

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**CONTROL OF IMPORTS AND EXPORTS ACT
(CHAPTER 56)**

**1970 Ed. Cap. 240
Ordinance
43 of 1950**

**Amended by
31 of 1958
27 of 1961
6 of 1967
21 of 1973
34 of 1973
29 of 1982
S 396/55**

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Control of Imports and Exports Act

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An Act to provide for the control of imports and exports
and for matters incidental thereto.

[8th December 1950]

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Control of Imports and Exports Act.

Interpreta-
tion.
21/73
34/73
29/82.

2. In this Act and in any orders made thereunder, unless the context otherwise requires —

“aircraft” includes aircraft of any description, not having the status of a war aircraft;

“authorised officer” means —

- (a) any senior authorised officer;
- (b) any officer of customs within the meaning of the Customs Act;
- (c) any police officer;
- (d) any officer or class or description of officer appointed by the Minister by notification in the *Gazette* to exercise the powers and perform the duties conferred and imposed on an authorised officer by this Act;

Cap. 70.

- “Board” means the Trade Development Board established under section 3 of the Trade Development Board Act*;
Cap. 330.
- “contravention” includes, in relation to any provision, a failure to comply with that provision;
- “conveyance” includes any vessel, train, vehicle or aircraft in which persons or goods can be carried;
- “examination station” means any place or premises appointed by the Minister by notification in the *Gazette* to be an examination station for the purposes of this Act;
- “export”, with its grammatical variations and cognate expressions, means to take or cause to be taken out of Singapore by land, water or air and includes the placing of any goods in a vessel, conveyance or aircraft for the purpose of the goods being taken out of Singapore by water or air but does not include the taking out of Singapore by water or air of any goods on the same vessel or aircraft on which they were brought into Singapore unless after being brought into Singapore the goods have been landed or transhipped within Singapore;
- “goods” means any movable or personal property whatsoever;
- “import”, with its grammatical variations and cognate expressions, means to bring or cause to be brought into Singapore by land, water or air from any place which is outside Singapore but does not include the bringing into Singapore by water or air of any goods which it is proved to be intended to be taken out of Singapore on the same vessel or aircraft on which they were brought into Singapore without any landing or transhipment within Singapore;
- “master” includes every person, having or taking command or charge of a vessel, except a pilot of a vessel holding a licence under the Port of Singapore Authority Act when acting in the course of his duties;
Cap. 236.

*References formerly in this Act to the Controller of Imports and Exports are, in this Edition, replaced by references to the Board, in accordance with section 18 (2) of the Trade Development Board Act (Cap. 330).

“offence” means an offence under this Act and includes any contravention of any order declared to be an offence by any such order;

“order” means an order made under section 3;

“pilot of an aircraft” means every person having or taking command or charge of an aircraft;

“police officer” means any member of the Singapore Police Force;

“senior authorised officer” means —

(a) any senior officer of customs within the meaning of the Customs Act;

(b) any police officer;

(c) any officer or class or description of officer appointed by the Minister by notification in the *Gazette* to exercise the powers and perform the duties conferred and imposed on a senior authorised officer by this Act;

“shipped as ships’ stores”, with its grammatical variations and cognate expressions, includes loaded as the stores of an aircraft;

“tranship” means to remove goods from one vessel or aircraft to another vessel or aircraft for the purpose of export;

“vehicle” includes any conveyance in which persons or goods can be carried by land however drawn or propelled or set or kept in motion;

“vessel” includes any ship or boat or other description of vessel used in navigation, not having the status of a ship of war.

PART II

CONTROL OF IMPORTATION, EXPORTATION, ETC., BY ORDER OF THE MINISTER

3.—(1) The Minister may by order provide —

(a) for the prohibition, absolutely or conditionally, or for the regulation, in all cases or in any specified case or class of case and subject to such exceptions, if any, as may be made by the order, of the import or export or of the carriage

Cap. 70.

