



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**REQUISITION OF RESOURCES
ACT 1985**

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Requisition of Resources Act 1985

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An Act to provide for the requisition of resources for defence and other purposes; and to provide for the payment of compensation in respect of the exercise of the powers conferred by this Act and for matters connected therewith.

[5 October 1985: Except Part III]

PART 1

PRELIMINARY

Short title

1. This Act is the Requisition of Resources Act 1985.

Bringing into operation provisions of Part 3

2.—(1) Part 3 does not come into operation except at the time and for the duration and in the manner mentioned in this section.

(2) Whenever it appears to the Minister that it is necessary for the securing of public safety or the defence of the country or the maintenance of supplies and services essential to the life of the community or for the conduct of exercises for any of those purposes, the Minister may by order direct that all or any of the provisions of Part 3 shall come into operation and the provisions of that Part specified in the order shall come into operation and remain in operation for such period as may be specified in the order.

(3) An order under this section must not be in force for a period exceeding 7 days from the commencement of the order unless it has been made with the approval of the President.

Interpretation

3. In this Act, unless the context otherwise requires —

“aircraft” means any flying machine whether propelled by mechanical means or not and includes any description of balloon;

“armed forces” means any force constituted under the Singapore Armed Forces Act 1972;

“civil defence force” means any force constituted under the Civil Defence Act 1986;

“Commissioner” means the Commissioner or an Assistant Commissioner of a Compensation Board appointed under section 30(2);

“Compensation Board” means a Compensation Board constituted under section 30(1);

“competent authority” means any competent authority appointed under section 4;

“disaster” means any fire, explosion, earthquake, oil spill, flood, storm or other happening (whether or not attributable to an act by enemy or to any warlike act) that causes or may cause loss of life or injury or destruction of or damage to property or distress to persons in Singapore or in any part of Singapore;

“fair wear and tear”, in relation to any property which is requisitioned, means such fair wear and tear as might have been expected to occur but for the fact that the property was so requisitioned;

“goods” means chattels other than vessels, ships, vehicles and aircraft;

“land” includes land of any tenure whatsoever and buildings or part thereof and any estate or interest in or right over land;

“owner”, —

- (a) in relation to any land — means a person other than the mortgagee or chargee not in possession, who is for the time being entitled to dispose of the land whether in possession or in reversion or a person holding or entitled to the rents or profits of the land under a lease or agreement the unexpired term of which exceeds 3 years;
- (b) in relation to any property other than land — means the person entitled to sell the property, it being assumed not to be subject to any mortgage, pledge, lien or other similar obligation; and
- (c) in relation to any undertaking — means any person who, for the time being, has control of all or any property or rights of all or any business which pertains to the undertaking;

“proclamation of emergency” means a Proclamation of Emergency issued under Article 150 of the Constitution of the Republic of Singapore;

“property” includes movable and immovable property of any kind situate or being in Singapore;

“public health emergency” means a public health emergency declared under section 17A(1) of the Infectious Diseases Act 1976 by the Minister charged with the responsibility for health;

“public safety” includes the safety of human life and health in the event of a public health emergency;

“requisition”, in relation to any property, means to take possession of the property or to require the property to be placed at the disposal of the requisitioning authority;

“ship” includes every description of vessel used in sea navigation whether propelled by oars or otherwise;

“Singapore ship or aircraft” means a ship or aircraft registered in Singapore;

“vehicle” includes a crane, excavator, tractor or mobile construction plant;

“vessel” includes a ship, boat, lighter and craft of every kind;

“undertaking” includes any business, whether carried on by way of trade or not, and the activities of any body of persons, whether corporate or unincorporate.

[10/2008]

PART 2

ADMINISTRATION

Competent authority

4.—(1) The Minister may, by notification in the *Gazette*, appoint any person or persons by name or by office to be the competent authority or authorities for the purposes of all or any of the provisions of this Act.

