



THE STATUTES OF THE REPUBLIC OF SINGAPORE

PASSPORTS ACT 2007

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021.

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT 1983

Passports Act 2007

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An Act to provide for the issue of Singapore passports and other travel documents to be used as evidence of identity and citizenship by citizens of Singapore who are travelling internationally and for matters connected therewith.

[1 December 2007]

PART 1

PRELIMINARY

Short title

1. This Act is the Passports Act 2007.

General interpretation

- 2.—(1) In this Act, unless the context otherwise requires —

“applicant”, in relation to an application for a Singapore passport or a Singapore travel document, means the person who will be the holder of the Singapore passport or Singapore travel document if the application is granted;

“approved form” means any form approved by the Controller for the purposes of any of the provisions of this Act;

“authorised officer”, in relation to any provision in this Act or the regulations, means —

- (a) the Controller;
- (b) any immigration officer authorised by the Minister for the purposes of that provision;
- (c) any diplomatic or consular officer of the Government in any foreign country, or any Trade Commissioner of Singapore in any foreign country, authorised by the Minister for the purposes of that provision; or
- (d) any other public officer authorised by the Minister for the purposes of that provision;

“biometric passport” means a passport which contains unique biological data specific to the holder;

- “child” means a person who is below 16 years of age;
- “conduct” means an act, an omission to perform an act or a state of affairs;
- “Controller” means the Controller of Immigration appointed under section 3 of the Immigration Act 1959;
- “customs officer” has the same meaning as “officer of customs” in the Customs Act 1960;
- “document” includes —
- (a) any paper or other material where there is writing;
 - (b) any paper or other material on which there are marks, figures, symbols or perforations that are —
 - (i) capable of being given a meaning by persons qualified to interpret them; or
 - (ii) capable of being responded to by a computer, a machine or an electronic device; or
 - (c) any article or material from which information is capable of being reproduced with or without the aid of any other article or device;
- “engage in conduct” means to do an act or omit to perform an act;
- “fingerprint”, in relation to an individual, means a record (in any form and produced by any method) of the skin pattern and other physical characteristics or features of any of the individual’s thumbs or fingers;
- “foreign travel document” means —
- (a) a passport; or
 - (b) a document issued for travel purposes (whether or not also issued for another purpose),
- that is issued by or on behalf of the government of a foreign country or an international organisation approved by the Minister;

“holder”, in relation to a Singapore passport or a Singapore travel document, means the person in whose name the Singapore passport or Singapore travel document has been issued;

“immigration officer” means an immigration officer appointed under section 3 of the Immigration Act 1959;

“public authority” means any board or authority established by or under any written law to perform or discharge any public function;

“regulations” means the regulations made under this Act;

“repealed Act” means the Passports Act (Cap. 220, 1985 Revised Edition) repealed by this Act;

“Singapore document of identity” means a document issued under section 16 to any person who is a citizen of Singapore for the purposes of urgently facilitating the person’s entry into or exit from any country, and purporting to establish the identity and nationality of that person;

“Singapore passport” means —

- (a) a Singapore ordinary passport;
- (b) a Singapore diplomatic passport; or
- (c) a Singapore official passport,

issued by or on behalf of the Government under this Act;

“Singapore temporary travel document” means a Singapore temporary travel document issued under section 13 to any person who is a citizen of Singapore for the purposes of facilitating the person’s entry into or exit from any country, and purporting to establish the identity and nationality of that person;

“Singapore travel document” means —

- (a) a Singapore temporary travel document;
- (b) a Singapore document of identity or other emergency travel document issued under section 16; or

(c) a Singapore travel document of the kind prescribed under section 18.

(2) A reference in this Act to a false Singapore passport or a false Singapore travel document is a reference to —

(a) a document —

(i) that is not a Singapore passport but purports to be a Singapore passport; or

(ii) that is not a Singapore travel document but purports to be a Singapore travel document; or

(b) a document that is a Singapore passport or a Singapore travel document —

(i) that has been altered by a person who is not authorised to alter that document; or

(ii) that purports to have been altered on a date on which, or at a place at which, or otherwise in circumstances in which, it was not in fact made or altered.

(3) A reference in this Act to a false foreign travel document is a reference to —

(a) a document that purports to be a passport, or a document for travel purposes, issued by or on behalf of —

(i) the government of a foreign country; or

(ii) an international organisation approved by the Minister for the purposes of the definition of “foreign travel document” under subsection (1),

but that was not issued by or on behalf of that government or international organisation; or

(b) a document that is a foreign travel document that has been altered by a person who is not authorised to alter that document.

(4) For the purposes of this Act, a person has parental responsibility for a child if, and only if —

(a) the person is the child’s parent;

- (b) under any order of court, the child is to live with the person; or
- (c) the person is entitled to guardianship or custody of the child under any written law.

Meaning of “personal identifier”

3.—(1) In this Act, “personal identifier” means any of the identifiers specified in the Schedule (including any in digital form).

(2) The Minister may, by order in the *Gazette*, amend the Schedule, except that any other personal identifier so prescribed in the order must —

- (a) be an image of, or a measurement or recording of, an external part of the human body or a person’s voice; and
- (b) not be an identifier the obtaining of which would involve the taking of an intimate sample within the meaning of section 13A of the Registration of Criminals Act 1949.

Extraterritorial operation of Act

4. Except as otherwise expressly provided in this Act, this Act extends —

- (a) to acts, omissions, matters and things outside Singapore; and
- (b) to all persons, regardless of their nationality or citizenship.

Controller and authorised officers

5.—(1) The Controller is, subject to any general or special directions of the Minister, responsible for the administration of this Act and may perform the duties imposed and may exercise the powers conferred upon the Controller by this Act.

(2) The Minister may from time to time give the Controller —

- (a) directions of a general character, and not inconsistent with the provisions of this Act, as to the exercise of the powers and discretions conferred on the Controller by this Act; and

- (b) the duties required to be discharged by the Controller under this Act,

and the Controller must give effect to all such directions given.

(3) The Controller may delegate the exercise of all or any of the powers conferred or duties imposed upon the Controller by this Act (except the power of delegation conferred by this subsection) to any authorised officer, subject to the conditions or limitations set out in this Act or that the Controller may specify by directions; and any reference in this Act to the Controller includes a reference to that authorised officer.

(4) In exercising any powers or functions under a delegation under subsection (3), an authorised officer must comply with the directions of the Controller.

PART 2

ISSUE OF SINGAPORE PASSPORTS AND TRAVEL DOCUMENTS

Division 1 — Singapore passports

Application for Singapore passport

6. An application for a Singapore passport must —
- (a) be made to the Controller in the approved form;
 - (b) be accompanied by the applicant's prescribed particulars (which may include personal identifiers), and such other particulars, information and documents as may be specified by the Controller in any particular case; and
 - (c) be accompanied by the fee prescribed (if any).

Issue of Singapore passport

7.—(1) Before issuing a Singapore passport to an applicant, the Controller must be satisfied —

- (a) that the applicant is a citizen of Singapore in the case of a Singapore ordinary passport;

(b) that the applicant is a citizen of Singapore who is travelling for diplomatic or official purposes, or is a dependent of a person who is travelling for diplomatic or official purposes, in the case of a Singapore diplomatic passport or a Singapore official passport; and

(c) of the identity of the applicant in all cases.

(2) Every Singapore passport is issued by the Controller for and on behalf of the Government.

(3) A Singapore passport may be issued under this section subject to —

(a) such conditions as may be prescribed for that class of Singapore passport; and

(b) any other conditions that the Controller may specify in any particular case.

(4) The Controller may, before issuing a Singapore passport, require the applicant to furnish to the Controller a monetary deposit or any other security (by bond or otherwise) that the Controller may think sufficient to secure the performance or due observance by the applicant of any conditions imposed under subsection (3).