Control of
importation,
exportation,
etc.

coastwise or of the shipment as ships' stores or of the transshipment of all goods or of goods of any specified class or description;

- (b) for the imposition and recovery in connection with any scheme of control for which provision is made by any order under this section of such fees and charges as may be specified and for the disposal thereof;
- (c) that any contravention of any provision of any order shall be an offence and shall on conviction be punishable by fine or imprisonment or by both:

Provided that —

- (i) no such fine shall, in respect of a first offence, exceed the sum of \$10,000 or 3 times the value of the goods in respect of which the offence was committed whichever may be the greater, or in respect of a second or subsequent offence of the same or a similar kind, exceed the sum of \$20,000 or 4 times the value of the goods whichever may be the greater; and
- (ii) no such penalty of imprisonment shall, in respect of a first offence, exceed a term of 12 months or, in respect of a second or subsequent offence of the same or a similar kind, exceed a term of 2 years.

(2) All orders made under this section shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication and if a resolution is passed pursuant to a motion notice whereof has been given for a sitting day not later than the first available sitting day of Parliament next after the expiry of one month from the date when the orders are so presented annulling the orders or any part thereof as from a specified date, the orders or such part thereof, as the case may be, shall thereupon become void as from that date but without prejudice to the validity of anything previously done thereunder or to the making of new orders. [4*

*Section 3 in the 1970 Edition was repealed by Act 29 of 1982.

Provisions as to issue and cancellation of licences.

4. Where provision is made by any order for the issue of any licence or permit by any officer or person, that officer or person shall, subject to any express provision to the contrary contained in the order, have a discretion —

(a) as to the issue and terms of the licence or permit and as to the cancellation or suspension thereof at any time; and

(b) as to the conditions to be attached to the issue of the licence or permit and the cancellation or variation from time to time of those conditions:

Provided that any cancellation, suspension or variation of the conditions of any import licence or permit shall not be enforced until an existing irrevocable letter of credit issued in respect of it has expired, unless that officer or person has reason to believe that the irrevocable letter of credit was not established in good faith. [5]

Procedure for cancellation, etc., of a licence or permit.

5.—(1) Cancellation, suspension or variation of the conditions of any licence or permit, issued by virtue of an order, may be effected by endorsement thereof on the licence or permit, or by service of a written notice of the cancellation, suspension or variation on the holder of the licence or permit, and any such service shall be good service if the written notice is left with the holder of the licence or permit, or is left with any adult person at the usual or last known place of residence or business of the holder, or is served on the holder by post at his usual or last known place of residence or business, or if, in the case of a permit, it is left with any person having the possession, custody or control of the goods to which the permit relates.

(2) If any such licence or permit is cancelled or suspended the holder thereof shall, unless it has otherwise been lawfully disposed of, forthwith surrender it to the officer by whom it is so cancelled or suspended and, in default thereof, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000. [6]

Construction.

6.—(1) The provisions of orders shall, unless the contrary is expressly stated, be deemed to be additional to, and not in substitution for, the provisions of any other law for the time being in force.

(2) For the avoidance of doubt it is hereby declared that the taking into or out of Singapore of ships or aircraft or

vehicles may be prohibited or regulated by an order as an importation or exportation of goods, notwithstanding that the ships, aircraft or vehicles are conveying goods or passengers, and whether or not they are moving under their own power. [7]

7. The Board may certify in writing that any goods examined by it are goods of a particular category or description and thereupon the goods shall, for all the purposes of this Act and of any order, be presumed, unless the contrary is proved, to be goods of that category or description and any certificate to that effect purporting to be signed by the Board shall without proof of signature be admitted as evidence in all proceedings under this Act of the matters set forth therein. [8]

Classification of goods.

8.—(1) The holder of any licence or permit issued by virtue of an order under section 3 shall, unless he has already lawfully parted with possession of it produce the licence or permit on demand to any authorised officer. [9]

Power to require production of licence or permit.

(2) Any person who fails to comply with this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000. [9]

PART III

PENALTIES AND FORFEITURES

9.—(1) A senior authorised officer may seize any goods in respect of which he has reasonable grounds for believing that an offence has been or is being committed. [10]

Seizure of goods in certain cases.