(2) Where the holder of a designated office has been appointed to be the competent authority, then, unless express provision is made to the contrary, the appointment is deemed to extend to the person for the time being performing the duties of the office designated.

Authorised officers

5. An “authorised officer” means —

- (a) any police officer of or above the rank of sergeant;
- (b) for the purposes of all or any of the provisions of this Act, any public officer whether appointed by name or by office by a competent authority to act on the competent authority’s behalf;
- (c) for the purposes of all or any of the provisions of this Act, any person, or member of a class of persons, performing duties of a public nature, appointed by a competent authority to act on the competent authority’s behalf;
- (d) an officer or soldier of the armed forces; or

- (e) a person who is holding the rank of an officer in the civil defence force.

Authorised officers deemed to be public servants

6. All authorised officers are deemed to be public servants within the meaning of the Penal Code 1871.

Authorised officer to declare office

7.—(1) Every authorised officer when acting against any person under this Act must on demand declare his or her office and produce to the person against whom he or she is acting such identification card as the competent authority may issue to that officer.

(2) It shall not be an offence for any person to refuse to comply with any request, demand, order or direction made or given by any authorised officer acting or purporting to act under this Act if the officer refuses to declare his or her office and produce his or her identification card on demand being made by that person.

PART 3

REQUISITIONING OF PROPERTY AND SERVICES

Taking possession of land

8.—(1) A competent authority may, if it appears to that authority to be necessary or expedient for the defence of the country, for the securing of public safety or for the maintenance of supplies and services essential to the life of the community, take or authorise in writing the taking of possession of any land and may give such directions as appear to be necessary for taking and maintaining possession of such land and for the eviction of any person who is, enters or remains on such land without the consent of the competent authority.

[10/2008]

(2) Without limiting subsection (1), any direction given under that subsection may authorise any authorised officer to break open, enter forcibly and remain on any land the taking of possession of which has been authorised by the competent authority and to evict forcibly from

that land any persons that the competent authority may specify or any persons other than such persons as the competent authority may specify.

(3) Whether or not any specified direction has been given under subsection (2), an authorised officer may take such steps and use such force as appears to him or her to be reasonably necessary for securing compliance with any direction given under subsection (1).

(4) While any land is in the possession of a competent authority by virtue of this section, the land may, despite any restriction imposed on the use thereof (whether by any other written law or other instrument or otherwise), be used by, or under the authority of, the competent authority for the defence of the country, for the securing of public safety or for the maintenance of supplies and services essential to the life of the community, and the competent authority, so far as appears to the competent authority to be necessary or expedient in connection with the taking of possession or use of the land pursuant to this subsection, may —

- (a) do, or authorise persons using the land as aforesaid to do, in relation to the land, anything which any person having an interest in the land would be entitled to do by virtue of that interest; and
- (b) by order provide for prohibiting or restricting the exercise of rights of way over the land, and of other rights relating thereto which are enjoyed by any person, whether by virtue of an interest in land or otherwise.

[10/2008]

(5) The owner or occupier of any land must, if requested by or on behalf of a competent authority to do so, furnish to that competent authority or person as may be specified in the request such information in the owner's or occupier's possession relating to the land (being information which may reasonably be demanded of the owner or occupier in connection with the execution of this section) as may be so specified.

(6) A competent authority may, to such extent and subject to such restriction as the competent authority thinks proper, delegate all or

any of the competent authority's functions under this section to any specified person or class of persons.

(7) A competent authority must not take possession of land pursuant to this section for any period exceeding the period during which this section is in operation.

Use of land by armed forces and civil defence force

9.—(1) The Minister may by order authorise, subject to any restrictions and conditions imposed by the order, the use of any land specified in the order for naval, military, air force or civil defence purposes (as the case may be) during such period as may be specified in the order; and any such order may, so far as appears to the Minister to be necessary or expedient for the purposes thereof, provide —

- (a) for entitling persons using any land pursuant to the order to do such acts in relation to that land as may be specified in the order; and
- (b) for prohibiting or restricting the exercise of rights of way over that land, and of other rights relating thereto which are enjoyed by any person, whether by virtue of an interest in land or otherwise.

