



THE STATUTES OF THE REPUBLIC OF SINGAPORE

INTERPRETATION ACT

(CHAPTER 1)

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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]

Short title

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

PART I

GENERAL PROVISIONS OF INTERPRETATION

Interpretation of certain words and expressions

2.—(1) In this Act, and in every written law enacted before or after 28th December 1965, the following words and expressions shall, without prejudice to anything done prior to that date, 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 (Cap. 224);

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

“act”, in relation 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;

“appoint” includes re-appoint;

- “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”, in relation to an Act, means the time at which the Act comes into operation in Singapore;
- “common law” means the common law in so far as it is in operation in Singapore and any custom or usage having the force of law in Singapore;
- “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;
- “contravene”, in relation to a provision of a written law, includes a failure to comply with a requirement or condition in that provision;

- “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 in electronic or other form 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 High Court and includes any person appointed to exercise the powers of a Judge;
- “Judge of the Supreme Court” includes the Chief Justice, a Judge of Appeal and a Judge of the High Court;

- “legislature”, in relation 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”, in relation 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 the subsidiary legislation was made;

- “Parliament” means the Parliament 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 Singapore and includes any person for the time being performing 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”, in relation 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”, 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 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 Oaths and Declarations Act (Cap. 211);
 - (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”, in relation 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.

[14/69; 11/91; 16/93; 7/97; 25/98; 28/2000]

(2) Where a word or expression is defined in a written law, then, unless the contrary intention appears, other parts of speech and grammatical forms of that word or expression, and cognate expressions, have corresponding meanings in that law.

[28/2000]

(3) In every written law enacted before 28th December 1965 —

(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 the context otherwise requires, 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; and
- (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.

(4) In every written law enacted before or after 26th January 1996, references to the Rules of the Supreme Court, the Supreme Court Rules, the Rules of the Subordinate Courts or the Subordinate Courts Rules, shall be construed as references to the Rules of Court.

[4/96]

(5) 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.

(6) Where a *Gazette* is published in more than one form, the date of publication of that *Gazette* shall be deemed to be the date that *Gazette* is first published in any form.

[25/98]

Criteria for determining death

2A.—(1) For all purposes, a person has died when there has occurred either —

- (a) irreversible cessation of circulation of blood and respiration in the body of the person; or
- (b) total and irreversible cessation of all functions of the brain of the person.

[22/98]

(2) The determination of the irreversible cessation of circulation of blood and respiration in the body of a person shall, subject to subsection (5), be made in accordance with the ordinary standards of current medical practice.

[22/98]

(3) The determination of the total and irreversible cessation of all functions of the brain of a person shall, subject to subsections (4) and (6), be made in accordance with the prescribed criteria.

[22/98]

(4) Except in the circumstances referred to in subsection (6), the determination of the total and irreversible cessation of all functions of the brain of a person shall be certified in the prescribed form by 2 medical practitioners —

- (a) at least one of whom has not been involved in the care or treatment of the person so certified; and
- (b) who possess the prescribed postgraduate medical qualifications.

[22/98]

(5) If the death of a person from whose body an organ is to be removed after his death as authorised under the Human Organ Transplant Act (Cap. 131A) or the Medical (Therapy, Education and Research) Act (Cap. 175) is determined by the irreversible cessation of circulation of blood and respiration in the body of that person, his death shall be certified in the prescribed form by 2 medical practitioners —

- (a) who have not been involved in the care or treatment of the person so certified;
- (b) who do not belong to the team of medical practitioners which will effect the removal of the organ from the body;
- (c) who have not been involved in the selection of the proposed recipient of the organ; and
- (d) who will not be involved in the care or treatment of the proposed recipient of the organ during his hospitalisation for the purpose of the transplant.

[22/98]

(6) If the death of a person from whose body an organ is to be removed after his death as authorised under the Human Organ Transplant Act (Cap. 131A) or the Medical (Therapy, Education and Research) Act (Cap. 175) is determined by the total and irreversible cessation of all functions of the brain of that person, his death shall be certified in the prescribed form by 2 medical practitioners —

- (a) who have not been involved in the care or treatment of the person so certified;
- (b) who do not belong to the team of medical practitioners which will effect the removal of the organ from the body;
- (c) who have not been involved in the selection of the proposed recipient of the organ;
- (d) who will not be involved in the care or treatment of the proposed recipient of the organ during his hospitalisation for the purpose of the transplant; and
- (e) who possess the prescribed postgraduate medical qualifications.