Validity of Singapore passport

8.—(1) Subject to subsection (2) or unless earlier cancelled, every Singapore ordinary passport is valid for a period not exceeding 6 years for Singapore ordinary passports issued on or after 1 April 2005.

(2) Unless earlier cancelled, every Singapore diplomatic passport or Singapore official passport is valid for the period specified in the passport.

(3) Despite subsection (1), the Minister may, in any particular case, if satisfied that good reasons exist and that it would be in the interests of the proper administration of this Act to do so, direct that any Singapore ordinary passport be issued for a period shorter than that stated in that subsection.

(4) The Minister may, by notification in the *Gazette*, increase the validity period specified in subsection (1)(b) for all Singapore ordinary passports issued on or after such date as is specified in the notification.

No extension of biometric Singapore passport

9. Singapore passports that are biometric passports must not be extended.

Endorsement of Singapore passport

10.—(1) The Controller may at any time endorse on any Singapore passport —

- (a) such alterations or additions as may be necessary to render accurate the particulars recorded in the Singapore passport regarding the identity or status of the holder of that Singapore passport; and
- (b) such conditions as may be prescribed for that class of Singapore passport or such other conditions as the Controller may specify in that particular case.

(2) The Controller may at any time delete any endorsement made under subsection (1).

Division 2 — Singapore temporary travel document

Purpose of Singapore temporary travel document

11. Subject to section 13 and Part 3, the Controller may issue a Singapore temporary travel document for and on behalf of the Government to a citizen of Singapore where —

- (a) for reasons of passport security and integrity, the Controller considers that it is not desirable to issue that citizen with a Singapore passport; or
- (b) the Controller is satisfied that there are other exceptional circumstances where that citizen is already the holder of a Singapore passport.

Application for Singapore temporary travel document

12. An application for a Singapore temporary travel document must —

- (a) be made to the Controller in the approved form;
- (b) be accompanied by the applicant's prescribed particulars (which may include personal identifiers), and such other particulars, information and documents as may be specified by the Controller in any particular case; and
- (c) be accompanied by the fee prescribed, if any.

Issue of Singapore temporary travel document

13.—(1) Before issuing a Singapore temporary travel document to any person, the Controller must be satisfied —

- (a) that the applicant is a citizen of Singapore; and
- (b) of the identity of the person.

(2) Every Singapore temporary travel document is issued by the Controller for and on behalf of the Government.

(3) A Singapore temporary travel document may be issued under this section subject to —

- (a) such conditions as may be prescribed for temporary travel documents; and
- (b) such other conditions as the Controller may specify in any particular case.

(4) The Controller may, before issuing a Singapore temporary travel document, require the applicant to furnish to the Controller a monetary deposit or any other security (by bond or otherwise) that the Controller may think sufficient to secure the performance or due observance by the applicant of any conditions imposed under subsection (3).

Validity of Singapore temporary travel document

14.—(1) A Singapore temporary travel document is valid for one year.

(2) Despite subsection (1), the Minister may, in any particular case, if satisfied that good reasons exist and that it would be in the interests of the proper administration of this Act to do so, direct that any Singapore temporary travel document be issued for a period shorter than that stated in that subsection.

(3) The Minister may, by notification in the *Gazette*, increase the validity period stated in subsection (1) for all Singapore temporary travel documents issued on or after such date as is specified in the notification.

No extension of Singapore temporary travel document

15. Singapore temporary travel documents must not be extended.

Division 3 — Emergency and other travel documents

Issue of Singapore document of identity, etc.

16.—(1) Except as otherwise provided in Part 3, the Controller may issue a Singapore document of identity or other emergency travel document to any person where —

- (a) the Controller has reasonable cause to believe that the person is a citizen of Singapore;
- (b) the Controller has reasonable cause to believe that —
 - (i) the person's Singapore passport has been lost or stolen or destroyed or is temporarily unavailable; or
 - (ii) an emergency has affected the availability of the information necessary to ascertain whether or not that person is already the holder of a Singapore passport; and
- (c) the person wishes to travel immediately, but, for reasons of passport security and integrity, the Controller considers that it is not desirable to issue that person with a Singapore passport.

(2) An application for any Singapore document of identity or other emergency travel document must —

- (a) be made to the Controller in the approved form;

- (b) be accompanied by the applicant's prescribed particulars (which may include personal identifiers), and such other particulars, information and documents as may be specified by the Controller in any particular case; and
- (c) be accompanied by the fee prescribed, if any.

Validity of Singapore document of identity, etc.

17. A Singapore document of identity or other emergency travel document in section 16 is valid for such a time as, in the opinion of the Controller, will be sufficient to enable the person —

- (a) to leave and return to Singapore;
- (b) to return to Singapore; or
- (c) to complete his or her specified journey,

as the case may require.

Issue of other Singapore travel documents

18.—(1) Subject to subsection (2) and Part 3, the Controller may, on application to the Controller in circumstances prescribed, issue the applicant with a Singapore travel document of a kind prescribed, being a document issued for the purposes of travel.

(2) Before issuing a Singapore travel document under subsection (1) to any person, the Controller must be satisfied of the identity of the person.

(3) A Singapore travel document may be issued under this section subject to —

- (a) such conditions as may be prescribed for Singapore travel documents of that kind; and
- (b) such other conditions as the Controller may specify in any particular case.

(4) The Controller may, before issuing a Singapore travel document, require the applicant to furnish to the Controller a monetary deposit or any other security (by bond or otherwise) that the Controller may think sufficient to secure the performance or due

observance by the applicant of any conditions imposed under subsection (3).

(5) An application for any Singapore travel document in subsection (1) must —

- (a) be made to the Controller in the approved form;
- (b) be accompanied by the applicant's prescribed particulars (which may include personal identifiers), and such other particulars, information and documents as may be specified by the Controller in any particular case; and
- (c) be accompanied by the fee prescribed, if any.

PART 3

REFUSING OR CANCELLING SINGAPORE PASSPORTS AND TRAVEL DOCUMENTS

Division 1 — General

When Singapore passport may be refused

19.—(1) The Controller may, by written notice, refuse a Singapore passport to any citizen of Singapore.

(2) Without affecting subsection (1), the Controller may, by written notice, refuse a Singapore passport to any citizen of Singapore if —

- (a) the citizen of Singapore is the holder of another Singapore passport or a Singapore travel document that is still valid at the time when the Singapore passport applied for is to be issued;
- (b) a competent authority makes a request under section 24(1) to the Controller to refuse the Singapore passport, and section 24(4) does not apply;
- (c) the Controller believes on reasonable grounds that the citizen —
 - (i) is a person mentioned in section 23(1) or 24(5); or
 - (ii) has, in the 10 years before the application for the Singapore passport is made, been convicted of an

offence under this Act or the repealed Act, or of an arrestable offence against any written law that is prescribed; or

- (d) the Controller is aware of a circumstance in section 25, 26 or 27 whereby it would be lawful for the Controller to refuse to issue the Singapore passport to the citizen.

When Singapore travel document may be refused

20.—(1) The Controller may refuse a Singapore travel document to any person.

(2) Without affecting subsection (1), the Controller may, by written notice, refuse a Singapore travel document to any person if —

- (a) the person is the holder of another Singapore travel document of the same kind and that Singapore travel document is still valid at the time when the Singapore travel document applied for is to be issued;
- (b) a competent authority makes a request under section 24(1) to the Controller to refuse the Singapore travel document, and section 24(4) does not apply;
- (c) the Controller believes on reasonable grounds that the person —
- (i) is a person mentioned in section 23(1) or 24(5); or
 - (ii) has, in the 3 years before the application for the Singapore travel document is made, been convicted of an offence under this Act or the repealed Act, or of an arrestable offence against any written law that is prescribed; or
- (d) the Controller is aware of a circumstance in section 27 whereby it would be lawful for the Controller to refuse to issue the Singapore travel document to the person.

When Singapore passport, etc., may be cancelled

21.—(1) The Controller may, by written notice, cancel a Singapore passport or a Singapore travel document that has been issued to any person.