(2) Any person who contravenes any order made under subsection (1) 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 2 years or to both.

Power to do work on land

10.—(1) Any member of the armed forces or the civil defence force acting in the course of his or her duty as such may, for any purpose connected with the defence of the country, the securing of the public safety or the maintenance of supplies and services essential to the life of the community, do any work on any land or place anything in or over any land.

(2) A person (other than a police officer or a public officer acting in the course of his or her duty as such) must not, except with permission granted by or on behalf of the armed forces or the civil defence force,

remove, alter or tamper with any work done, or thing placed in, on or over any land pursuant to this section.

(3) For the purpose of this section, the doing of work is, in relation to any land, deemed to include the demolition, pulling down, destruction or rendering useless of anything placed in, on or over that land, the maintenance of any work or thing in, on or over the land, and the removal from the land of anything so placed, demolished or pulled down pursuant to this section.

Entry and inspection of land

11. Any member of the armed forces or the civil defence force, acting in the course of his or her duty as such, or any person authorised by the Minister to act under this section on producing, if so required, a duly authenticated document showing his or her authority may —

- (a) enter any land for the purpose of exercising any of the powers conferred in relation to that land by any of the provisions of this Act;
- (b) enter and inspect any land for the purpose of determining whether, and if so, in what manner, any of these powers are to be exercised in relation to the land; and
- (c) for any purpose in the public interest, pass (with or without vehicles) over any land.

Requisitioning of property other than land

12.—(1) Subject to this section, a competent authority may, if it appears to the competent authority to be necessary or expedient to do so in the defence of the country, or for the securing of the public safety or the maintenance of supplies and services essential to the life of the community, or for the conduct of exercises for those purposes, requisition —

- (a) any chattel in Singapore; and

- (b) any Singapore ship or aircraft or anything on board a Singapore ship or aircraft, wherever the ship or aircraft may be,

and may give such directions as appear to the competent authority to be necessary or expedient in connection with the requisition.

(2) Where any chattel is requisitioned under this section, a competent authority may use or deal with, or authorise the use or dealing with, the chattel for such purposes and in such manner as the competent authority thinks fit and may —

- (a) hold, or sell or otherwise dispose of, the chattel as if the competent authority were the owner thereof and as if the chattel were free from any mortgage, pledge, lien or other similar obligation; and
- (b) in a case where the chattel requisitioned is a vehicle, vessel or aircraft, acquire it by serving on the owner thereof a notice stating that the competent authority has acquired it pursuant to this section.

(3) When a notice of acquisition has been served under subsection (2), then, at the beginning of the day on which the notice is served —

- (a) the vehicle, vessel or aircraft vests in the Government free from any mortgage, pledge, lien or other similar obligation; and
- (b) the period of the requisition thereof ends.

(4) Without affecting the powers conferred by subsections (1) and (2), the competent authority may by order require the owners of, and the persons having power to dispose of, chattels of any description specified in the order, being chattels situate outside Singapore, to comply with such directions as may be given by or on behalf of the competent authority for the purpose of securing that the ownership of the chattels or the right to dispose of the chattels is transferred to the competent authority.

(5) A competent authority may, if it appears to the competent authority to be necessary for the effectual exercise of the competent authority's powers under subsection (1) to do so, by order —

(a) direct that any person who, at the time when the order takes effect, has in the person's possession or under the person's control, at any premises, any such articles as may be described in the order, must not remove the articles, or cause or permit them to be removed, from the premises until the removal of the articles from the premises is permitted by that competent authority or person as may be specified in the order;

(b) require the owner or occupier of any premises to send to the competent authority or person as may be specified in the order a written declaration stating or estimating whether or not, on such date as may be specified in the order, any such articles were or will be on the premises, and if so, the number or quantity of those articles which was or will be on the premises on that date, according as the order may direct.

