

THE STATUTES OF THE REPUBLIC OF SINGAPORE

REGISTRATION OF CRIMINALS ACT

(CHAPTER 268)

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Registration of Criminals Act

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An Act to provide for the registration of criminals.

[29th June 1949]

1. This Act may be cited as the Registration of Criminals Act. Short title.

2. In this Act, unless the context otherwise requires — Interpreta-
tion.
“crime” means any offence included for the time being in the First or Second Schedule;

- “finger impression” includes thumb impression and palmar impression;
- “police officer” includes an officer of the Customs and Excise Department in any case concerning an offence or alleged offence against any law or provision of law which it is the function of that Department to enforce;
- “principal registration area” means Singapore and Malaysia;
- “register” means the register of criminals maintained in accordance with section 4;
- “registrable particulars” means the particulars of any conviction, sentence, banishment, expulsion or deportation, and any name, description, photograph, or finger impression of, or document relating to, any person so convicted, sentenced, banished, expelled or deported, as the case may be, and includes particulars of any outstanding offence, whether that offence be a crime or not, taken into consideration in determining and passing sentence on any conviction for a crime;
- “Registrar” means the Registrar of Criminals appointed under section 3, and includes an Assistant Registrar of Criminals.

Appointment of Registrar of Criminals and Assistant Registrars.

3.—(1) The President may appoint a Registrar of Criminals and such Assistant Registrars as he may consider necessary for the purposes of this Act.

(2) The President may, with the concurrence of the government of Malaysia, appoint an officer in the service of that government to be a Registrar of Criminals or an Assistant Registrar for the purposes of this Act.

Register of criminals.

4.—(1) The Registrar shall keep a register of —

- (a) persons convicted of any crime within Singapore;
- (b) persons convicted of any offence committed within, and registrable under the law of, Malaysia;
- (c) persons ordered to be banished, expelled or deported from Singapore or Malaysia;
- (d) persons convicted of any offence in, or banished, deported or expelled from, any place outside the

principal registration area, whose registration may be approved under section 5, and shall record therein registrable particulars as hereinafter provided.

(2) The register shall be kept at such place or places within or without Singapore and in such manner as the Minister may direct.

5.—(1) The Minister may approve the registration under this Act of any person convicted of any offence in, or banished, deported or expelled from, any place outside the principal registration area in respect of whom any registrable particulars are furnished to the Registrar by the officer in charge of any criminal records, register of criminals or person in such place.

Registration of persons convicted in or banished from places outside principal registration area.

(2) Any approval given under this section may be either general, in respect of any place or of any class of case, or special in respect of a particular case.

(3) Every general approval given under this section shall be signified by notification in the *Gazette*.

6. Subject to section 7, the Registrar shall record in the register any registrable particulars which are forwarded to him —

Particulars to be recorded in register.

- (a) under section 9, 11 or 12;
- (b) by any officer of Malaysia who is authorised by the law of that territory to forward those particulars for registration; or
- (c) by the officer in charge of any criminal records, register of criminals or prison in any place outside the principal registration area and which relate to a person whose registration has been approved under section 5.

7.—(1) The Commissioner of Police may in his discretion direct, either generally or in particular cases, that any person who —

Discretionary power to dispense with registration. 17/80.

- (a) has been convicted of an offence included in the Second Schedule;
- (b) has upon such conviction been sentenced to a fine not exceeding \$1,000 and not to imprisonment except in default of payment of the fine; and

(c) has not previously been registered as a criminal, need not be registered as hereinbefore provided.

(2) When any such direction has been given, the Registrar shall retain the registrable particulars of that person for 6 months from the date of receipt thereof and shall then destroy them:

Provided that the Commissioner of Police may, at any time before the expiration of that period of 6 months, revoke the direction, and thereupon the Registrar shall enter that person in the register, together with the registrable particulars relating to him, in accordance with sections 4 and 6.

Finger impressions and photograph of persons under arrest.

8. Any police officer may take or cause to be taken the finger impressions and photograph of any person under arrest who is accused of any crime, and may send those impressions and photograph to the Registrar for identification and report.

Finger impressions and photograph of convicted persons.