(2) Without affecting subsection (1), the Controller may, by written notice, cancel a Singapore passport or a Singapore travel document that has been issued to any person if —

- (a) the Singapore passport or Singapore travel document —
 - (i) has been reported lost or stolen; or
 - (ii) is so damaged or defaced as to render it, in the opinion of the Controller, unsuitable for use;
- (b) the Singapore passport or Singapore travel document is still valid at the time when the person applies for, or is issued with, another Singapore passport or Singapore travel document;
- (c) there is reasonable cause to believe that the particulars recorded in the Singapore passport or Singapore travel document are incorrect;
- (d) the holder of the Singapore passport or Singapore travel document is convicted of —
 - (i) in the case of the holder of a Singapore passport — an arrestable offence against any written law which is prescribed for the purposes of section 19(2)(c);
 - (ii) in the case of the holder of a Singapore travel document — an arrestable offence against any written law which is prescribed for the purposes of section 20(2)(c); or
 - (iii) in any case — an offence under this Act or the repealed Act;
- (e) a competent authority makes a request under section 24(1) to the Controller to cancel the Singapore passport or Singapore travel document, and section 24(4) does not apply;

- (f) the Controller believes on reasonable grounds that the holder is a person mentioned in section 23(1) or 24(5);
- (g) the Controller becomes aware of a circumstance that would have required or permitted the Controller to refuse to issue a Singapore passport or a Singapore travel document to the person because of section 7(1) or 13(1) or of any provision in this Part, had the Controller been aware of the circumstance immediately before issuing the Singapore passport or Singapore travel document, as the case may be; or
- (h) in the case of a Singapore passport or a Singapore temporary travel document — the holder has ceased to be a citizen of Singapore.

(3) The Controller may, without notice, cancel a Singapore passport or a Singapore travel document that has been issued to any person if the person dies, or the Singapore passport or Singapore travel document has expired.

(4) Every Singapore passport or Singapore travel document that is cancelled under subsection (1), (2) or (3) is accordingly invalid.

Cancellation of Singapore document of identity, etc.

22.—(1) Without affecting section 21, the Controller may, by written notice, recall any Singapore document of identity and cancel it or retain possession of it where —

- (a) a Singapore passport is issued to the holder of the Singapore document of identity;
- (b) another Singapore document of identity is issued under section 16 to the holder thereof in substitution for the first one;
- (c) there is reasonable cause to believe that the particulars recorded in the Singapore document of identity are incorrect;
- (d) there is reasonable cause to believe that the Singapore document of identity has been obtained by means of any

false statement or any statement that is false in a material particular;

- (e) the Singapore document of identity has expired;
- (f) the Singapore document of identity is so damaged or defaced as to render it, in the opinion of the Controller, unsuitable for use; or
- (g) the Singapore document of identity has been reported lost or stolen.

(2) Every Singapore document of identity that is cancelled under subsection (1) is accordingly invalid.

(3) A reference to a Singapore document of identity in this section includes a reference to any other emergency travel document issued under section 16.

Division 2 — Law enforcement reasons for refusing or cancelling

Reasons relating to law enforcement

23.—(1) The Controller may cancel any Singapore passport or Singapore travel document that has been issued to a person, or refuse to issue any Singapore passport or Singapore travel document to a person, if the Controller believes on reasonable grounds that —

- (a) the person is the subject of a warrant of arrest issued in Singapore in respect of an arrestable offence against any written law which is prescribed; or
- (b) the person (including a person who is in prison) is prevented from travelling internationally by force of —
 - (i) a condition of parole, or of an undertaking or a surety, bail bond or licence for early release from prison, granted under any written law; or
 - (ii) any written law, or an order or other direction (however described) under any written law.

(2) In this section, “prevented from travelling internationally” includes being —

- (a) required to remain in Singapore;

- (b) required to surrender a Singapore passport or a Singapore travel document;
- (c) not permitted to apply for a Singapore passport or a Singapore travel document; or
- (d) not permitted to obtain a Singapore passport or a Singapore travel document.

Reasons relating to potential for harmful conduct

24.—(1) If a competent authority believes on reasonable grounds that —

- (a) if a Singapore passport or a Singapore travel document were issued to a person, the person would be likely to engage in conduct that —
 - (i) might prejudice the security of Singapore or any other country;
 - (ii) might endanger the health or physical safety of other persons (whether in Singapore or another country);
 - (iii) might constitute an offence under this Act; or
 - (iv) might constitute an arrestable offence against any written law which is prescribed; and
- (b) the person should be refused a Singapore passport or a Singapore travel document in order to prevent the person from engaging in the conduct,

the competent authority may make a written request to the Controller —

- (c) to cancel any Singapore passport or Singapore travel document that has been issued to the person; or
- (d) to refuse to issue any Singapore passport or Singapore travel document to the person.

(2) A competent authority may make a written request to the Controller under subsection (1) —

- (a) whether or not the person has applied for a Singapore passport or a Singapore travel document;

(b) whether or not a Singapore passport or a Singapore travel document has been issued to the person; and

(c) whether or not that person is a citizen of Singapore.

(3) If a competent authority makes a written request to the Controller under subsection (1) in relation to any person, the Controller may, as the case may be —

(a) cancel the Singapore passport or Singapore travel document of the person; or

(b) refuse to issue a Singapore passport or a Singapore travel document to the person.

(4) Despite subsection (3), where a competent authority makes a written request to the Controller under subsection (1) in relation to any person, the Controller must not —

(a) cancel the Singapore passport or Singapore travel document of the person; or

(b) refuse to issue a Singapore passport or a Singapore travel document to the person,

if that request relating to the person has been withdrawn by the competent authority or is no longer considered by the Controller to be current.

(5) Without affecting subsection (1), the Controller may cancel any Singapore passport or Singapore travel document issued to a person, or refuse to issue any Singapore passport or Singapore travel document to a person, if the Controller believes on reasonable grounds that —

(a) if a Singapore passport or a Singapore travel document were issued to the person, the person would be likely to engage in conduct that —

(i) might prejudice the security of Singapore or any other country;

(ii) might endanger the health or physical safety of other persons (whether in Singapore or another country);

(iii) might constitute an offence under this Act; or

- (iv) might constitute an arrestable offence mentioned in subsection (1)(a)(iv); and
- (b) the person should be refused a Singapore passport or a Singapore travel document in order to prevent the person from engaging in the conduct.

(6) In this section, “competent authority”, in relation to a circumstance mentioned in subsection (1) or (5) that relates to Singapore, means any public authority or public officer prescribed by the regulations to be a competent authority in relation to that circumstance.

Division 3 — Other reasons for refusing or cancelling

Repeated loss or thefts of Singapore passports

25. The Controller may refuse to issue a Singapore passport to a person if —

- (a) before the passport application under consideration is made, 2 or more Singapore passports issued to the person have been lost or stolen; and
- (b) for reasons of passport security and integrity, the Controller considers that it is not desirable to issue that person with another Singapore passport.

Concurrently valid Singapore passports, etc.

26.—(1) The Controller must not issue a Singapore passport to a person if the person has already been issued with a Singapore passport or a Singapore travel document and that document is still valid.

(2) Subsection (1) does not prevent the Controller from issuing a Singapore passport to the person in any circumstances specified in the Minister’s directions under section 5(2).

Children

27.—(1) The Controller must not issue a Singapore passport or a Singapore travel document to a child unless —

- (a) the following person (whichever is applicable) consents to the child travelling internationally:
- (i) a person who has parental responsibility for the child;
 - (ii) where the child is the subject of —
 - (A) a voluntary care agreement under which the Director-General of Social Welfare, a protector or the care-giver of the child may consent to the child travelling internationally;
 - (B) an order under section 54(1)(b) of the Children and Young Persons Act 1993 under which the Director-General of Social Welfare, a protector or the care-giver of the child may consent to the child travelling internationally; or
 - (C) an order under section 56(2) or section 57 (read with section 56) of the Children and Young Persons Act 1993 under which the Director-General of Social Welfare, a protector or the care-giver of the child may consent to the child travelling internationally,
- the Director-General of Social Welfare, protector or care-giver, as the case may be; or
- (b) an order of a court permits the child to travel internationally.