(6) In any case in which the chattel requisitioned is a chattel other than a vehicle, vessel or aircraft, the chattel, as soon as possession thereof is taken pursuant to this section, vests in the Government free from any mortgage, pledge, lien or other similar obligation.

(7) Where a competent authority has issued a notice of requisition in respect of any chattel, the chattel must be furnished by the owner and the person having the possession, custody or control thereof to the competent authority or to such persons as the competent authority must appoint for the purpose forthwith or (if such is the case) within such period as may be prescribed or mentioned in the requisition.

(8) On any refusal or neglect to furnish such chattel in the manner aforesaid, or if the competent authority has reasonable ground for believing that it is not practicable without undue delay to give any direction for the chattel requisitioned to be furnished or delivered to the competent authority, then the competent authority or any authorised officer acting on behalf of the competent authority may take possession (and if need be may enter any premises by force for the purpose) of the chattel requisitioned and may use the chattel in a similar manner as if it had been furnished pursuant to the requisition.

(9) Payment for the chattel taken possession of under subsection (8) must nevertheless be made in a similar manner as if the chattel had been duly furnished according to the requisition, provided that the chattel specified in the requisition is not deemed to have been furnished except insofar as possession is taken by or by the direction of the competent authority.

[26/89]

(10) Where the Accountant-General is satisfied that any vehicle in respect of which a licence to keep has been granted has, in exercise of the powers conferred by this section, been acquired before the expiry of the period of the validity of the licence, the Accountant-General may authorise the refund to the person who at the date of such acquisition was the owner of the vehicle of a proportionate part of the fee paid for the licence in respect of that part of the period of its validity which remains unexpired at that date, if a claim for the refund is made to the Accountant-General in writing by that person not later than 3 months after the date when the vehicle was acquired as aforesaid.

(11) A competent authority may, to such extent and subject to such restrictions as the competent authority thinks proper, delegate all or any of the competent authority's functions under subsections (1) and (2) to any persons or class of persons specified by the competent authority.

(12) The Commissioner of Police must, on a request to that effect made by or on behalf of the authorised officer to whom an order is issued to requisition chattels, give instructions for securing that, so far as practicable, police officers will be available (if required) for

accompanying authorised officers requisitioning chattels pursuant to the order.

(13) The authorised officer to whom the requisitioning order is issued, or any member of the armed forces or the civil defence force authorised by the authorised officer in writing, may without warrant stop and search any vehicle, vessel or aircraft with a view to ascertaining whether the vehicle, vessel or aircraft is to be requisitioned.

(14) The powers conferred by this section for the purpose of conducting exercises for the purposes mentioned in subsection (1) are exercisable only in relation to vehicles, vessels or aircraft.

(15) In this section, “chattel” includes any substance, machine, equipment, vehicle, vessel or aircraft but does not include currency, gold, securities or negotiable instruments.

Period for which vehicles, etc., are to be requisitioned

13. Where a vehicle, vessel or aircraft is requisitioned pursuant to section 12, the period for which it is requisitioned must not exceed the duration for which that section is in operation.

Requisitioned vehicle, vessel or aircraft to be kept in good order pending delivery to competent authority

14. The owner and all persons having charge or custody of a vehicle, vessel or aircraft in respect of which notice of requisition has been given must preserve and keep the vehicle, vessel or aircraft in good order and condition pending delivery to the competent authority.

Special powers as to ships and aircraft

15.—(1) Subject to this section, a competent authority may require any space or accommodation in any Singapore ship or aircraft to be placed at the disposal of that competent authority, and may give such directions as appear to that competent authority to be necessary or expedient in connection with any such requirement; and if any directions given under this subsection with respect to any ship or aircraft are contravened or not complied with, the master of the ship or the pilot of the aircraft (as the case may be) and the person having the management thereof, shall each 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 2 years or to both.