[22/98]

(7) The Minister may, for the purposes of all laws or any specified written law, by regulations prescribe —

- (a) the criteria for determining the total and irreversible cessation of all functions of the brain of a person referred to in subsections (1) (b) and (3); and
- (b) the postgraduate medical qualifications and form of the death certificate for the purposes of subsection (4), (5) or (6).

[22/98]

(8) Nothing in this section shall —

- (a) affect the operation of section 110 of the Evidence Act (Cap. 97) (burden of proving that a person is alive who has

not been heard of for 7 years), section 100 of the Women's Charter (Cap. 353) (proceedings for decree nisi of presumption of death and divorce) or any other written law relating to the presumption of death;

- (b) prevent the certification or determination of death in a case where the body of a person is not found or recovered.

[22/98]

(9) In this section, "medical practitioner" means a person who is registered, or deemed to be registered, as a medical practitioner under the Medical Registration Act (Cap. 174).

[22/98]

PART II

GENERAL PROVISIONS REGARDING WRITTEN LAW

Acts to be public Acts

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 divided into sections without introductory words

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.

Schedules

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

Subdivisions of Acts

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.

Forms

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.

Examples and illustrations

7A. Where an Act includes an example or illustration of the operation of a provision —

- (a) the example or illustration shall not be taken to be exhaustive; and
- (b) if the example or illustration is inconsistent with the provision, the provision prevails.

[28/2000]

Mode of citing Acts

8.—(1) Where any Act is referred to, it shall be sufficient for all purposes to cite the Act —

- (a) by the short title, if any, by which it is made citable;
- (b) by the year in which it was made and its number among the Acts of that year; or
- (c) 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.

(2) The reference under subsection (1) may in all cases be made according to the copies of Acts printed by the Government Printer.

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

Purposive interpretation of written law and use of extrinsic materials

9A.—(1) In the interpretation of a provision of a written law, an interpretation that would promote the purpose or object underlying the written law (whether that purpose or object is expressly stated in the written law or not) shall be preferred to an interpretation that would not promote that purpose or object.

[11/93]

(2) Subject to subsection (4), in the interpretation of a provision of a written law, if any material not forming part of the written law is capable of assisting in the ascertainment of the meaning of the provision, consideration may be given to that material —

- (a) to confirm that the meaning of the provision is the ordinary meaning conveyed by the text of the provision taking into account its context in the written law and the purpose or object underlying the written law; or
- (b) to ascertain the meaning of the provision when —
 - (i) the provision is ambiguous or obscure; or
 - (ii) the ordinary meaning conveyed by the text of the provision taking into account its context in the written law and the purpose or object underlying the written law leads to a result that is manifestly absurd or unreasonable.

[11/93]

(3) Without limiting the generality of subsection (2), the material that may be considered in accordance with that subsection in the interpretation of a provision of a written law shall include —

- (a) all matters not forming part of the written law that are set out in the document containing the text of the written law as printed by the Government Printer;
- (b) any explanatory statement relating to the Bill containing the provision;
- (c) the speech made in Parliament by a Minister on the occasion of the moving by that Minister of a motion that the Bill containing the provision be read a second time in Parliament;
- (d) any relevant material in any official record of debates in Parliament;
- (e) any treaty or other international agreement that is referred to in the written law; and

(f) any document that is declared by the written law to be a relevant document for the purposes of this section.

[11/93]

(4) In determining whether consideration should be given to any material in accordance with subsection (2), or in determining the weight to be given to any such material, regard shall be had, in addition to any other relevant matters, to —

(a) the desirability of persons being able to rely on the ordinary meaning conveyed by the text of the provision taking into account its context in the written law and the purpose or object underlying the written law; and

(b) the need to avoid prolonging legal or other proceedings without compensating advantage.

[11/93]

Time of commencement of written law

10.—(1) A written law or a provision of a written law shall come into operation —

(a) where a particular day for its coming into operation is specified by the written law or by a notification made under the written law, on the expiration of the previous day; or

(b) where the day of its coming into operation is the date of its publication in the *Gazette*, on the expiration of the previous day.