[30/2019]

(2) In this section, “care-giver”, “protector” and “voluntary care agreement” have the meanings given by section 2(1) of the Children and Young Persons Act 1993.

[30/2019]

*Division 4 — Appeals against refusals and cancellations***Appeal to Minister**

28.—(1) If a person is aggrieved by the Controller's decision under this Act —

- (a) to refuse to issue a Singapore passport or a Singapore travel document;
- (b) to refuse to extend a Singapore passport or a Singapore travel document; or
- (c) to cancel a Singapore passport or a Singapore travel document,

other than a decision made because of a warrant of arrest issued in Singapore against the person, the person may, within 14 days after being notified of the decision (or such longer period as the Minister allows in exceptional circumstances, whether before or after the end of the 14 days), appeal to the Minister, whose decision is final.

(2) An appeal must be in writing, and specify the grounds on which it is made.

(3) After receiving an appeal under subsection (1), the Minister must consider the appeal and —

- (a) reject the appeal and confirm the Controller's decision;
- (b) allow the appeal in whole or in part and vary the Controller's decision; or
- (c) set aside the Controller's decision,

and the appellant must be notified in writing of the Minister's decision in respect of his or her appeal accordingly.

Minister may designate others to hear appeals

28A.—(1) The Minister may designate any of the following persons to hear and determine, in the Minister's place, any appeal or a specific appeal under section 28:

- (a) the Second Minister (if any) for his or her Ministry;
- (b) any Minister of State for his or her Ministry;

(c) any Parliamentary Secretary to his or her Ministry.

[16/2016]

(2) Any reference to the Minister in section 28 includes a reference to a person designated under subsection (1).

[16/2016]

(3) To avoid doubt, in this section —

“Minister of State” includes a Senior Minister of State;

“Parliamentary Secretary” includes a Senior Parliamentary Secretary.

[16/2016]

PART 4

POWERS OF ENFORCEMENT

Demand for surrender of suspicious Singapore passports, etc.

29.—(1) An authorised officer or a police officer may demand that a person surrender a document to the officer if —

- (a) the document is a Singapore passport or a Singapore travel document that has been obtained, or that the authorised officer or police officer suspects on reasonable grounds has been obtained, by means of a false or misleading statement, any false or misleading information or a false or misleading document;
- (b) the document is a Singapore passport or a Singapore travel document, or other document that has been used or that the authorised officer or police officer suspects on reasonable grounds has been used, in the commission of any offence under this Act; or
- (c) the document is —
 - (i) a false Singapore passport or a false Singapore travel document; or
 - (ii) a false foreign travel document.

(2) Any person having possession or control of any document that an authorised officer or a police officer demands to be surrendered to the officer under subsection (1), and who fails to immediately comply with the demand, 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 6 months or to both.

Demand for surrender of cancelled Singapore passports, etc.

30.—(1) An authorised officer may demand that a person surrender a Singapore passport or a Singapore travel document to the authorised officer if —

- (a) the document has been cancelled under section 21 or 22; or
- (b) the document has otherwise ceased to be valid.

(2) Any person having possession or control of any document that an authorised officer demands to be surrendered to the officer under subsection (1), and who fails to immediately comply with the demand, 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 6 months or to both.

Search and seizure of cancelled Singapore passports, etc.

31.—(1) Any authorised officer, police officer or customs officer may seize a document if —

- (a) the document is not in the possession or control of any person; and
- (b) the officer suspects on reasonable grounds that the document is a false Singapore passport, a false Singapore travel document or a false foreign travel document, or a document that has been used in the commission of an offence under this Act.

(2) If —

- (a) any authorised officer, police officer or customs officer suspects on reasonable grounds that a false Singapore passport, a false Singapore travel document or a false foreign travel document, or a document that has been used

in the commission of an offence under this Act, is in a container (whether on board any train, vehicle, vessel or aircraft, or in any premises); and

- (b) the container is not in the possession or control of any person,

the officer may search the container for the purposes of determining whether the document is inside the container.

(3) If any authorised officer, police officer or customs officer suspects on reasonable grounds that a false Singapore passport, a false Singapore travel document or a false foreign travel document, or a document that has been used in the commission of an offence under this Act, is in any premises, or in any train, vehicle, vessel or aircraft, the officer may, for the purposes of determining whether the document is inside the premises, train, vehicle, vessel or aircraft —

- (a) without warrant, enter and search the premises, or stop, board and search the train, vehicle, vessel or aircraft in or on which he or she reasonably suspects that such a document is to be found;
- (b) search any person found in such premises, train, vehicle, vessel or aircraft;
- (c) remove by force any obstruction to such entry or search; and
- (d) seize, remove and detain any document mentioned in this subsection found in the premises, train, vehicle, vessel or aircraft.

(4) For the purpose of exercising his or her power under subsection (2) or (3), an authorised officer, a police officer or a customs officer may, with such assistance as he or she thinks necessary, break open any door, window, lock, fastener, compartment, box, container or any other thing.

(5) Any search of a person under this section must be conducted by an officer of the same sex as the person.

(6) Nothing in this section prevents any authorised officer, police officer or customs officer conducting a search of a person from requiring a person to remove any of the person's clothing.

(7) In this section —

“container” includes baggage, a mail receptacle, and any other thing that could be used for the carriage of goods (whether or not designed for that purpose);

“train” means —

- (a) a railway locomotive, wagon or carriage; or
- (b) a track vehicle or railway maintenance machine, such as a trolley or crane,

and includes a part of any of the above;

“vehicle” means a conveyance that is designed to be propelled or drawn by any means (whether or not capable of being so propelled or drawn), and includes any trailer, bicycle or other pedal-powered vehicle, but does not include any train;

“vessel” means any kind of craft used in navigation by sea or water, however propelled or moved, and includes —

- (a) a barge, lighter or other floating vessel;
- (b) an air-cushion vehicle, or other similar craft, used wholly or primarily in navigation by water;
- (c) a vessel engaged in a towing operation or in any dredging, surveying or underwater operations; and
- (d) an installation capable of being attached to the seabed and that is bound for, or is at, a port,

and includes a part of any of the above.

Powers of arrest and prosecution

32.—(1) The Controller, an immigration officer or a police officer may arrest without warrant —

- (a) any person committing or attempting to commit any offence under this Act; or

(b) any person whom the Controller, immigration officer or police officer reasonably suspects of being engaged in committing or attempting to commit any offence under this Act.

(2) Where any person is arrested under subsection (1), the Controller, immigration officer or police officer making the arrest must comply with sections 67 and 68 of the Criminal Procedure Code 2010 as if he or she were a police officer.

[15/2010]

(3) In any case relating to the commission of an offence under this Act, an immigration officer has all the powers of a police officer under the Criminal Procedure Code 2010 in relation to an investigation into an arrestable offence.

(4) For the purposes of subsection (3), when an immigration officer is exercising the powers of a police officer under the Criminal Procedure Code 2010, the immigration officer is deemed to be an officer not below the rank of inspector of police.

[15/2010]

(5) The Controller and an immigration officer who is an authorised officer have the authority to appear in court and may, with the authorisation of the Public Prosecutor, conduct any prosecution in respect of any offence under this Act.

[15/2010]

Identification to be produced during enforcement

33.—(1) When exercising any powers under this Act, every immigration officer, police officer and customs officer must —

- (a) if not in uniform, declare his or her office; and
- (b) on demand, produce to any person affected by the exercise of those powers any identification card that the Controller, the Commissioner of Police or the Director-General of Customs (respectively) may direct to be carried by immigration officers, police officers or customs officers.