(2) Where, in respect of any ship or aircraft, there subsists between a person to whom this section applies and any other person a charter-party or other contract under which the firstmentioned person is entitled to possession of the ship or aircraft, or has the right to have any articles carried in the ship or aircraft or to use any space or accommodation in the ship or aircraft —

(a) the competent authority may serve on the firstmentioned person, in any manner appearing to the competent authority to be convenient, a notice stating that on such date as may be specified in the notice the firstmentioned person's rights and liabilities under the contract will be transferred to the competent authority; and

(b) in that event the contract, as regards any rights exercisable, or liabilities incurred on or after that date, has effect (subject to subsection (4)) as if the competent authority were a party to the contract instead of the person on whom the notice was served, and as if for any reference in the contract to that person there were substituted a reference to the competent authority.

(3) The persons to whom subsection (2) applies are —

(a) every citizen of Singapore; and

(b) every corporation incorporated in Singapore.

(4) The competent authority may at any time cancel a notice served under subsection (2) in respect of a contract, and thereupon, unless a further notice is served under that subsection in respect of that contract, that subsection ceases to operate in relation to the contract as regards any rights exercisable, or liabilities incurred, on or after the date on which the cancellation takes effect.

(5) Notice of any such cancellation must be given as soon as possible by the competent authority in such manner as the competent authority thinks best for informing the person concerned.

(6) The competent authority may, to such extent and subject to such restrictions as the competent authority thinks proper, delegate all or any of the competent authority's functions under subsections (1) to (5) to any specified persons or class of persons.

Competent authority may require undertakings to carry out work

16.—(1) A competent authority may, if it appears to the competent authority to be necessary or expedient to do so in the interests of public safety, the defence of the country, or for maintaining supplies and services essential to the life of the community, or for carrying out exercises for any of those purposes, direct any person carrying on any undertaking to perform any service or carry out any work for the competent authority or for such persons or class of persons as may be specified by the competent authority for such period as may be specified by the authority.

(2) Any direction given under subsection (1) must not require any person to perform any work or service beyond the period during which this section is in operation.

Competent authority may direct persons to carry out work in a disaster, etc.

17.—(1) A competent authority may, if it appears to the competent authority to be necessary for any works or operations to be carried out to deal or cope with a disaster or public health emergency, direct any person to carry out or assist in any such works or operations.

(2) Where a vehicle, vessel or aircraft is requisitioned by a competent authority under the provisions of this Act, the competent authority may direct the driver, operator or crew of the vehicle, vessel or aircraft to render such service as the competent authority may require.

(3) Any direction given under subsection (1) or (2) must not, unless a proclamation of emergency is in force, require any person to perform any work for a period exceeding 7 days or exceeding the period during which this section is in operation, whichever is shorter.

(4) An employer must not dismiss an employee solely or mainly by reason of any duties or service which the employee is required by a competent authority to perform pursuant to this section unless the employee is employed only for an agreed definite period.

PART 4

RIGHTS TO AND ASSESSMENT OF COMPENSATION

Compensation under this Act

18.—(1) Where under this Act —

- (a) possession of any land has been taken by or on behalf of a competent authority;
- (b) any land has been used or occupied by or on behalf of the armed forces or the civil defence force or an authorised officer;
- (c) any property other than land has been requisitioned or acquired by or on behalf of the armed forces or the civil defence force or a competent authority;
- (d) any work has been done on any land by the armed forces or the civil defence force otherwise than by way of measures taken to avoid the spreading of damage caused by disasters or emergencies; or

- (e) any service or work has been performed for or on behalf of a competent authority by any person,

then, subject to the provisions of this Act, compensation assessed in accordance with this Act must be paid out of moneys provided by Parliament in respect of the possession, use or occupation of land, the requisition or acquisition of the property, or the requisition of the service, or the rendering of any service or the performance of any work by any person, as the case may be.

