

THE STATUTES OF THE REPUBLIC OF SINGAPORE

ENLISTMENT ACT

(CHAPTER 93)

1970 Ed. Cap. 229

Act

25 of 1970

Amended by

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7 of 1972

34 of 1973

21 of 1974

21 of 1975

18 of 1978

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Enlistment Act

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An Act to provide for enlistment of persons in the armed forces of Singapore.

[1st August 1970]

PART I

Short title.

1. This Act may be cited as the Enlistment Act.

Interpretation.
7/72
21/74.

2. In this Act, unless the context otherwise requires —
“annually” and “year” mean the period from 1st April of each year to 31st March of the following year;

“armed forces” means any force constituted under the Singapore Armed Forces Act, the Police Force Act or the Vigilante Corps Act, and such other force as may be constituted under any written law;

“duty” includes training;

“employer” means any person who employs another person under a contract of service and includes the person who owns or is carrying on or is for the time being responsible for the management of a profession, business, trade or work in which other persons are employed;

“fitness examination” means any examination which is considered by the proper authority to be necessary for the purpose of determining the fitness of a person for service;

“full-time service” means service pursuant to section 12;

Cap. 295.
Cap. 235.
Cap. 343.

- “medical examination” includes a dental examination, blood test, an X-ray examination and any other examination or test that a medical board may consider necessary;
- “mobilised service” means service pursuant to section 18;
- “national service” means service under Part III in the armed forces and service in such other force, body or organisation as the Minister may designate for this purpose by notification in the *Gazette*;
- “national serviceman” means a person in national service;
- “permanent resident” means any person who is not subject to any restriction as to his period of residence imposed under the provisions of any written law relating to immigration for the time being in force in Singapore;
- “person subject to this Act” means a person who is a citizen of Singapore or a permanent resident thereof and who is not less than 16 years and 6 months of age and not more than 40 years of age or, in the case of a person who —
- (a) is an officer of the armed forces; or
 - (b) is skilled in an occupation which the Minister by notification in the *Gazette* designates as an occupation required to meet the needs of the armed forces,
- not more than 50 years of age;
- “proper authority” means the Armed Forces Council and any person or body appointed by it by name or by office for the purposes of the whole or any Part of this Act;
- “registered medical practitioner” has the same meaning as in the Medical Registration Act; Cap. 174.
- “regular service” means service pursuant to section 19;
- “regular serviceman” means a person in regular service;
- “reserve service” means service pursuant to section 14;
- “service” means national service and regular service;
- “Singapore Armed Forces” means the Singapore Armed Forces constituted under the Singapore Armed Forces Act; Cap. 295.

Cap. 235.

“Special Constabulary” means the Special Constabulary constituted under Part VIII of the Police Force Act.

PART II

Persons required to register.

3.—(1) The proper authority may from time to time by notice require a person subject to this Act to report for registration and for fitness examination for the purposes of service under this Act.

(2) A person required to report for registration and fitness examination under subsection (1) shall report to the proper authority at such date, time and place as may be specified in the notice and attend from day to day until duly registered and examined.

Registration.

4.—(1) A person required to report for registration shall —

- (a) furnish such particulars about himself as may be prescribed;
- (b) submit for inspection to the proper authority such certificates or documents as may be prescribed;
- (c) carry on his person such certificate or document as may be issued by the proper authority and present that document or certificate on demand to the proper authority or to any military policeman, police officer or to any person acting on his behalf; and
- (d) submit to the taking of his photograph and finger impressions.

(2) Any person affected by a notice given under section 3 (1) who, without lawful excuse, fails to present himself for registration in accordance with the notice 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 3 years or to both.

(3) The court before which a person is convicted of an offence under subsection (2) may also order that person to present himself for registration for national service on or before a specified date and any person who, without lawful excuse, fails to present himself for registration in accordance with such an order shall be guilty of an offence

and shall be liable on conviction to a fine not exceeding \$50 for every day during which he fails to register himself after the specified date.