(2) All such goods shall be delivered as soon as possible into the custody of the Board or of any person authorised by the Board in that behalf and shall be detained in custody pending an order of the court in regard to the disposal thereof made under this Act:

Provided that if any property seized is in the opinion of the Board of a perishable nature or consists of an animal or other living creature the Board may at any time direct the sale thereof on such terms and in such manner and at such price as the Board may think fit and the proceeds of the sale shall thereupon be subject to the provisions of this Act as though they were the property seized. [10]

Forfeiture.

10.—(1) The court before which any person is tried for an offence may, whether a conviction is had or not, order the forfeiture of any goods produced before it or seized under this Act in connection with the offence for which the person is tried in respect of which it is satisfied that an offence has been committed.

(2) When any goods have been seized under the provisions of this Act, the Board shall, within a period of one month from the date of the seizure, unless a prosecution has before the expiry of that period been commenced and is pending against any person for an offence in respect of the property so seized, report the fact of the seizure to a District Court and that Court may, if satisfied that an offence has been committed in respect of those goods, order them to be forfeited:

Provided that no order shall be made under this section to the prejudice of any person claiming to be the owner of, or to have an interest in, those goods, unless that person has had an opportunity of being heard, either personally or by advocate, by the Court, to show cause why such an order should not be made. [11]

Forfeiture of goods to include packages, etc.

11. The provisions of this Act relating to the seizure and forfeiture of goods shall apply also to any packages in which the goods are found and to all the contents thereof and to any article used to conceal the goods. [12]

Disposal of forfeitures.

12. All goods forfeited under this Act shall be sold or disposed of in such manner as may be generally or specially directed by the Minister. [13]

PART IV

POWERS OF SEARCH, EXAMINATION AND ARREST

Powers in relation to vessels, aircraft and vehicles.

13.—(1) A senior authorised officer or an authorised officer acting in accordance with the general or special directions of a senior authorised officer may board any vessel, aircraft or vehicle in Singapore and may rummage and search all parts of the vessel, aircraft or vehicle for goods which may be liable to forfeiture under this Act.

(2) For the more effective exercise of the powers conferred by this section a senior authorised officer may —

(a) require the master of any vessel in Singapore to heave to;

- (b) by direction to the master of any vessel or the pilot of any aircraft in Singapore require the vessel or aircraft, as the case may be, not to proceed until so authorised;
- (c) require any documents which ought to be on board any vessel or aircraft, being documents relating to any goods therein, to be brought to him for inspection, and, if he has reasonable grounds for believing that those goods are liable to forfeiture under this Act, detain any such documents;
- (d) break open and forcibly enter any place or receptacle in any vessel, aircraft or vehicle to which he cannot otherwise reasonably obtain access;
- (e) by direction to the master of any vessel in Singapore require that the vessel shall proceed to any specified anchorage, wharf or place to which the vessel may lawfully go;
- (f) by direction to the master of any vessel in Singapore require him to move or discharge any cargo or other goods therein;
- (g) require the person in charge of a vehicle to stop and not to proceed until so authorised or to bring the vehicle to any police station or examination station;
- (h) direct that no goods be removed from or placed in any vessel or aircraft until so authorised;
- (i) require the master of any vessel or the pilot of any aircraft to produce a complete manifest of the whole cargo of the vessel or aircraft and a complete list of stores carried by that vessel or aircraft.

(3) An authorised officer may exercise, in respect of any vehicle, or of any vessel not exceeding 50 tons net registered tonnage as defined in the Merchant Shipping Act, the powers which are conferred upon a senior authorised officer by subsection (2) other than the powers conferred by subsection (2) (d). Cap. 179.

(4) It shall be presumed in any proceedings arising out of any thing done under this section, unless the contrary is

proved, that any authorised officer, not being a senior authorised officer, by whom the thing was done was acting in accordance with the general or special direction of a senior authorised officer.

(5) If any vessel or aircraft fails to comply with any lawful requisition or direction given under this section, a senior authorised officer may take all such steps as appear to him necessary to secure such compliance.

(6) Where any goods are found concealed or in respect of which any document which ought to be produced is not produced in any vessel or aircraft or which are not shown on any manifest or list required to be produced being goods the import, export, carriage coastwise, shipment as ships' stores or transshipment of which is prohibited either absolutely or conditionally by any order the goods may be seized by an authorised officer and shall be liable to forfeiture in the same manner as if an offence had been committed in respect thereof.