(2) For the purposes of this section, a requirement that any space or accommodation in a ship or an aircraft be placed at the disposal of a competent authority is deemed to be a requisition of property.

Compensation in respect of taking possession of land, etc.

19.—(1) The compensation payable under this Act in respect of the possession, use or occupation of any land is the aggregate of the following sums:

- (a) a sum equal to the rent which might reasonably be expected to be payable by a tenant in occupation of the land, during the period for which possession of the land is retained or during the period the land is used or occupied in the exercise of the powers conferred by this Act, under a lease granted immediately before the beginning of that period, whereby the landlord undertook to pay all property tax and to bear the cost of the repairs and insurance and the other expenses (if any) necessary to maintain the land in a state to command that rent;
- (b) a sum equal to the cost of making good any damage to the land which may have occurred during the period for which possession thereof is so retained or during the period the land is used or occupied (except insofar as the damage has been made good during that period by a person acting on behalf of the Government), no account being taken of fair wear and tear or damage caused by disaster or war operations;
- (c) a sum equal to the amount of any expenses reasonably incurred, otherwise than on behalf of the Government, for

the purpose of compliance with any directions given on behalf of the Government in connection with the taking possession of or the use or occupation of the land:

Provided that —

- (d) in computing for the purposes of paragraph (a) the rent which might reasonably be expected to be payable in respect of any land, and in computing for the purposes of paragraph (c) any amount which might reasonably have been expected to be payable in addition to rent by an incoming tenant, no account is to be taken of any appreciation of values due to the exercise of the powers under this Act; and
- (e) there must not, by virtue of paragraph (b), be payable in respect of damage to any land a sum greater than the value of the land at the time when possession, use or occupation thereof was taken in the exercise of the powers conferred by this Act, no account being taken of any appreciation in the value thereof due to the events which led to the exercise of those powers.

(2) Any compensation under subsection (1)(a) is considered as accruing due from day to day during the period for which the possession of the land is taken or the land is used or occupied in the exercise of the powers under this Act, and is apportionable in respect of time accordingly, and must be paid to the person who for the time being would be entitled to occupy the land but for the fact that possession thereof is retained or the land is used or occupied in the exercise of such powers; but this subsection does not operate so as to require the making of payments at intervals of less than 3 months.

(3) Any compensation under subsection (1)(b) accrues due at the end of the period for which possession of the land is retained or the land is used or occupied in the exercise of the powers under this Act and must be paid to the person who is then the owner of the land.

(4) Any compensation under subsection (1)(c) accrues due at the time when possession of the land is taken or the land is used or occupied in the exercise of the powers under this Act, and must be

paid to the person who, immediately before that time, was the occupier of the land.

(5) Any compensation under subsection (1)(c) accrues due at the time when the expenses in respect of which the compensation is payable are incurred, and must be paid to the person by whom or on whose behalf those expenses were incurred.

Compensation in respect of doing of work on land

20.—(1) Compensation under this Act in respect of the doing of any work on any land is payable only if the annual value of the land is diminished by reason of the doing of the work.

(2) The compensation payable under this Act in respect of the doing of any work on any land is, in the first instance, a sum calculated by reference to the diminution of the annual value of the land ascribable to the doing of the work, and must be paid in instalments, quarterly in arrear, to the person who for the time being is entitled to occupy the land.

(3) Any compensation under subsection (2) is considered as accruing due from day to day, and is apportionable in respect of time accordingly.

(4) If, at any time after compensation under subsection (2) has become payable by reason of the doing of any work on any land, a person acting on behalf of the competent authority —

- (a) causes the land to be restored, so far as practicable, to the condition in which it would be but for the doing of the work; or
- (b) serves on the person for the time being entitled to occupy the land a written notice of intention to discharge the liability for the compensation by making, not earlier than a date specified in the notice, payment of a lump sum in accordance with this section,

the period in respect of which compensation is payable under subsection (2) by reason of the doing of the work ends with the date immediately preceding the date on which the restoration is completed or (as the case may be) the date specified in the notice.