5. A person required to report for a fitness examination shall — Fitness examination.

- (a) undergo or submit himself to that examination; and
- (b) furnish the proper authority with correct and complete information in respect of any matter which that authority considers to be material for the purpose of determining his fitness for service or fitness for any duty in service.

6. The proper authority may, in accordance with regulations made under this Act, order any person to furnish information in respect of a person subject to this Act. Information.

7.—(1) The fitness for service of a person subject to this Act shall be determined, from time to time, by the proper authority in accordance with the fitness examination and the needs of the armed forces. Fitness for service.

(2) No person who is not medically fit shall be found fit for service.

8.—(1) The proper authority shall appoint medical boards for the purpose of determining the medical fitness of persons required to report for a fitness examination. Medical examination.

(2) Every medical board shall consist of one or more members who shall be registered medical practitioners. In the case of a medical board consisting of more than one member the proper authority shall nominate one of the members to be chairman.

(3) Where a medical board consists of more than one member it shall determine whether a person is medically fit or not by a majority vote. In the case of an equality of votes, the chairman of the medical board shall have a second or casting vote.

(4) Every medical board shall act for and on behalf of the proper authority and may subject a person required to report for a fitness examination to a medical examination.

(5) A medical board may, for the purpose of conducting a medical examination, require a person subject to this Act

who is liable to report for a fitness examination to be examined by a person who is not a member of the medical board.

Further reporting.

9. The proper authority may, at any time, require a person subject to this Act who is liable to report for registration or a fitness examination to report again on such other occasions as may be considered necessary.

PART III

Duty to report for enlistment.

10.—(1) Subject to the provisions of this Act, the proper authority may by notice require a person subject to this Act not below the age of 18 years to report for enlistment for national service.

(2) A person required to report for enlistment for national service shall report to the proper authority on such date and at such time and place as may be specified in the notice and shall attend from day to day until duly enlisted.

(3) Enlistment for national service shall be in the manner approved by the proper authority.

(4) No duty of any kind shall be imposed on a person required to report for enlistment or service unless he is found fit for service.

Liability to be transferred from one service to another.

11. A person required under section 10 to report for enlistment for national service shall be liable to render any form of national service and may at any time, at the discretion of the proper authority, be transferred from one form of service to another, from one force to another or from one unit to another.

Liability to render full-time service. 18/78.

12.—(1) Every person subject to this Act who is fit for national service and enlisted on or after 1st January 1971 shall be liable to render full-time service for a period not exceeding two years except that where a person —

(a) is during the period of service promoted to a rank above the rank of Lance-Corporal in the Singapore Armed Forces or, where such service is in any of the other armed forces or in a force, body or organisation, which is designated by the Minister for the purposes of national service, to such rank as may be regarded by the proper authority as equal to a rank above the rank of Lance-Corporal in the Singapore Armed Forces;

- (b) holds, during the period of service in a force, body or organisation which is designated by the Minister for the purposes of national service and in which there is no classification of the members of the force, body or organisation into ranks similar to those in any of the armed forces, such position or has, during the period of service in such force, body or organisation, such status as may be regarded by the proper authority as equal to the position or status, as the case may be, of a national serviceman in the Singapore Armed Forces who holds a rank above the rank of Lance-Corporal in the Singapore Armed Forces;
- (c) is, during the period of service selected by the proper authority for officer training in the Singapore Armed Forces or, where such service is in any of the other armed forces or in a force, body or organisation which is designated by the Minister for the purposes of national service, is selected for training or a course intended to qualify him for such rank, position or status as may be regarded by the proper authority as equal to the rank, position or status, as the case may be, of an officer in the Singapore Armed Forces; or
- (d) having been so selected, is currently undergoing such officer training or other training or attending the course,

such person shall be liable to serve for a period not exceeding 2 years and 6 months.

(2) A reduction or reversion in rank, or the loss of a position or status, referred to in subsection (1), shall not affect the liability of a person incurred under that subsection.

(3) Nothing in this section shall affect the liability to render full-time service of a person enlisted prior to 1st January 1971.