(2) Despite any provision in this Act, it shall not be an offence for any person to refuse to comply with any request, demand or order made or given by any immigration officer, police officer or customs

officer, not in uniform who fails to declare his or her office and refuses to produce his or her identification card on demand being made by that person.

PART 5

OFFENCES RELATING TO SINGAPORE PASSPORTS AND TRAVEL DOCUMENTS

Division 1 — Application and definitions

Geographical application of this Part

34. This Part (except section 47) applies —

- (a) whether or not the conduct constituting the alleged offence occurred within Singapore; and
- (b) whether or not a result of the conduct constituting the alleged offence occurred in Singapore.

Interpretation of this Part

35.—(1) In this Part, unless the context otherwise requires —

“gain” means —

- (a) a gain in property or a supply of services (whether temporary or permanent); or
- (b) an opportunity to earn remuneration or greater remuneration or to gain a financial advantage otherwise than by way of remuneration;

“loss” means —

- (a) a loss of property or a supply of services (whether temporary or permanent); or
- (b) any deprivation of an opportunity to earn remuneration or greater remuneration or an opportunity to gain a financial advantage otherwise than by way of remuneration;

“public duty” means a function that is given to —

- (a) a public officer;

- (b) an employee or a member of a public authority, board or tribunal established by or under written law for the purposes of a public function; or
- (c) a contractor who exercises a function or performs work for the Government or public authority mentioned in paragraph (b),

as such, and includes every person who is in actual possession of the situation of a person mentioned in paragraph (a), (b) or (c), whatever legal defect there may be in the firstmentioned person's right to hold that situation.

(2) A person is treated for the purposes of this Part as making a false Singapore passport, a false Singapore travel document or a false foreign travel document if the person alters a document so as to make it false in any respect (whether or not it was already a false document before the alteration or is false in some other respect apart from that alteration).

(3) In this Part, any reference to inducing a person to accept a false document as genuine, or a copy of a false document as a copy of a genuine one, includes a reference to inducing a machine to respond to the document or copy as if it were a genuine document or copy of a genuine one.

Division 2 — Offences

Falsifying Singapore passports, etc.

36.—(1) If a person —

- (a) makes a false Singapore passport or a false Singapore travel document; or
- (b) makes a copy of a document which he or she knows, or ought reasonably to know, to be a false Singapore passport or a false Singapore travel document,

with the intention of dishonestly inducing another person to accept it as genuine, and by reason of the other person so accepting it as genuine, dishonestly —

- (c) obtains a gain (whether for himself or herself or someone else);
- (d) causes a loss to the other person or someone else; or
- (e) influences the exercise of a public duty,

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

(2) If a person —

- (a) uses a false Singapore passport or a false Singapore travel document which he or she knows, or ought reasonably to have known, to be a false Singapore passport or a false Singapore travel document; or
- (b) uses a copy of a document which he or she knows, or ought reasonably to have known, to be a copy of a false Singapore passport or a false Singapore travel document,

with the intention of dishonestly inducing another person to accept it as genuine, and by reason of the other person so accepting it as genuine, dishonestly —

- (c) obtains a gain (whether for himself or herself or someone else);
- (d) causes a loss to the other person or someone else; or
- (e) influences the exercise of a public duty,

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

(3) If a person —

- (a) makes or adapts; or
- (b) has in his or her possession or under his or her control,

a device, machine, paper, material or other thing —

- (c) knowing that the device, machine, paper, material or other thing is or has been specially designed or adapted for the

making of a false Singapore passport or a false Singapore travel document; and

- (d) with the intention that the person or someone else will use the device, machine, paper, material or other thing, to make a false Singapore passport or a false Singapore travel document, or a copy of a Singapore passport or a Singapore travel document,

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

(4) If a person —

- (a) makes or adapts; or

- (b) has in his or her possession or under his or her control,

a device, machine, paper, material or other thing knowing that the device, machine, paper, material or other thing is or has been specially designed or adapted for the making of a false Singapore passport or a false Singapore travel document, or a copy of a Singapore passport or a Singapore travel document, the person 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.

(5) Subsections (3)(b) and (4)(b) do not apply if the person has a reasonable excuse.

(6) In this section, any reference to a machine includes a reference to any disk, tape, drive or other device on or in which a program is recorded or stored by mechanical, electronic or other means, being a program designed or adapted to enable a document to be made or to assist in its making.

Possessing false Singapore passports, etc.

37.—(1) If —

- (a) a person has possession or control of a false Singapore passport or a false Singapore travel document; and

- (b) the person knows or ought reasonably to have known that the document is a false Singapore passport or a false Singapore travel document,

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

(2) Subsection (1) does not apply if the person has a reasonable excuse.

Bringing, taking or sending false Singapore passports, etc., across international borders

38.—(1) If —

(a) a person —

- (i) brings a document into a country;
- (ii) takes a document out of a country; or
- (iii) sends a document to or from a country; and

(b) the person knows or ought reasonably to have known that —

- (i) the document is a false Singapore passport or a false Singapore travel document; or
- (ii) the document is a Singapore passport or a Singapore travel document that is not issued to that person,

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

(2) Subsection (1) does not apply if the person has a reasonable excuse.

Making or giving false or misleading statements or information

39.—(1) If —

- (a) a person makes a statement (whether orally, in writing or any other way) or gives information to another person;

- (b) the statement or information —
 - (i) is false or misleading; or
 - (ii) omits any matter or thing without which the statement or information is misleading;
- (c) the person knows that the statement or information is as described in paragraph (b); and
- (d) the statement is made or the information is given in, or in connection with —
 - (i) an application for a Singapore passport or a Singapore travel document (whether for that person or for another);
 - (ii) an application for an endorsement or extension of a Singapore passport or a Singapore travel document (whether for that person or for another); or
 - (iii) a report of the loss, theft or destruction of a Singapore passport or a Singapore travel document (whether or not belonging to that person),

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

- (2) Subsection (1) does not apply —
 - (a) if the statement or information is not false or misleading in a material particular; or
 - (b) if the statement or information did not omit any matter or thing without which the statement or information is misleading in a material particular.
- (3) In this section, “information” includes any personal identifier.

Providing false or misleading documents

- 40.—**(1) If —
- (a) a person provides a document to another person;
 - (b) the document is false or misleading;

- (c) the person knows that the document is false or misleading;
and
- (d) the document is provided in, or in connection with, an application for a Singapore passport or a Singapore travel document (whether for that person or for another),

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

(2) Subsection (1) does not apply if the document is not false or misleading in a material particular.

Improper use or possession of Singapore passports, etc.

41.—(1) If —

- (a) a person uses a Singapore passport or a Singapore travel document in connection with travel or identification;
- (b) the Singapore passport or Singapore travel document has been cancelled; and
- (c) the person knows or ought reasonably to have known that the Singapore passport or Singapore travel document has been cancelled,

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

(2) If —

- (a) a person uses a Singapore passport or a Singapore travel document in connection with travel or identification;
- (b) the Singapore passport or Singapore travel document was not issued to that person; and

- (c) the person knows or ought reasonably to have known that the Singapore passport or Singapore travel document was not issued to him or her,

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

(3) If —

- (a) a person (*A*) provides another person (*B*) with a Singapore passport or a Singapore travel document that was issued to *A*; and
- (b) *A* is reckless as to whether the document is or will be used by *B* in connection with travel or identification,

A 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.

(4) If —

- (a) a person has or retains possession or control of a Singapore passport or a Singapore travel document; and
- (b) the person knows that the Singapore passport or Singapore travel document was not issued to him or her,

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

(5) Subsections (1), (2), (3) and (4) do not apply if the person has a reasonable excuse.

Selling Singapore passport, etc.

42.—(1) A person who sells a Singapore passport or a Singapore travel document shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 10 years or to both.