[11/93]

(2) Where a written law is to come into operation on a day specified by a notification made under the written law, the notification may specify different days for different provisions of the written law to come into operation.

[28/2000]

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.

Repeal and substitution

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.

References to amended and re-enacted provisions

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.

(2) Where any written law repeals and re-enacts, with or without modification, any provision of a former written law, then, unless the contrary intention appears —

- (a) any reference in any other written law to the provision so repealed shall be construed as a reference to the provision so re-enacted;
- (b) in so far as any subsidiary legislation made or other thing done under the provision so repealed, or having effect as if so made or done, could have been made or done under the provision so re-enacted, it shall have effect as if made or done under that provision.

Effect of repeal

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

- (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.

(2) A reference in this section to the repeal of a written law in whole or in part includes a reference to —

- (a) a repeal effected by implication;
- (b) the abrogation or limitation of the effect of the written law or part; and
- (c) the exclusion of the application of the written law or part to any person, subject-matter or circumstance.

[28/2000]

(3) Where a written law expires, lapses or otherwise ceases to have effect, this section applies as if the written law had been repealed by another written law.

[28/2000]

(4) A reference in this section to a part of a written law includes a reference to any provision of, or words, figures, drawings or symbols in, the written law.

[28/2000]

Construction of amending Act

17. Where an Act amends or adds to any Act, the amending Act shall, so far as is consistent with the tenor 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 powers 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 subject to the following provisions:
 - (i) 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
 - (ii) 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.

Additional provisions as to subsidiary legislation

20. The following provisions shall also apply 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 12 months 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;
 - (iii) authority to prescribe new forms for the purpose thereof and for the purpose of the subsidiary legislation; and
 - (iv) authority to provide for the manner and method in which any document, record, application, permit, approval or licence may be submitted, issued or served by electronic means, or for the authentication thereof;
- (b) authority to provide for fees and charges shall include authority to provide for the determination of the manner and method of payment and 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.

[7/97; 25/98]

Use of defined terms in subsidiary legislation

21. Where any 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.

Anticipatory exercise of powers

22. Where an Act or any part thereof does not come into operation immediately on its passing and the Act or that part confers power to make subsidiary legislation or to make appointments or to issue notifications or to prescribe forms or to do any other thing for the purposes of the Act or that part, then, unless the contrary intention appears, the power may be exercised and any subsidiary legislation, appointment, form or thing made, issued, prescribed or done under the power may be made, issued, prescribed or done so as to take effect at any time after the passing of the Act so far as may be necessary or expedient for the purpose of —

- (a) bringing the Act or that part into operation; or
- (b) giving full effect to the Act or that part on or after the day on which it comes into operation.

[11/93]

Commencement of subsidiary legislation

23.—(1) Subsidiary legislation made under any Act or other lawful authority shall —

- (a) unless it is otherwise expressly provided in any Act, be published in the *Gazette*; and
- (b) unless it is otherwise provided in the subsidiary legislation, 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 under 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.

Reference to Act to include subsidiary legislation

26A. Unless the contrary intention appears, a reference in any written law to an Act is to be construed so as to include a reference to any subsidiary legislation made under that Act.

[28/2000]

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.

Power to appoint includes power to dismiss

28.—(1) 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.

(2) Where the power of the person or authority to make appointments 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.

Construction of enabling words

29.—(1) Where a written law confers powers on any person to do or enforce the doing of any act or thing, 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.

(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, a 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.

(2) 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 as mentioned in subsection (1), shall have and may exercise those powers or perform those duties accordingly.

(3) 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, a Minister, any public officer or 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 commencement of the written law under which the appointment is made.

Power of majority, quorum, etc., of board, etc.

32A.—(1) Where a written law confers a power or function or imposes a duty upon a statutory body consisting of not fewer than 3 persons, the power may be exercised, or the function or duty may be performed, by a majority of those persons.

[28/2000]

(2) Where a statutory body consists of 3 or more persons —

(a) a quorum is constituted at a meeting of the body by a number of members of the body equal to —

(i) at least one-half of the number of members provided for in the written law establishing the body, if that number is a fixed number; and

(ii) if the number of persons is not so fixed but is within a range having a maximum or minimum, at least one-half of the number of members in office;

(b) an act or thing done by a majority of the members of the body present at the meeting, if those members constitute a quorum, is to be regarded as having been done by the body.