13. Every person subject to this Act, who is fit for national service, shall be liable, while not in any full-time service under this Act, to render reserve service.

Duty to
render
reserve
service.

Reserve
service
liability.

14. Every person who is liable for reserve service shall report for service, in accordance with this Act, whenever required to do so by the proper authority and shall serve, while fit for national service, for one but not both, of the following sets of periods:

- (a) for a period of 14 days and 8 hours per week during the first 6 months of service, and for a period of 7 days annually and 3 hours per week or 6 hours per fortnight or 12 hours per month after the first 6 months of service; or
- (b) for periods not exceeding in the aggregate 40 days annually.

Computation
of reserve
service.

15. In computing the periods of reserve service required under section 14 (b), the following provisions shall apply:

- (a) where a period of continuous reserve service falls within two years, the whole period shall be deemed to fall within the first year;
- (b) a period of reserve service not exceeding 4 hours shall be deemed to be half a day of service;
- (c) a period of reserve service between 4 and 24 hours shall be deemed to be one day of service:

Provided that where a period of reserve service between 18 and 24 hours falls within two calendar days it shall be deemed to be two days of service; and

- (d) where a person serves for a period exceeding 24 hours, every calendar day on which he serves, including the first and the last day, shall be deemed to be one day of service though the latter periods might be of less than 24 hours duration.

Proclamation
by President.

16. The President may, by proclamation, where the interests of Singapore so require, empower the proper authority to call out persons liable to render full-time service, reserve service or regular service for mobilised service.

Mobilised
service
liability.

17. Where a proclamation under section 16 is issued the proper authority may order —

- (a) that a person shall not be released at the end of his period of full-time service, reserve service or

regular service and that the person shall continue to render mobilised service; and

(b) that a person liable for reserve service shall report for mobilised service.

18. Every person liable for mobilised service shall upon a proclamation being issued under section 16 report for mobilised service and remain in mobilised service until discharged or released by the proper authority.

Liability to render mobilised service.

PART IV

19.—(1) Any person may apply to the proper authority to be enlisted for regular service in the Singapore Armed Forces established under the Singapore Armed Forces Act.

Regular service. 7/72. Cap. 295.

(2) Where a person applies to be enlisted for such regular service, the proper authority may require him to report for registration and fitness examination.

(3) Where the proper authority approves and accepts the application of any person for regular service the proper authority shall notify the person of that acceptance and may require him to report for enlistment and service.

20.—(1) A person required to report under section 19 shall be liable to render regular service for the period approved by the proper authority and under such terms and conditions as may be provided for from time to time in regulations made under any written law relating to the armed forces.

Terms and conditions of regular service.

(2) No person shall be liable to render regular service in excess of the period for which he has applied to serve.

(3) The proper authority may at any time order the discharge of a person from regular service before the expiry of his period of service for any reason provided for in regulations made under any written law relating to the armed forces.

PART V

21.—(1) Every employer, who has had in his employment a person subject to this Act for a continuous period of at least 6 months immediately preceding the date on which that person —

Reinstatement of servicemen in employment. 21/74.

(a) was ordered to report for or actually perform full-time service, reserve service or mobilised service; or

Cap. 235. (b) was ordered to report for mobilised service pursuant to section 65 of the Police Force Act, shall reinstate that person in his employment at the termination of such service except where that person has been required to perform further reserve service pursuant to section 118 (16) of the Singapore Armed Forces Act in which event an employer may in his discretion reinstate that person.

18/78. (2) Subsection (1) shall not apply to an employer if the person subject to this Act whom he has had in his employment was called up for full-time service and would have remained in that employment only for an agreed definite or certain period of time had that person not been ordered to perform full-time service.

(3) Where a person subject to this Act is reinstated under subsection (1) the employer shall whenever practicable reinstate him in an occupation and under conditions not less favourable than those which would have been applicable to him had he not been in service.

