be an excluded day, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards, not being an excluded day;
- (d) when an act or proceeding is directed or allowed to be done or taken within any time not exceeding 6 days, excluded days shall not be reckoned in the computation of the time.

52.—(1) Whenever any expression of time occurs in any written law or in any instrument whatsoever and whenever the doing or not doing anything at a certain time of the day or night or during a certain part of the day or night has an effect in law, that time shall, unless it is otherwise specifically stated, be held to be standard time as declared by this section. Standard time.

(2) “Standard time” means standard time as used in Singapore, namely, 8 hours, or such other period as may from time to time be determined by the President by notification in the *Gazette*, in advance of Greenwich mean time. S 392/81.

53. Where no time is prescribed or allowed within which anything shall be done, that thing shall be done with all convenient speed and as often as the prescribed occasion arises. Provision when no time prescribed.

54. Where in any written law a time is prescribed for doing any act or taking any proceeding and power is given to a court or other authority to extend the time, unless the Construction of power of extending time.

contrary intention appears, the power may be exercised by the court or other authority although the application for the extension is not made until after the expiration of the time prescribed.

Saving of
rights of
Government.

55. No Act shall in any manner whatsoever affect the rights of the Government unless it is therein expressly provided, or unless it appears by necessary implication, that the Government is bound thereby.

Act to be
binding on
Government.

56. This Act shall be binding on the Government.