(5) Where, by virtue of the operation of subsection (4) in relation to any work done on any land, the period in respect of which compensation under subsection (1) is payable by reason of the doing of the work comes to an end, then if, at the end of that period, the value of any estate or interest which a person then has in the land is less than it would be but for the doing of the work, there must be paid to the person, by way of compensation under this Act, a sum equal to the amount of the said depreciation in the value of the estate or interest; and that compensation is taken to accrue due at the end of the said period.

(6) As soon as possible after effecting any restoration or serving any notice pursuant to subsection (4), the person by whom the restoration was effected or the notice was served must cause the fact of the restoration or the contents of the notice (as the case may be) to be published in such manner as the person thinks best adapted for informing persons affected.

(7) In determining for the purposes of this section whether the annual value of any land is diminished by reason of the doing of any work on the land, and in assessing any compensation under this section in respect of the doing of any work on any land, it is assumed that the land cannot be restored to the condition in which it would be but for the doing of the work.

(8) For the purposes of this section, no account is to be taken of any diminution or depreciation in value ascribable only to loss of pleasure or amenity.

(9) In this section —

“annual value”, in relation to any land, means the rent at which the land might reasonably be expected to let from year to year, if the landlord undertook to bear the costs of the repairs and insurance and the other expenses (if any) necessary to maintain the land in a state to command that rent; and

“diminution of the annual value”, in relation to the doing of any work on any land, means the amount by which the annual value of the land is less than it would be if the work had not been done.

Compensation in respect of requisition or acquisition of vehicles, vessels and aircraft

21.—(1) Subject to this section, the compensation payable under this Act in respect of the requisition of any vehicle, vessel or aircraft is the aggregate of the following sums:

- (a) a sum equal to the amount which might reasonably be expected to be payable by a person for the use of the vehicle, vessel or aircraft during the period of the requisition, under a charter or contract of hiring whereby the person undertook to bear the cost of insuring, maintaining and running the vehicle, vessel or aircraft;
- (b) a sum equal to the cost of making good any damage to the vehicle, vessel or aircraft not resulting in a total loss thereof, which may have occurred during the period of the requisition, no account being taken of fair wear and tear;
- (c) in a case where, during the period of the requisition, a total loss of the vehicle, vessel or aircraft occurs, a sum equal to the value of the vehicle, vessel or aircraft immediately before the occurrence of the damage which caused the loss.

(2) In computing for the purposes of subsection (1)(a), the amount which might reasonably be expected to be payable for the use of any vehicle, vessel or aircraft, no account is to be taken of any appreciation in the value thereof due to any disaster or war, whether actual or imminent.

(3) No compensation is by virtue of this section payable in respect of any loss of, or damage to, any vehicle, vessel or aircraft arising in consequence of any disaster or war operations, unless it is shown that, at the time when the loss or damage occurred, the risk of the vehicle, vessel or aircraft being lost or damaged in consequence of the disaster or war operations was materially increased by reason of the requisition thereof in the exercise of any power under this Act.

(4) Any compensation under subsection (1)(a) is considered as accruing due from day to day during the period for which the vehicle, vessel or aircraft is requisitioned in the exercise of any power under this Act, and be apportionable in respect of time accordingly, and

must be paid to the person who, at the time when the compensation accrues due, is the owner of the vehicle, vessel or aircraft.

(5) Where, on the day on which any compensation accrues due by virtue of subsection (1)(a), a person other than the owner of the vehicle, vessel or aircraft is, by virtue of a subsisting charter or contract of hiring, the person who would be entitled to possession of, or to use, the vehicle, vessel or aircraft but for the requisition, the person to whom the compensation is paid is deemed to receive it as a trustee for the firstmentioned person.