9. When any person has been convicted of a crime, the police officer in charge of the case shall —

- (a) take or cause to be taken the finger impressions and photograph of the person so convicted, unless this has already been done;
- (b) endorse particulars of the conviction and sentence or order upon the sheet upon which the finger impressions have been made;
- (c) authenticate the endorsement with his signature; and
- (d) forward to the Registrar the sheet, duly endorsed and authenticated as aforesaid, and also, if required by the Registrar, one copy of any photograph of the person taken under section 8.

Finger impressions and photograph of discharged persons.

10.—(1) When any person whose finger impressions and photograph or either have been taken under section 8 is acquitted or discharged without a conviction being recorded against him, the police officer in charge of the case shall —

- (a) endorse particulars of the acquittal or discharge upon the sheet upon which the finger impressions have been made;

- (b) authenticate the endorsement with his signature; and
- (c) forward the sheet, duly endorsed and authenticated as aforesaid, together with the negative and all copies of any photograph of the person taken under section 8, to the Registrar.

(2) The Registrar shall, upon the application of the person so discharged or acquitted, deliver to him the sheet upon which his finger impressions have been made together with the negative and all copies of any photograph taken of him and forwarded to the Registrar as aforesaid, or, if no such application is received within 3 months from the date of acquittal or discharge, shall destroy the sheet and every negative and photograph.

11.—(1) The officer in charge of any prison shall cause the finger impressions and photograph of every prisoner convicted of a crime or ordered to be banished, expelled or deported to be taken as soon as possible, and shall attach a description of the prisoner, including his sex, age or apparent age, bodily appearance, height and any distinctive marks appearing on the person, together with the name or names by which the prisoner is or is believed to have been known, and any other available information as to the personal identity of the prisoner, and also particulars of the crime of which the prisoner has been convicted or of the order of banishment, expulsion or deportation made against him.

Finger impressions of prisoners and banishees.

(2) Such officer shall forthwith record in his own office one copy of such photograph, finger impressions and description, and shall forward to the Registrar —

- (a) in the case of a prisoner convicted of a crime, one copy of those finger impressions and description and, if required by the Registrar, one copy of the photograph;
- (b) in the case of a prisoner ordered to be banished, expelled or deported, 3 copies, or such greater number of copies as the Registrar may require, of the photograph, finger impressions and description.

(3) Every copy of a photograph, finger impressions or description recorded or forwarded under subsection (2)

shall be authenticated with the signature of the officer recording or forwarding the same.

(4) This section shall not apply in the case of any prisoner in respect of whom the Commissioner of Police may have given any general or particular direction under section 7.

Particulars of
removal of
banishee.

12.—(1) When a person is removed from Singapore or from any part thereof in execution of an order of banishment, expulsion or deportation, the police officer responsible for the execution of the order shall —

- (a) take or cause to be taken on the warrant of execution (if any) or on the order of banishment, expulsion or deportation, if no warrant of execution thereof has been issued, a thumb impression of the person being removed;
- (b) endorse on the warrant of execution (if any) or on the order of banishment, expulsion or deportation if no warrant of execution thereof has been issued, particulars of the date, place and manner of removal;
- (c) authenticate the endorsement with his signature; and
- (d) return forthwith to the Minister the order of banishment, expulsion or deportation and the warrant of execution thereof (if any) duly endorsed and authenticated as aforesaid.

(2) The Minister shall cause every such order and warrant which is returned to him as aforesaid to be forwarded as soon as possible to the Registrar.

Duty to submit to taking of photograph and finger impressions.

13.—(1) Every person under arrest accused of a crime and every person convicted of a crime or ordered to be banished, expelled or deported shall be legally bound to submit to the taking of his photograph and finger impressions as provided in this Act, and may be compelled thereto by the use of such force as may be necessary.

(2) Any person who, being legally bound under subsection (1) to submit to the taking of his photograph or finger impressions, refuses or fails to submit thereto on demand by a police officer or by an officer in charge of a prison, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$250 or to imprisonment for a term which may extend to one month or to both.