(2) A person who engages in the business or trade of selling Singapore passports or Singapore travel documents shall be guilty of an offence and shall be punished with imprisonment for a presumptive minimum term of not less than 2 years but not more than 15 years and shall also be punished with a fine not exceeding \$20,000.

[15/2019]

(3) In this section, “sell” includes barter and exchange, offering or attempting to sell, exposing for sale, or receiving or sending or delivering for sale.

Damaging Singapore passport, etc.

43. If a person, without reasonable excuse, damages or destroys a Singapore passport or a Singapore travel document, the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 2 years or to both.

Dishonestly obtaining Singapore passport, etc.

44.—(1) If a person —

- (a) buys or offers to buy a Singapore passport or a Singapore travel document; or
- (b) obtains a Singapore passport or a Singapore travel document dishonestly, or by threats,

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

(2) In this section —

“obtain” includes —

- (a) obtain for another person; and
- (b) induce a third person to do something that results in another person obtaining;

“threat” includes a threat that is express or implied, conditional or unconditional.

Failure to notify loss of Singapore passport, etc.

45.—(1) A person to whom a Singapore passport or a Singapore travel document is issued shall be guilty of an offence if —

- (a) the Singapore passport or Singapore travel document issued to the person is lost, stolen or destroyed;
- (b) the person knows that the Singapore passport or Singapore travel document has been either lost, stolen or destroyed; and
- (c) the person fails to report the loss, theft or destruction to an authorised officer within 14 days after the first time the person knows that the Singapore passport or Singapore travel document has been either lost, stolen or destroyed.

(2) In the case where the person to whom a Singapore passport or a Singapore travel document is issued is a child, any person who has parental responsibility for the child shall be guilty of an offence if —

- (a) the Singapore passport or Singapore travel document issued to the child is lost, stolen or destroyed;
- (b) the person who has parental responsibility for the child knows that the Singapore passport or Singapore travel document has been either lost, stolen or destroyed; and
- (c) the person who has parental responsibility for the child fails to report the loss, theft or destruction to an authorised officer within 14 days after the first time the person knows that the Singapore passport or Singapore travel document has been either lost, stolen or destroyed.

(3) Any person who is guilty of an offence under subsection (1) or (2) shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 2 years or to both.

(4) Subsections (1) and (2) do not apply if the person, or the person who has parental responsibility for the child (as the case may be) has a reasonable excuse.

Failure to surrender cancelled or invalid Singapore passport, etc.

46.—(1) If —

- (a) the person to whom a Singapore passport or a Singapore temporary travel document ceases to be a citizen of Singapore;
- (b) the person knows that he or she has ceased to be a citizen of Singapore; and
- (c) the person fails to surrender his or her Singapore passport or Singapore temporary travel document to an authorised officer within 24 hours after the first time the person knows that he or she ceased to be a citizen of Singapore,

the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 2 years or to both.

(2) In the case where the person to whom a Singapore passport or a Singapore temporary travel document is issued is a child, any person who has parental responsibility for the child shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 2 years or to both if —

- (a) the child ceases to be a citizen of Singapore;
- (b) the person who has parental responsibility for the child knows that the child has ceased to be a citizen of Singapore; and
- (c) the person who has parental responsibility for the child fails to surrender the child's Singapore passport or Singapore temporary travel document to an authorised officer within 24 hours after the first time the person knows that the child ceased to be a citizen of Singapore.

(3) Subsections (1) and (2) do not apply if the person, or the person who has parental responsibility for the child (as the case may be) has a reasonable excuse.

Offences relating to false foreign travel documents**47.—(1) If —**

- (a) a person makes a false foreign travel document in Singapore, or provides a false foreign travel document to another person in Singapore;
- (b) the person does so with the intention of dishonestly inducing another person to use or accept the false foreign travel document as if it were a genuine foreign travel document; and
- (c) by reason of the other person so using or accepting the false foreign travel document as genuine, the person dishonestly —
 - (i) obtains a gain (whether for himself or herself or someone else);
 - (ii) causes a loss to the other person or someone else; or
 - (iii) influences the exercise of a public duty,

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

(2) If —

- (a) a person uses in Singapore a foreign travel document in connection with travel or identification;
- (b) the foreign travel document has been cancelled; and
- (c) the person knows or ought reasonably to have known that the foreign travel document has been cancelled,

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

(3) If —

- (a) a person uses in Singapore a foreign travel document in connection with travel or identification;

(b) the foreign travel document was not issued to that person;
and

(c) the person knows or ought reasonably to have known that
the foreign travel document was not issued to that person,

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

(4) If —

(a) a person (*A*) provides another person (*B*) in Singapore with a foreign travel document that was issued to *A*; and

(b) *A* is reckless as to whether the document is or will be used by *B* in connection with travel or identification,

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

(5) If —

(a) a person has or retains possession or control in Singapore of a foreign travel document; and

(b) the person knows that the foreign travel document was not issued to him or her,

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

(6) If —

(a) a person has possession or control of a document; and

(b) the person knows or ought reasonably to have known that the document is a false foreign travel document,

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

(7) Subsections (2) to (6) do not apply if the person has a reasonable excuse.

Unauthorised issue of Singapore passports, etc.

48. If —

- (a) the Controller; or
- (b) an authorised officer to whom the Controller has delegated the function of issuing Singapore passports or Singapore travel documents,

does any of the following acts, the Controller or authorised officer (as the case may be) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 10 years or to both:

- (c) issue a Singapore passport or a Singapore travel document or part thereof knowing that the issue of the Singapore passport or Singapore travel document or that part thereof is contrary to a provision of this Act;
- (d) endorse a Singapore passport or a Singapore travel document knowing that the endorsement of the Singapore passport or Singapore travel document is contrary to a provision of this Act.

Obstructing authorised officer, etc.

49. Any person who refuses to give access to, or obstructs, hinders or delays any authorised officer, police officer or customs officer in the performance and execution of the officer's duty or of anything the officer is required to do by virtue or in consequence of or under this Act, 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 2 years or to both.

*Division 3 — General provisions***Offences by bodies corporate, etc.**

50.—(1) Where an offence under this Act committed by a body corporate is proved —

- (a) to have been committed with the consent or connivance of an officer; or

(b) to be attributable to any act or default on the officer's part, the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director of the body corporate.

[2/2012]

(3) Where an offence under this Act committed by a partnership is proved —

(a) to have been committed with the consent or connivance of a partner; or

(b) to be attributable to any act or default on the partner's part, the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by a limited liability partnership is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner or manager of the limited liability partnership, the partner or manager (as the case may be) as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

(a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or

(b) to be attributable to any act or default on the part of such an officer or a member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(6) In this section —

“body corporate” and “partnership” exclude a limited liability partnership within the meaning of the Limited Liability Partnerships Act 2005;

“officer” —

- (a) in relation to a body corporate, means any director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body corporate and includes any person purporting to act in any such capacity; and
- (b) in relation to an unincorporated association (other than a partnership), means the president, the secretary or any member of the committee of the unincorporated association, or any person holding a position analogous to that of the president, secretary or member of the committee and includes any person purporting to act in any such capacity;

“partner” includes a person purporting to act as a partner.

(7) The regulations may provide for the application of any provision of this section, with any modifications that the Minister considers appropriate, to any body corporate or unincorporated association formed or recognised under the law of a territory outside Singapore.

Jurisdiction of court

51. Despite any provision to the contrary in the Criminal Procedure Code 2010, a District Court has jurisdiction to try any offence under this Act and has power to impose the full penalty or punishment in respect of the offence.

Composition of offences

52.—(1) The Controller may compound any offence under this Act that may be prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$500.