(7) Any person who contravenes this section, or who fails to comply with any lawful direction or requisition given or made thereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

(8) An officer shall exercise the powers conferred by this section in respect of a vessel under way only if he has reasonable grounds for believing that it is not in transit through Singapore or that any goods on board the vessel are intended to be landed or transhipped in Singapore. [14

Examination
of packages.

14.—(1) Any package, box, chest or other article in regard to which a reasonable suspicion exists that it is being, or is about to be, or has recently been, imported, exported, carried coastwise, shipped as ships' stores, or transhipped in contravention of the provisions of any order, and which is in Singapore —

(a) may be examined and searched by any authorised officer and may be detained until any person in charge thereof has opened it to admit of the examination and search;

(b) may be broken open by or by order of a senior authorised officer to facilitate the examination and search:

Provided that any person in charge of the package, box, chest or other article shall be afforded every reasonable facility for being present at the breaking open, examination and search; or

- (c) may be marked, locked, sealed or otherwise secured by any authorised officer pending examination and search.

(2) Any person who removes, opens, breaks or tampers with any lock, seal or other means of securing any package, box, chest or other article, being a person not lawfully employed in accordance with subsection (1), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both. [15]

15. If any goods in respect of which there is reason to believe that they are being, or are about to be, or have recently been, imported, exported, carried coastwise, shipped as ships' stores, or transhipped in contravention of any order are found in Singapore —

Powers in relation to examination of goods.

- (a) any authorised officer may examine the goods; and
 (b) any senior authorised officer may take samples of the goods and may submit the goods or samples, or cause them to be submitted, to such tests or analysis as he thinks fit. [16]

16.—(1) For the more convenient exercise of the powers conferred by sections 14 and 15 an authorised officer may remove any packages, boxes, chests or other articles or any goods to a police station or examination station or may require them to be so removed by the owner thereof or his agent or any person having the custody, charge or control thereof.

Power to remove packages and goods to police station or examination station.

(2) Any person who fails to comply with any such requisition shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(3) Upon the failure by a person to comply with such a requisition an authorised officer may remove the goods in the manner provided by subsection (1) and all the expenses of the removal (as certified by the Board) shall be recoverable summarily under section 403 of the Criminal Procedure Code from that person or from the owner of the goods.

Cap. 68.

[17]

Search of
persons and
baggage.

17.—(1) Any person landing or being about to land or having recently landed from any vessel or aircraft, or leaving any vessel or aircraft in Singapore whether for the purpose of landing or otherwise, or entering or having recently entered Singapore by land, water or air, or being about to leave Singapore by land, water or air, shall —

- (a) on demand by an authorised officer, either permit his person and goods and baggage to be searched by the officer or, together with the goods and baggage, accompany the officer to a police station or an examination station, and there permit his person and goods and baggage to be searched in the presence and under the supervision of a senior authorised officer; or
- (b) on demand by a senior authorised officer, permit his person and goods and baggage to be searched by him or in his presence and under his supervision:

Provided that no woman shall be searched except by a woman and with due regard to decency and that the goods and baggage of any person who claims to be present when they are searched shall not be searched except in his presence, unless he fails to be present after being given reasonable facility for being present.

(2) Nothing in this section shall apply to a passenger while he is on board a vessel and in transit through Singapore to a destination outside Singapore.

(3) Any person who refuses to comply with any lawful demand under this section may be arrested without warrant by the officer making the demand. [18

Search
warrants.

18.—(1) Whenever it appears to any Magistrate or Justice of the Peace upon information and after such inquiry as he may consider necessary that there is probable cause to believe that in any dwelling-house, shop or other building or place there are concealed or deposited any goods or property liable to forfeiture under this Act, the Magistrate or Justice of the Peace may, by warrant directed to any senior authorised officer, empower that officer by day or night to enter that dwelling-house, shop or other building or place and there to search for and take possession of any goods or property reasonably suspected to be so liable to

forfeiture and any books, documents or articles which may reasonably be believed to have a bearing on the case.