14.—(1) Every photograph, finger impression, description or other document recorded in the register, if duly produced from proper custody, and every certificate or report purporting to have been compiled from particulars recorded in the register under the provisions of this Act shall, if authenticated by the signature of the Registrar, be admissible in evidence in any court, and shall be sufficient proof of the facts thereon stated or appearing unless the same is disproved. Evidence.

(2) Any document purporting to be a report under the hand of the Registrar upon any matter or thing relating to finger impressions duly submitted to him for report shall be admissible in evidence in any court unless the court requires the Registrar to be called as a witness:

Provided that in any trial before the High Court the accused may require that the Registrar shall be called as a witness, in which case he shall give notice to the Deputy Public Prosecutor not less than 3 clear days before the commencement of the trial.

15. The President may by order delete any provision from, or add to or vary the provisions of, the Schedules. Power to vary Schedules.

16. The Registrar shall have the custody of all records of criminals and particulars which would be registrable particulars under this Act held immediately before the commencement of this Act by any Registrar of Criminals in Singapore, and such records and particulars whether taken, received or registered in accordance with the provisions of any written law for the time being in force or not, shall be deemed to have been duly taken or received and, when registered, shall, for all purposes of this Act, be deemed to be comprised in and form part of the register maintained under this Act. Saving.

FIRST SCHEDULE

Section 2.

REGISTRABLE CRIMES

PART I

OFFENCES UNDER THE PENAL CODE

Cap. 224.

<i>Chapters and Sections</i>	<i>Offences</i>
Chapter VI, the whole	... Against the State.
Sections 131–136	... Relating to the armed forces.

FIRST SCHEDULE — *continued*

<i>Chapters and Sections</i>	<i>Offences</i>
Section 226	... Unlawful return from banishment.
Chapter XII, the whole	... Relating to coins and stamps.
Sections 302, 304–308	... Affecting life.
Sections 312–318	... Relating to birth.
Sections 363–373A	... Kidnapping, slavery.
Sections 376–377A	... Rape, unnatural offences, outrages on decency.
Sections 379–424	... Theft, cheating, etc.
Sections 429–433, 435–440	... Mischief.
Sections 447–462	... Trespass, house-breaking, etc.
Sections 465–477A	... Forgery.
Sections 489A–489D	... Relating to currency notes and bank notes.
Chapters V and VA and section 511	... Abetment of conspiracy to commit and attempt to commit any of the above.

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PART II

OFFENCES UNDER OTHER LAWS

Cap. 14.	Arms Offences Act	... Sections 3 to 8.
Cap. 18.	Banishment Act	... Section 14.
Cap. 20.	Bankruptcy Act	... Sections 111, 112, 113, 114 and 117 (3).
Cap. 28.	Broadcasting and Television Act	... Section 5.
Cap. 39.	Chit Funds Act	... Sections 4, 18 and 20.
Cap. 49.	Common Gaming Houses Act	... Sections 4, 5 and 6.
Cap. 50.	Companies Act	... Sections 158 (9), 338, 401 (2), 402, 404 and 406.
Vol. 1.	Constitution of the Republic of Singapore.	... Third Schedule, section 10 (1) (a).
Cap. 65.	Corrosive and Explosive Substances and Offensive Weapons Act	... The whole.
Cap. 67.	Criminal Law (Temporary Provisions) Act	... The whole.
Cap. 68.	Criminal Procedure Code	... Sections 15, 71 to 75 and 87.
Cap. 70.	Customs Act	... The whole.
Cap. 91.	Employment Act	... Section 113.
Cap. 100.	Explosive Substances Act	... The whole.
Cap. 112.	Foreign Recruiting Act	... Section 5.
Cap. 125.	Hire-Purchase Act	... Section 37.
Cap. 127.	Hotels Act	... Section 17.
Cap. 128.	House to House and Street Collections Act	... Sections 3 (2), 3 (3), 6, 7 and 8.
Cap. 142.	Insurance Act	... Section 55.
Cap. 143.	Internal Security Act	... The whole.
Cap. 151.	Kidnapping Act	... Sections 3, 4 and 5.
Cap. 157.	Land Titles Act	... Sections 20 (4) and 153 (1).