(4) Any employer who fails to comply 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, and the court by which he is convicted may order the employer to pay to the person whom he has failed to reinstate a sum not exceeding an amount equal to 3 months remuneration at the rate at which remuneration was last payable to him by the employer:

Provided that in any proceedings under this section it shall be a defence for the employer to prove that the person formerly employed by him did not before the expiration of 3 months after termination of the service for which that person was called up apply to the employer for reinstatement.

Prohibition
against
dismissal.
21/74
18/78.

22.—(1) No employer shall dismiss a person subject to this Act solely or mainly by reason of any duties or liabilities which that person is, or may become, liable to perform or discharge by reason of his being, or being liable to be, called up for —

(a) service under this Act;

(b) mobilised service pursuant to section 65 of the Police Force Act; or

(c) voluntary service in the division of the Singapore Armed Forces known as the People's Defence Force pursuant to the Singapore Armed Forces Act and the regulations made thereunder or in the Special Constabulary pursuant to the Police Force Act and the regulations made thereunder, Cap. 295.
Cap. 235.

unless that person has assumed duties or liabilities in connection with additional reserve service under a punishment imposed by a court pursuant to section 118 (16) of the Singapore Armed Forces Act or unless such person is called up for full-time service and is employed only for an agreed definite or certain period of time, in which event an employer may in his discretion dismiss that person.

(2) For the purpose of this section, where the duties or liabilities of service under this Act caused or contributed to the dismissal of a person subject to this Act, he shall be deemed to have been dismissed by reason of those duties or liabilities, unless the employer proves that the dismissal was for a reason unconnected therewith.

(3) Any employer who dismisses a person subject to this Act 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, and the court by which he is convicted may order the employer to pay to the dismissed person as compensation a sum not exceeding an amount equal to 3 months remuneration at the rate at which his remuneration was last payable to him by the employer.

23.—(1) The employer of a person required to report for — Leave of absence.
21/74.

- (a) national service;
 - (b) mobilised service pursuant to section 65 of the Police Force Act; or
 - (c) voluntary service in the division of the Singapore Armed Forces known as the People's Defence Force pursuant to the Singapore Armed Forces Act and the regulations made thereunder or in the Special Constabulary pursuant to the Police Force Act and the regulations made thereunder,
- shall grant that person leave of absence during his period of service.

(2) Any person who contravenes this section 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 3 years or to both.

Loss of
salaries
and wages.
18/78.

24.—(1) Subject to such conditions, restrictions or limitations as the Minister may by regulations provide, a person who is performing any —

(a) reserve service in the Special Constabulary or in the division of the Singapore Armed Forces known as the People's Defence Force or in the Vigilante Corps pursuant to section 14 (a);

(b) reserve service pursuant to section 14 (b);

(c) voluntary service in the division of the Singapore Armed Forces known as the People's Defence Force pursuant to the Singapore Armed Forces Act and the regulations made thereunder or in the Special Constabulary pursuant to the Police Force Act and the regulations made thereunder;
or

(d) mobilised service,

and who, immediately prior to the performance of such service, was or is —

(i) self-employed;

(ii) self-employed as well as gainfully employed under a contract of service; or

(iii) gainfully employed by one or more employers, shall be entitled to claim reimbursement of an amount by which his civilian remuneration is reduced as a result of being required to perform such service, less any service remuneration to which he is entitled in respect of that service, and the designated authority may pay the claims from moneys to be provided by Parliament.

(2) If a dispute arises between the designated authority and a person subject to this Act as to the amount that such person may claim by way of reimbursement under subsection (1), the matter shall be referred to the Minister whose decision shall be final.

(3) Where a person subject to this Act is required to perform further reserve service pursuant to section 118 (16) of the Singapore Armed Forces Act his employer shall,

Cap. 295.

Cap. 235.

subject to subsection (4), be liable to pay that person at a rate equal to his usual rate of civilian remuneration, less the amount of any remuneration due to him in respect of such further reserve service, except that —

(a) where that person is gainfully employed under a contract of service by two or more employers, each of the employers concerned shall be liable to pay the difference between his civilian remuneration and his service remuneration in the proportion that the civilian remuneration paid by each of the employers bears to the total civilian remuneration that the reservist receives from all his employers; or

(b) where that person is self-employed as well as gainfully employed under a contract of service, his employer shall only be liable to pay the difference between his civilian remuneration and his service remuneration in the proportion that the civilian remuneration paid by his employer bears to his total civilian remuneration.