[28/2000]

(3) At a meeting of a statutory body, the chairman or other member presiding shall have a casting as well as a deliberative vote in all matters in which a decision is taken by vote.

[28/2000]

(4) This section is subject to any provision to the contrary in any written law.

[28/2000]

(5) In this section, “statutory body” means a board, commission, committee or similar body, whether corporate or unincorporate, established under a written law.

[28/2000]

Powers of 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.

Signification of orders, etc., of President

34.—(1) Where any power is conferred upon the President to make any subsidiary legislation or appointment, give any direction, 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 the Secretary to the Cabinet.

(2) Subsection (1) 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.

Signification of orders, etc., of Minister

35. Where any written law confers upon a Minister power to make any subsidiary legislation or appointment, give any direction, 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 or of any public officer duly authorised in writing by the Minister.

[7/97]

Delegation of powers of Minister

36.—(1) Where in any written law a Minister is empowered to exercise any power or perform any duty, 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 that power or perform that duty on behalf of the Minister subject to such conditions, exceptions and qualifications as the President may determine.

(2) Thereupon or from the date specified by the President, the person so deputed shall have and exercise that power and perform that duty.

(3) Nothing in subsection (1) 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.

(4) The Minister may exercise any power or perform any duty conferred upon him by an Act notwithstanding the delegation by him of that power or duty.

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**PENAL PROVISIONS****Attempt to commit an offence to be deemed an offence**

38. 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 penalty not a bar to civil action

39. 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 2 or more laws

40. Where any act or omission constitutes an offence under 2 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

41. 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 VI**MISCELLANEOUS****Powers of President, Minister or other authority to appoint public officer to serve on board and to appoint chairman**

42.—(1) Where under the provisions of any Act power is given to the President, a Minister or any 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.

(2) On such appointment and until the appointment is cancelled or otherwise determined, the person for the time being holding or carrying out the duties of the office in question shall be a member of that board, commission, committee or similar body.

(3) Where under the provisions of any Act power is given to the President, a Minister or any 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.

Prima facie evidence of signature

43. Where the fiat, authorisation or sanction of the President, a Minister, the Attorney-General, the Solicitor-General, the Public Prosecutor, a Deputy Public Prosecutor or any public officer is necessary before any prosecution or action is commenced or for any purpose in connection with any proceeding, any document purporting to bear the fiat, authorisation or sanction of the President, Minister, Attorney-General, Solicitor-General, Public Prosecutor, Deputy Public Prosecutor or 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, Minister, Attorney-General, Solicitor-General, Public Prosecutor, Deputy Public Prosecutor or public officer, as the case may be.

Public officers

44. 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.

Act for which payment is required need not be performed until payment is made

45.—(1) Where 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 —

- (a) until the fee is paid or payment is made; and
- (b) where the precise amount of the payment to be made cannot be ascertained until the thing is done, until there is paid such an amount as may be estimated to be the correct amount by the person, public officer, public department or statutory authority required to do that thing.

(2) Where 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

46.—(1) Where any act requires to be done or a service performed by a public body, statutory authority or 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

47. 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**

48. All printed copies of the *Gazette*, purporting to be published by authority and to be printed by the Government Printer, shall be —

- (a) 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
- (b) 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.

Service of documents

48A.—(1) Where a written law authorises or requires a document to be served on a person, whether the expression “serve”, “give” or “send” or any other expression is used, then, unless the contrary intention appears, the document may be served —

- (a) in the case of an individual —
 - (i) by delivering it to the individual personally; or
 - (ii) by leaving it at, or by sending it by pre-paid post to, the usual or last known address of the place of residence or business of the individual;
- (b) in the case of a partnership —
 - (i) by delivering it to the secretary or other like officer of the partnership; or
 - (ii) by leaving it at, or by sending it by pre-paid post to, the principal or last known place of business of the partnership in Singapore;
- (c) in the case of a body corporate —
 - (i) by delivering it to the secretary or other like officer of the body corporate; or
 - (ii) by leaving it at, or by sending it by pre-paid post to, the registered office or a principal office of the body corporate in Singapore.

[28/2000]

(2) Nothing in subsection (1) —

- (a) affects the operation of any written law that authorises the service of a document otherwise than as provided in that subsection; or
- (b) affects the power of a court to authorise service of a document otherwise than as provided in that subsection.