(2) The senior authorised officer referred to in subsection (1) may if it is necessary to do so —

- (a) break open any outer or inner door of the dwelling-house, shop or other building or place and enter thereinto;
- (b) forcibly enter the place and every part thereof;
- (c) remove by force any obstruction to such entry, search, seizure and removal as he is empowered to effect; and
- (d) detain every person found in the place until the place has been searched. [19

19. Whenever it appears to any senior authorised officer that there is probable cause to believe that in any dwelling-house, shop or other building or place there are concealed or deposited any goods or property liable to forfeiture under this Act, and he has reasonable grounds for believing that by reason of the delay in obtaining a search warrant the goods are likely to be removed, the officer, by virtue of his office, may exercise in and upon and in respect of that dwelling-house, shop or other building or place all the powers in section 18 mentioned in as full and ample a manner as if he were empowered to do so by a warrant issued under that section. [20

When search may be made without a warrant.

20.—(1) For the purpose of exercising the powers conferred by sections 14, 15, 16, 17 and 18, an authorised officer or a senior authorised officer, as the case may be, may, without warrant, enter upon any islet, landing place, wharf, dock or quay or upon the premises of the Port of Singapore Authority or upon any railway.

Powers of authorised officers to enter on certain premises.

(2) In this section “railway” shall have the meaning assigned to it in the Railways Act. [21

Cap. 263.

21. An authorised officer may arrest without warrant any person whom he has reason to believe to be committing or to have committed an offence, and may search any person so arrested (provided that no woman shall be searched except by a woman and with due regard to decency) and may seize any article which he considers it necessary to seize

Powers of arrest and search.

in relation to the evidence necessary to establish the commission of any such offence. [22

Obstruction.

22. Any person who —

- (a) refuses any authorised officer access to any vessel, aircraft, vehicle or place which that officer is entitled under this Act or under any order to board or enter; or
- (b) obstructs or hinders any authorised officer in the execution of any duty imposed or power conferred upon that officer by this Act or by any order,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both. [23

Penalty for false declarations, etc.

23. Any person who, being required by or by virtue of this Act or of an order to make any declaration, statement or representation or to produce any certificate, undertaking or document, or who, for the purpose of obtaining any licence, permit, sanction, authority or concession under this Act or under any such order or of establishing any proposition of fact relevant to the administration of this Act or any such order —

- (a) makes or presents any declaration, statement or representation which is false in a material particular; or
- (b) produces any certificate, undertaking or document which is false in any material particular, or has not been given by the person by whom it purports to have been given, or has been in any way altered or tampered with,

shall be guilty of an offence unless he proves that he had taken all reasonable steps to ascertain, and satisfy himself of, the truth and genuineness thereof, 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. [24

General powers to call for information as to goods.

24.—(1) The Board may require any person by or on whose behalf goods have been, or are in the course of being, or are about to be, imported, exported, carried coastwise, shipped as ships' stores or transhipped, or any person who is or has been concerned or interested in those goods or in

their importation, exportation, carriage coastwise, shipment as ships' stores or transshipment, to produce such documents and answer such questions and to furnish such information and in such form as the Board may, in its discretion, consider necessary for the effective exercise of its powers and performance of its duties under this Act and under any orders made under section 3.

(2) Any such requisition may be made verbally, or in writing served on the person to whom it is addressed and any such service shall be good service if the requisition is left with the person, or is left with any adult at the usual or last known place of residence or business of the person, or is served on the person by post at his usual or last known place of residence or business.

(3) Every person required to produce any document, answer any question or furnish any information shall produce the document, answer the question or furnish the information within such time as may be stated in the requisition or if no time is so stated within a reasonable time.

(4) Any person who fails without lawful excuse to comply with any requisition under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

(5) Any information given and any answer made to any question put in compliance with this section may be proved in evidence against the person giving or making the same or his principal in any prosecution, notwithstanding that it may tend to criminate the one or the other. [25

25.—(1) No particulars, information or document furnished and no answer to any question put for the purposes of this Act shall be published without the previous consent in writing of the person having the control, management or superintendence of the goods in relation to which the same was given or furnished; and, except for the purposes of a prosecution, no person who is not engaged in connection with the control of imports and exports under this Act shall be permitted to see any such particulars, information or document.