FIRST SCHEDULE — *continued*

OFFENCES UNDER OTHER LAWS

Mental Disorders and Treatment Act	... Section 58.	Cap. 178.
Merchant Shipping Act	... Sections 30, 48, 55, 97, 118, 124, 141 (3), 157, 167, 213, 232 and 259.	Cap. 179.
Minor Offences Act	... Sections 22, 25, 30, 31, 37 (1), 37 (5) and 43.	Cap. 184.
Misuse of Drugs Act	... Sections 5 to 14 and 33 (3).	Cap. 185.
Moneylenders Act	... Sections 8 and 32.	Cap. 188.
Motor Vehicles (Third-Party Risks and Compensation) Act	... Section 21.	Cap. 189.
National Registration Act	... The whole.	Cap. 201.
Newspaper and Printing Presses Act	... Sections 7, 11, 14, 20 (1), 20 (2) and 22.	Cap. 206.
Official Secrets Act	... The whole.	Cap. 213.
Port of Singapore Authority Act	... Section 127.	Cap. 236.
Preservation of the Peace Act	... Section 3 (2).	Cap. 240.
Prevention of Corruption Act...	The whole.	Cap. 241.
Prevention of Crimes Act	... Sections 2, 4 and 5.	Cap. 242.
Protected Areas and Protected Places Act	... The whole.	Cap. 256.
Public Order (Preservation) Act	... The whole.	Cap. 258.
Public Trustee Act	... Section 22 (10).	Cap. 260.
Railways Act	... Sections 86 and 87.	Cap. 263.
Registration of Deeds Act	... Sections 26 and 27.	Cap. 269.
Road Traffic Act	... Sections 66 (1) and 96 (1).	Cap. 276.
Secondhand Dealers Act	... Section 10 (3).	Cap. 288.
Sedition Act	... Section 4.	Cap. 290.
Societies Act	... Sections 14, 15, 23 and 29 (4).	Cap. 311.
Telecommunication Authority of Singapore Act	... Sections 62, 70 to 74, 78, 79 and 83.	Cap. 323.
Trade Disputes Act	... Sections 5, 6, 7, 8, 9 and 11.	Cap. 331.
Undesirable Publications Act...	Sections 4 and 5.	Cap. 338.
Vandalism Act	... Section 3.	Cap. 341.
Women's Charter	... Sections 35 to 40 and the whole of Part X.	Cap. 353.

Sections 2
and 7.

SECOND SCHEDULE

REGISTRABLE CRIMES IN RESPECT OF WHICH REGISTRATION MAY BE DISPENSED WITH UNDER SECTION 7

PART I

Cap. 224.

OFFENCES UNDER THE PENAL CODE

<i>Chapters and Sections</i>	<i>Offences</i>
Sections 143–150, 152–158 ...	Unlawful assembly, rioting, etc.
Section 151A ...	Posting placards, etc.
Sections 161, 162, 164 and 165...	Illegal gratification.
Sections 167, 169 and 170 ...	Relating to public servants.
Sections 177, 181 and 189 ...	False information, etc.
Sections 193–201 ...	False evidence.
Sections 203–222 ...	Screening offenders, etc.
Sections 224, 225, 225A, 227 ... and 229	Escapes, etc.
Sections 270, 281 and 295 ...	Public safety, religion.
Sections 324–333, 335–338 ...	Causing hurt.
Sections 343–348 ...	Wrongful confinement.
Sections 353–356 ...	Criminal force.
Sections 427–428 ...	Mischief.
Sections 493–496 and 498 ...	Offences relating to marriage.
Sections 504–507 ...	Criminal intimidation.
Chapters V and VA and section 511	Abetment of conspiracy to commit and attempt to commit any of the above.

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PART II

OFFENCES UNDER OTHER LAWS

Cap. 13.	Arms and Explosives Act ...	Sections 5, 8, 19, 23 and 31(2).
Cap. 21.	Betting Act ...	Sections 3, 4 and 5.
Cap. 49.	Common Gaming Houses Act...	Sections 7 and 8 (2).
Cap. 72.	Dangerous Fireworks Act ...	Section 5.
Cap. 133.	Immigration Act ...	Sections 5, 6, 8 (5), 9 (4), 19, 26, 36 and 57.
Cap. 332.	Trade Marks Act ...	Sections 70, 72 and 74.