(4) An employer who has paid any sum pursuant to subsection (3) shall not be entitled to claim reimbursement thereof from the designated authority.

(5) Where under the Central Provident Fund Act an employer pays contributions in respect of his employee, the employer shall continue to pay the same amount of contributions and at the same rate notwithstanding that his employee is performing any — Cap. 36.

(a) service pursuant to section 14 of this Act or section 118 (16) of the Singapore Armed Forces Act, unless the employee has been dismissed under section 22 of this Act on account of his further service under section 118 (16) of the Singapore Armed Forces Act; Cap. 295.

(b) voluntary service in the division of the Singapore Armed Forces known as the People's Defence Force pursuant to the Singapore Armed Forces Act and the regulations made thereunder or in the Special Constabulary pursuant to the Police Force Act and the regulations made thereunder; Cap. 235.
or

(c) mobilised service.

(6) In this section —

“civilian remuneration” means remuneration including allowances ordinarily regarded as forming part of such remuneration derived from gainful employment which a person would have received had he not been required to perform any —

Cap. 295. (a) service under section 14 or 18 of this Act or section 118 (16) of the Singapore Armed Forces Act;

Cap. 235. (b) voluntary service pursuant to the Singapore Armed Forces Act and the regulations made thereunder or the Police Force Act and the regulations made thereunder; or

(c) mobilised service, but shall not include bonuses or ex-gratia payments;

“designated authority” means any person designated by the Minister for the purposes of this Act;

“mobilised service” includes mobilised service pursuant to section 65 of the Police Force Act;

“service” includes any voluntary service with the Singapore Armed Forces or the Special Constabulary;

“service remuneration” means any remuneration payable by the Government for any service before any deductions are made under or in accordance with any written law or with any orders or instructions of the Government or of the armed forces.

PART VI

Application
of military
law.
13/65.
1970 Ed.
Cap. 234.

25. Any person required under this Act to report for enlistment or service in the Singapore Army established under the repealed Singapore Army Act 1965 or the People’s Defence Force as constituted under the repealed People’s Defence Force Act, shall, from such date and time as may be specified, be subject to military law and the repealed Singapore Army Act 1965 or any other Act relating to the armed forces, shall apply to him notwithstanding that he has not complied with the order.

26. Subject to this Act, a national serviceman or a regular serviceman shall be released by the proper authority at the end of the period which he is liable to serve:

Release and unaccountable periods. 18/78.

Provided that in computing the period of service, no account shall be taken of —

- (a) any period before the day on which he reported for enlistment or for national service;
- (b) any period of absence from duty without leave or desertion where that person was convicted therefor; or
- (c) any period, during which he was serving or would have been serving, if he were not unlawfully at large, a term of imprisonment, special detention, detention or reformatory training.

27. The proper authority may by notice postpone for such period as it may consider appropriate all or any part of the liability of any person under this Act.

Postponement.

28. The proper authority may by notice exempt any person from all or any part of the liability of that person under this Act.

Exemption.

29.—(1) Section 23 (1) of the Interpretation Act shall not apply to orders, notices and permits issued under this Act.

Orders, notices, permits and appointments. Cap. 1.

(2) Orders, notices, permits and appointments issued or made under this Act may be of a general nature or may refer to a class of persons or to one person or to any number of persons.

(3) An order or notice issued under this Act shall be binding upon a person to whom it applies from the time at which it comes to his knowledge:

Provided that it shall be conclusively presumed that a person to whom an order or notice applies has knowledge thereof if it is —

21/75.

- (a) published in the *Gazette* or in daily newspapers in all the official languages — at noon on the day following publication;
- (b) announced over the radio or the television — 12 hours after the announcement;

- (c) tendered to the person to whom it applies or to a member of his family or to another member of his household not being under 16 years of age — at the time of the tender; or
- (d) sent by registered post to the permanent residence of the person to whom it applies — 48 hours from the time at which it was delivered to the post office for despatch.