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

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

PART 6

OBLIGATIONS RELATING TO IDENTIFYING INFORMATION

Interpretation of this Part

53. In this Part, unless the context otherwise requires —

“disclose”, in relation to identifying information that is a personal identifier, includes providing access to the identifying information;

“identifying information” means —

- (a) any personal identifier;
- (b) any meaningful identifier derived from any personal identifier;
- (c) any record of a result of analysing any personal identifier or meaningful identifier derived from any personal identifier; or
- (d) any other information, derived from any personal identifier or meaningful identifier derived from any personal identifier, or from any record of a kind mentioned in paragraph (c), that could be used to discover a particular person’s identity or to get information about a particular person.

Methods and technologies for travel documents

54.—(1) The Minister may approve the methods and technologies (including biometric technologies) to be used by the Controller —

- (a) for the purposes of confirming the validity of evidence of the identity of an applicant for a Singapore passport or a

Singapore travel document or to whom a Singapore passport or a Singapore travel document has been issued;

- (b) for the purposes of issuing biometric passports and travel documents under this Act; or
- (c) for performing other functions in connection with this Act.

(2) Subsection (1) does not imply that methods or technologies not approved cannot be used for performing functions in connection with this Act.

Authorising disclosure of or access to identifying information

55.—(1) The Minister may, in writing, authorise a specified person, or any person included in a specified class of persons —

- (a) to access identifying information of the kind specified in the Minister's authorisation; or
- (b) to disclose, on written request, identifying information of the kind specified in the Minister's authorisation, to another specified person, or another person included in a specified class of persons, in the Minister's authorisation,

for the purpose or purposes specified in the Minister's authorisation.

(2) The Minister must specify in an authorisation under this section, as the purpose or purposes for which access or disclosure is authorised, one or more of the following purposes, and no other:

- (a) assisting in the identification of, and authenticating the identity of, any applicant for or holder of a Singapore passport or a Singapore travel document;
- (b) facilitating or otherwise assisting the international travel of a person to whom a Singapore travel document has been issued;
- (c) enforcement of the criminal law, including investigating or prosecuting a person for an offence against any written law;
- (d) combating document and identity fraud in immigration matters;

- (e) administering or managing the storage of identifying information;
- (f) modifying identifying information to enable it to be matched with other identifying information, or in order to correct errors or ensure compliance with appropriate standards;
- (g) identifying persons who are of national security concern, or who are associated with activities of a criminal nature and whose detention or supervision may be necessary in the interests of public safety, peace and good order;
- (h) any other purpose the disclosure of which is required or authorised by or under written law;
- (i) making decisions under this Act or the Immigration Act 1959 or under the regulations made under either Act.

(3) For the purposes of subsection (1)(b), the specified person or specified class of persons to whom identifying information may be disclosed may include a police force, a law enforcement body or a border control body of a foreign country.

Accessing or disclosing identifying information

56.—(1) If a person accesses identifying information, and the person —

- (a) is not authorised under section 55 to access any identifying information; or
- (b) is not authorised under section 55 to access the identifying information for the purpose for which the person accessed it,

the person 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.

(2) If a person's conduct causes disclosure of identifying information, and the disclosure is not a disclosure that is for any of the purposes specified in section 55(2), the person 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.

PART 7

MISCELLANEOUS

Singapore passports, etc., are property of Government

57.—(1) Every Singapore passport and every Singapore travel document, whether issued before, on or after 1 December 2007, is the property of the Government.

(2) The right in a Singapore passport or a Singapore travel document conferred on the Government by subsection (1) is not defeated or affected by any sale of, or any security, pledge, deposit or encumbrance given, made or accepted in respect of, the Singapore passport or Singapore travel document, by the holder thereof or by any other person.

(3) A person must not give, make or accept as a security, pledge, deposit or encumbrance, a Singapore passport or a Singapore travel document, and any term of an agreement which would otherwise have that effect is void.

Power to exempt

58. The Minister may, by order in the *Gazette*, with or without conditions, exempt any person or class or description of persons from the operation of any or all of the provisions of this Act.

Service of documents, etc.

59.—(1) Subject to subsection (3), any document required or authorised to be served under this Act may be served —

(a) in the case of an individual —

(i) by delivering it to the individual personally;

- (ii) by leaving it with an adult person apparently resident at, or by sending it by prepaid registered post to, the usual or last known address of the individual's place of residence;
 - (iii) by leaving it with an adult person apparently employed at, or by sending it by prepaid registered post to, the usual or last known address of the individual's place of business;
 - (iv) by affixing a copy of the notice in a conspicuous place at the usual or last known address of the individual's place of residence or business;
 - (v) by sending it by fax to —
 - (A) the fax number operated at the usual or last known address of the place of residence or business of the individual; or
 - (B) the last fax number given to the Controller or an authorised officer by the individual as the fax number for the service of documents on the individual; or
 - (vi) by sending an electronic communication of the document to the last email address given to the Controller or an authorised officer by the individual as the email address for the service of documents on the individual;
- (b) in the case of a partnership other than a limited liability partnership —
- (i) by delivering it to any one of the partners or the secretary or other like officer of the partnership;
 - (ii) by leaving it at, or by sending it by prepaid registered post to, the principal or last known place of business of the partnership in Singapore;
 - (iii) by sending it by fax to the fax number operated at the principal or last known place of business of the partnership in Singapore; or

- (iv) by sending an electronic communication of the document to the last email address given to the Controller or an authorised officer by the partnership as the email address for the service of documents on the partnership; and
- (c) in the case of any limited liability partnership or any other body corporate —
- (i) by delivering it to the secretary or other like officer of the body corporate or, in the case of a limited liability partnership, the manager of the limited liability partnership;
 - (ii) by leaving it at, or by sending it by prepaid registered post to, the registered office or principal office of the limited liability partnership or body corporate in Singapore;
 - (iii) by sending it by fax to the fax number operated at the registered office or principal office of the limited liability partnership or body corporate in Singapore;
or
 - (iv) by sending an electronic communication of the document to the last email address given to the Controller or an authorised officer by the limited liability partnership or body corporate as the email address for the service of documents on the limited liability partnership or body corporate.
- (2) Where any notice or other document to be served by the Controller or the Minister is —

- (a) sent by fax to the fax number operated at the last known place of residence or business or registered office or principal office in accordance with subsection (1), it is deemed to have been duly served on the person to whom it is addressed on the day of transmission, subject to receipt on the sending fax machine of a notification (by electronic or other means) of a successful transmission to the place of residence or business or registered office or principal office;
- (b) sent by electronic communication to an email address in accordance with subsection (1), it is deemed to have been duly served on the person to whom it is addressed at the time of entering the information system addressed to the email address; and
- (c) sent by prepaid registered post, it is deemed to have been duly served on the person to whom it is addressed 2 days after the day the notice or document was posted, whether or not it is returned undelivered.

(3) Service of any document under this Act on a person by electronic communication may be effected only if the person gives as part of the person's address for service an email address.

(4) This section does not apply to notices and documents to be served in proceedings in court.

Regulations

60.—(1) The Minister may make regulations necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act.

(2) Without limiting subsection (1), the Minister may make regulations for or with respect to all or any of the following matters:

- (a) the form or particulars of application for the issue or extension of, or for an endorsement on, a Singapore passport or a Singapore travel document;
- (b) the conditions subject to which a Singapore passport or a Singapore travel document may be issued or extended;

- (c) the powers of inspection and examination of authorised officers in relation to Singapore passports or Singapore travel documents;
 - (d) the procedure as regards the lodging of an appeal under section 28 and the practice and procedure upon the hearing of such an appeal;
 - (e) the fees to be paid in respect of any matter or anything done, or any services rendered, by the Controller under or by virtue of this Act, including —
 - (i) fees in respect of applications for Singapore passports and Singapore travel documents; and
 - (ii) fees in respect of endorsements on Singapore passports and Singapore travel documents;
 - (f) the waiver or refund, in whole or in part, by authorised officers of any fee mentioned in paragraph (e) in the circumstances of any particular case; and
 - (g) the prescribing of anything that is required or permitted to be prescribed under this Act.
- (3) The regulations may —
- (a) provide that any contravention of any provision of the regulations shall be an offence punishable with a fine not exceeding \$5,000 or with imprisonment for a term not exceeding 3 years or with both;
 - (b) prescribe different fees for different classes of applicants for Singapore passports or Singapore travel documents, and for different classes of Singapore travel documents, and any application fee so prescribed need not bear any relationship to the cost of issuing a Singapore passport or a Singapore travel document or endorsing on a Singapore passport or a Singapore travel document; and
 - (c) provide for such transitional, saving and other consequential, incidental and supplemental provisions as the Minister considers necessary or expedient.