[28/2000]

Measurement of distance

49. 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.

Computation of time

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

- (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 any 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.

Standard time

51.—(1) Where 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.

(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 Coordinated Universal Time.

Provision when no time prescribed

52. 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.

Construction of power of extending time

53. 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 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

54. 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 bind Government

55. This Act shall bind the Government.

LEGISLATIVE HISTORY
INTERPRETATION ACT
(CHAPTER 1)

1. Act 10 of 1965 — Interpretation Act 1965

Date of First Reading	:	13.12.65 (Bill No. 45/65 published on 13.12.65)
Date of Second and Third Readings	:	22.12.65
Date of commencement	:	28.12.65

2. Act 14 of 1969 — Statute Law Revision Act 1969

Date of First Reading	:	15.10.69 (Bill No. 22/69 published on 20.10.69)
Date of Second and Third Readings	:	22.12.69
Date of commencement	:	2.1.70

3. Act 11 of 1991 — Statutes (Miscellaneous Amendments) Act 1991

Date of First Reading	:	3.1.91 (Bill No. 4/91 published on 4.1.91)
Date of Second and Third Readings	:	14.1.91
Date of commencement	:	30.11.91

4. Act 11 of 1993 — Interpretation (Amendment) Act 1993

Date of First Reading	:	18.1.93 (Bill No. 4/93 published on 19.1.93)
Date of Second and Third Readings	:	26.2.93
Date of commencement	:	16.4.93

5. Act 16 of 1993 — Supreme Court of Judicature (Amendment) Act 1993
(Consequential amendments made by)

Date of First Reading	:	26.2.93 (Bill No. 12/93 published on 27.2.93)
Date of Second and Third Readings	:	12.4.93
Date of commencement	:	1.7.93

6. Act 6 of 1994 — Revised Edition of the Laws (Amendment) Act 1994
(Consequential amendments made by)

Date of First Reading	:	16.3.94 (Bill No. 7/94 published on 17.3.94)
Date of Second and Third Readings	:	23.5.94
Date of commencement	:	1.7.94

LEGISLATIVE HISTORY
INTERPRETATION ACT
(CHAPTER 1)

7. Act 4 of 1996 — Subordinate Courts (Amendment) Act 1995

(Consequential amendments made by)

Date of First Reading	:	1.11.95 (Bill No. 37/95 published on 2.11.95)
Date of Second and Third Readings	:	5.12.95
Date of commencement	:	26.1.96

8. Act 7 of 1997 — Statutes (Miscellaneous Amendments) Act 1997

Date of First Reading	:	11.7.97 (Bill No. 6/97 published on 12.7.97)
Date of Second and Third Readings	:	25.8.97
Dates of commencement	:	1.10.97 (except section 3) 1.9.98 (section 3)

9. Act 22 of 1998 — Interpretation (Amendment) Act 1998

Date of First Reading	:	19.11.97 (Bill No. 17/97 published on 20.11.97)
Date of Second Reading	:	14.1.98
Referred to Select Committee	:	Parl. 3 of 1998 presented to Parliament on 1.6.98
Date of Third Reading	:	30.6.98
Date of commencement	:	2.11.98

10. Act 25 of 1998 — Electronic Transactions Act 1998

(Consequential amendments made by)

Date of First Reading	:	1.6.98 (Bill No. 23/98 published on 2.6.98)
Date of Second and Third Readings	:	29.6.98
Date of commencement	:	10.7.98

11. Act 28 of 2000 — Statutes (Miscellaneous Amendments and Repeal) Act 2000

Date of First Reading	:	25.8.2000 (Bill No. 22/2000 published on 25.8.2000)
Date of Second and Third Readings	:	9.10.2000
Date of commencement	:	1.11.2000

COMPARATIVE TABLE

INTERPRETATION ACT (CHAPTER 1)

The following provisions in the 1999 Revised Edition of the Interpretation Act have been renumbered by the Law Revision Commissioners in this 2002 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Interpretation Act.

2002 Ed.	1999 Ed.
2—(2)	2—(1A)
(3)	(2)
(4)	(3)
(5)	(4)
(6)	(5)
2A—(2) and (3)	2A—(2)
(4)	(3)
(5)	(4)
(6)	(5)
(7)	(6)
(8)	(7)
(9)	(8)
8—(1) and (2)	8—(1)
(3)	(2)