(4) An order or notice issued under this Act shall remain in force until it is complied with or revoked and a person not complying with such an order or notice at the specified time shall be liable to comply with it as soon as possible.

(5) An order, notice, permit or appointment, issued or made under this Act, may be subject to conditions and may be revoked at any time.

Calculation
of age.

30. For the purpose of calculation of age under this Act, the following provisions shall apply:

- (a) where the month in which a person was born is not entered in his identity card, he shall be deemed to be born on 1st July;
- (b) where the day of the month on which a person was born is not entered in his identity card he shall be deemed to be born on the first day of the month; and
- (c) where the year in which a person was born is not entered in his identity card the proper authority may order him to undergo medical examinations and produce evidence in respect of his age and shall decide on his year of birth.

Exit permits.

31.—(1) A person subject to this Act who has been registered under section 3 or is deemed to be registered or is liable to register under this Act shall not leave Singapore or remain outside Singapore unless he is in possession of a valid permit (referred to in this Act as exit permit) issued by the proper authority permitting him to do so.

(2) A person to whom an exit permit under subsection (1) is granted shall return to Singapore before the expiry of the period for which he was allowed to stay outside Singapore.

32. Any person within or without Singapore who — Offences.

- (a) fails to comply with any order or notice issued under this Act;
- (b) fails to fulfil any liability imposed on him under this Act;
- (c) fraudulently obtains or attempts to obtain postponement, release, discharge or exemption from any duty under this Act;
- (d) does any act with the intention of unlawfully evading service;
- (e) gives the proper authority or any person acting on his behalf false or misleading information; or
- (f) aids, abets or counsels any other person to act in the manner laid down in paragraph (a), (b), (c), (d) or (e),

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 3 years or to both.

33.—(1) The Minister may make such regulations as may be necessary or expedient to carry out the provisions of this Act. Regulations.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations relating to —

- (a) payment of remuneration to persons in national service;
- (b) duties of persons liable for service;
- (c) duties of employers in respect of national servicemen;
- (d) appointment of advisory boards;
- (e) registration, fitness examination and enlistment;
- (f) postponement, exemption, release and discharge;
- (g) exit permits; and
- (h) leave.

(3) Any regulations made under this section may prescribe that any act or omission in contravention of any regulation shall be an offence and may provide for the imposition of penalties for such offences which penalties shall not exceed a fine of \$2,000 and imprisonment for a term not exceeding one year.

Transitional provisions.

M 37/52.
13/65.

34.—(1) The provisions of this Act shall not derogate from the liability of any person incurred under the provisions of the National Service Ordinance 1952* and the repealed Singapore Army Act 1965.

(2) Without prejudice to subsection (1), every person who, before the commencement of this Act, —

(a) was liable —

(i) to report for registration, examinations or for enlistment for service;

(ii) to render full-time service under section 16k of the National Service Ordinance 1952* or to render regular service under the repealed Singapore Army Act 1965; or

(iii) to reinstate any person in his employment, shall be so liable under this Act; or

(b) was liable to report for or to render —

(i) reserve service under Part VIIA of the National Service Ordinance 1952* shall be liable to report for or render reserve service under section 14 (b);

(ii) part-time service, shall be liable to report for or render service under section 14 (a);

(iii) full-time service under section 16c of the National Service Ordinance 1952* or mobilised service under any other written law, shall be liable to report for or render mobilised service under this Act;

(c) was registered or examined for service, shall be deemed to be registered or examined under this Act; and

(d) was found fit for service by a medical practitioner on examination under the National Service Ordinance 1952*, shall be deemed to be medically fit for service under this Act.

(3) Any exemption, postponement, exit permit or certificate granted pursuant to the National Service Ordinance 1952* shall be deemed to have been granted under this Act.

*This Malaysian Ordinance ceased to apply to Singapore on the coming into operation of this Act on 1.8.70.