(4) All regulations made under this section must be presented to Parliament as soon as possible after publication in the *Gazette*.

Saving and transitional provisions

61.—(1) Every person who, immediately before 1 December 2007, is an authorised officer under the repealed Act continues in such appointments as if he or she is an authorised officer under this Act, and his or her appointment expires on the day his or her appointment would have expired if this Act had not been enacted.

(2) Any subsidiary legislation made under the repealed Act and in force immediately before 1 December 2007, so far as it is not inconsistent with the provisions of this Act, continues in force as if made under this Act until it is revoked or repealed.

(3) Any written law or document referring to the repealed Act or any provision of the repealed Act is, as far as may be necessary for preserving its effect, to be construed as referring or as including a reference to this Act or the corresponding provision in this Act, as the case may be.

THE SCHEDULE

Section 3

PERSONAL IDENTIFIERS

1. A person's fingerprint or handprint (taken using paper and ink, digital scanning technologies or otherwise).
2. A photograph or other image of a person's face and shoulders.
3. A person's signature.
4. An image of a person's iris (taken using iris scanning technologies).

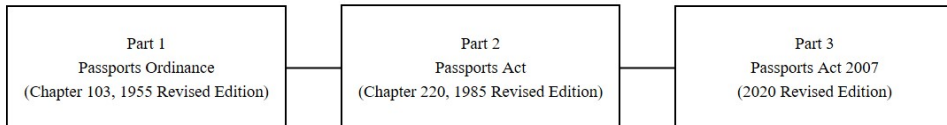
[S 705/2016]

LEGISLATIVE HISTORY

PASSPORTS ACT 2007

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1

PASSPORTS ORDINANCE

(CHAPTER 103, 1955 REVISED EDITION)

1. Ordinance 2 of 1920 — Passport Ordinance, 1920

| | | |
|----------------------------------|---|------------------|
| Bill | : | G.N. No. 83/1920 |
| First, Second and Third Readings | : | 19 January 1920 |
| Commencement | : | 26 January 1920 |

2. Ordinance 26 of 1921 — Statute Laws (Revised Edition) Operation Ordinance, 1921

(Amendments made by section 2 read with Schedule *A* to the above Ordinance)

| | | |
|---------------------------|---|---|
| Bill | : | G.N. No. 1854/1921 |
| First and Second Readings | : | 22 November 1921 |
| Notice of Amendments | : | 22 November 1921 |
| Third Reading | : | 22 November 1921 |
| Commencement | : | 28 November 1921 (section 2 read with Schedule <i>A</i>) |

3. 1926 Revised Edition — Ordinance No. 176 (Passports)

| | | |
|-----------|---|---------------|
| Operation | : | 1 August 1926 |
|-----------|---|---------------|

4. 1936 Revised Edition — Passports Ordinance (Chapter 94)

| | | |
|-----------|---|------------------|
| Operation | : | 1 September 1936 |
|-----------|---|------------------|

5. 1955 Revised Edition — Passports Ordinance (Chapter 103)

Operation : 1 July 1956

PART 2
PASSPORTS ACT
(CHAPTER 220, 1985 REVISED EDITION)

6. Act 51 of 1970 — Passports Act, 1970

Bill : 53/1970
First Reading : 4 November 1970
Second and Third Readings : 30 December 1970
Commencement : 25 January 1971

7. 1985 Revised Edition — Passports Act (Chapter 220)

Operation : 30 March 1987

PART 3
PASSPORTS ACT 2007
(2020 REVISED EDITION)

8. Act 33 of 2007 — Passports Act 2007

Bill : 21/2007
First Reading : 21 May 2007
Second and Third Readings : 16 July 2007
Commencement : 1 December 2007

9. 2008 Revised Edition — Passports Act (Chapter 220)

Operation : 31 December 2008

10. Act 15 of 2010 — Criminal Procedure Code 2010

(Amendments made by section 430 read with item 73 of the Sixth Schedule to the above Act)

Bill : 11/2010
First Reading : 26 April 2010
Second Reading : 18 May 2010
Third Reading : 19 May 2010
Commencement : 2 January 2011 (section 430 read with item 73 of the Sixth Schedule)

11. Act 2 of 2012 — Statutes (Miscellaneous Amendments) Act 2012
(Amendments made by section 30 of the above Act)

| | | |
|----------------------|---|---------------------------|
| Bill | : | 22/2011 |
| First Reading | : | 21 November 2011 |
| Second Reading | : | 18 January 2012 |
| Notice of Amendments | : | 18 January 2012 |
| Third Reading | : | 18 January 2012 |
| Commencement | : | 1 March 2012 (section 30) |

12. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016
(Amendments made by section 25 of the above Act)

| | | |
|---------------------------|---|---------------------------|
| Bill | : | 15/2016 |
| First Reading | : | 14 April 2016 |
| Second and Third Readings | : | 9 May 2016 |
| Commencement | : | 10 June 2016 (section 25) |

**13. G.N. No. S 705/2016 — Passports Act (Amendment of Schedule)
Order 2016**

| | | |
|--------------|---|----------------|
| Commencement | : | 1 January 2017 |
|--------------|---|----------------|

14. Act 15 of 2019 — Criminal Law Reform Act 2019
(Amendments made by section 182 of the above Act)

| | | |
|----------------------|---|------------------------------|
| Bill | : | 6/2019 |
| First Reading | : | 11 February 2019 |
| Second Reading | : | 6 May 2019 |
| Notice of Amendments | : | 6 May 2019 |
| Third Reading | : | 6 May 2019 |
| Commencement | : | 1 January 2020 (section 182) |

15. Act 30 of 2019 — Children and Young Persons (Amendment) Act 2019
(Amendments made by section 69 of the above Act)

| | | |
|----------------|---|--------------------------|
| Bill | : | 22/2019 |
| First Reading | : | 5 August 2019 |
| Second Reading | : | 3 September 2019 |
| Third Reading | : | 4 September 2019 |
| Commencement | : | 1 July 2020 (section 69) |

Abbreviations

| | |
|-------------------|---|
| C.P. | Council Paper |
| G.N. No. S (N.S.) | Government Notification Number Singapore (New Series) |
| G.N. No. | Government Notification Number |
| G.N. No. S | Government Notification Number Singapore |
| G.N. Sp. No. S | Government Notification Special Number Singapore |
| L.A. | Legislative Assembly |
| L.N. | Legal Notification (Federal/Malaysian Subsidiary Legislation) |
| M. Act | Malayan Act/Malaysia Act |
| M. Ordinance | Malayan Ordinance |
| Parl. | Parliament |
| S.S.G.G. (E) No. | Straits Settlements Government Gazette (Extraordinary) Number |
| S.S.G.G. No. | Straits Settlements Government Gazette Number |

COMPARATIVE TABLE
PASSPORTS ACT 2007

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

| 2020 Ed. | 2008 Ed. |
|--------------------|---|
| [Omitted as spent] | 9 —(2) |
| [Omitted as spent] | (3) |
| [Omitted as spent] | (4) |
| — | 28 —(4) [<i>Deleted by Act 16 of 2016</i>] |
| 32 —(4) | 32 —(3A) |
| (5) | (4) |
| [Omitted as spent] | 61 —(1) |
| [Omitted as spent] | (2) |
| 61 —(1) | (3) |
| (2) | (4) |
| (3) | (5) |
| [Omitted as spent] | (6) |