Information
not to be
published or
disclosed.

(2) Any person engaged in connection with the control of imports or exports who makes use of, publishes or permits any other person to see or discloses or communicates to any other person the contents of any such particulars, information, answer or document to any other person otherwise than with such consent or for such purposes as are mentioned in subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding one year or to both.

(3) Any person having possession of any information which to his knowledge has been disclosed, published or communicated in contravention of this section who publishes or communicates that information to any other person shall be guilty of an offence and shall be liable on conviction to the same penalties as are set out in subsection (2). [26]

Abetment
and attempts.
Cap. 224.

26. Any person who abets, within the meaning of the Penal Code, the commission of any offence, and any person who attempts to commit any offence, shall be liable on conviction to the same punishment as that provided for the offence so abetted or attempted. [27]

Jurisdiction.

Cap. 68.

27. A District Court or a Magistrate's Court shall have jurisdiction to hear and determine all prosecutions for offences under this Act or under any order made under section 3; and a District Court shall, notwithstanding anything to the contrary in the Criminal Procedure Code, have jurisdiction to impose the full penalty or punishment provided by this Act or by any such order. [28]

Sanction to
prosecute
required.

28. No court shall take cognizance of any offence except with the sanction of the Board. [29]

Power of
Minister to
remit
penalties and
restore goods
seized or
forfeited.

29. The Minister may direct the refund of the whole or any part of any fine or penalty incurred or imposed under this Act or any order and the restoration of the whole or any portion of any goods or articles seized or ordered to be forfeited under this Act or any order to any person from whom they have been taken. [30]

Conduct of
prosecution.

30. Any prosecution in respect of an offence may be conducted by a senior authorised officer. [31]

31.—(1) Where any offence is committed by a body corporate any director, manager, secretary or other officer of the body corporate shall also be deemed to be guilty of that offence, and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was committed without his consent or connivance and was not attributable to any neglect on his part.

Offences by corporations and liability for acts of agents or employees.

(2) Whenever any agent or employee in the course of his employment does or omits to do an act the doing of which or omission to do which by his principal or employer would be an offence the agent or employee shall be guilty of that offence.

(3) In any proceedings jointly against the body corporate and a director or officer thereof for an offence under this Act any evidence that the body corporate was guilty of such an offence shall be deemed to be evidence that the director or officer was guilty of that offence.

(4) Any person who would have been guilty of an offence if anything had been done or omitted by him personally shall be guilty of that offence and liable to the same penalty if that thing has been done or omitted to be done by his partner, agent or employee in the course of the partnership business or in the scope of his employment, as the case may be, unless he proves to the satisfaction of the court that the offence was committed without his knowledge and that he took all reasonable precautions to prevent the doing or omission of the thing. [32]

32.—(1) Subject to this section, no evidence as to any written or oral information in respect of any offence alleged to have been committed shall be admitted in evidence in any civil or criminal proceedings whatsoever, and no witness shall be obliged or permitted to disclose the name or address of any informer or state any matter which might lead to the discovery of the identity of any informer.

Protection of informers.

(2) If any books, documents or papers, which are in evidence or liable to inspection in any civil or criminal proceedings whatsoever, contain any entry in which any informer is named or described or which might lead to the discovery of his identity, the court shall cause all such passages to be concealed from view or to be obliterated so far as may be necessary to prevent the discovery of the identity of the informer but no further.

(3) If, in any civil or criminal proceedings whatsoever, the court, after full inquiry into the case, is of the opinion that the informer wilfully made in any information furnished by him a material statement which he knew or believed to be false or did not believe to be true or the court is of opinion that justice cannot be fully done without the discovery of the identity of the informer, it shall be lawful for the court to require the production of the original information, if in writing, and to permit inquiry and require full disclosure concerning the informer.

(4) For the purposes of this section, “informer” includes every person who is not called as a witness for the prosecution in a criminal case and who has made any complaint or report or furnished any information oral or documentary in respect of any offence alleged to have been committed by any person. [33]

Saving of
rights of
Government.

33. This Act shall be without prejudice to the exercise of any right or prerogative of the Government. [34]