(6) Any compensation under subsection (1)(b) or (c) accrues due at the end of the period of the requisition, and must, subject to the provisions of this Act, be paid to the person who is then the owner of the vehicle, vessel or aircraft.

(7) In this section, “total loss” has the same meaning as it has for the purposes of the law relating to insurance, and accordingly is to be construed as including constructive total loss; and upon the payment to any person of any compensation which has become payable by virtue of subsection (1)(c) in respect of any loss, the Government has the same right to take over an interest in whatever remains of the vehicle, vessel or aircraft, and the same rights and remedies in and in respect of the vehicle, vessel, or aircraft, as it would have if the payment had been made by the Government as the insurer under a contract insuring that person against the loss.

(8) The compensation payable under this Act in respect of the acquisition of any vehicle, vessel or aircraft is a sum equal to the value of the vehicle, vessel or aircraft immediately before the acquisition, no account being taken of any appreciation due to any disaster or war, whether actual or imminent, and must, subject to the provisions of this Act, be paid to the person who is then the owner of the vehicle, vessel or aircraft.

(9) For the purpose of assessing any compensation under subsection (8) in respect of the acquisition of any vehicle, vessel or aircraft, no account is to be taken of any compensation under subsection (1)(a) or (b) which may have become payable in respect of the requisition of that vehicle, vessel or aircraft.

(10) Where, at any time during the period for which a vehicle, vessel or aircraft is requisitioned by or on behalf of the competent authority in the exercise of any power under this Act, a written notice stating that the vehicle, vessel or aircraft is to be treated as acquired by or on behalf of the competent authority is served on the owner thereof by the competent authority, then, for the purposes of this section, the vehicle, vessel or aircraft is deemed to have been acquired by or on behalf of the competent authority in the exercise of any power under this Act immediately before the day on which the written notice was served and the period of requisition is deemed to have ended at the time when the acquisition of the vehicle, vessel or aircraft that is deemed by virtue of this subsection to have been effected.

Compensation in respect of taking space or accommodation in ships and aircraft

22.—(1) The compensation payable under this Act in respect of any requirement that any space or accommodation in a ship or an aircraft be placed at the disposal of the competent authority is the aggregate of the following sums:

- (a) a sum equal to the amount which might reasonably be expected to be payable for the use of that space or accommodation during the period for which it is at the disposal of the competent authority by virtue of that requirement, no account being taken of any appreciation of values due to any disaster or war, whether actual or imminent;
- (b) a sum equal to the amount of any expenses reasonably incurred for the purpose of compliance with any directions given by the competent authority in connection with the requirement.

(2) Any compensation under subsection (1)(a) is considered as accruing due from day to day during the period for which the space or accommodation remains at the disposal of the competent authority and be apportionable in respect of time accordingly, and must be paid to the person who, at the time when the compensation accrues due, is the owner of the ship or aircraft.

(3) Where, on the day on which any compensation accrues due by virtue of subsection (1)(a), a person other than the owner of the ship or aircraft is, by virtue of a subsisting charter or contract of hiring, entitled to possession of, or to use, the ship or aircraft, or is, by virtue of a subsisting contract, the person who would be entitled to use the space or accommodation but for the requirement in respect of which the compensation is payable, the person to whom the compensation is paid is deemed to receive it as a trustee for the firstmentioned person.

(4) Any compensation under subsection (1)(b) accrues due at the time when the expenses in respect of which the compensation is payable are incurred, and must be paid to the person by whom or on whose behalf those expenses were incurred.

Compensation in respect of requisition or acquisition of goods other than vessels, vehicles and aircraft

23.—(1) Subject to this section, the compensation payable under this Act in respect of the requisition or acquisition of any goods is a sum equal to the price which the person who, immediately before the requisition or acquisition, was the owner of the goods might reasonably have been expected to obtain upon a sale of the goods then effected by the owner, regard being had to the condition of the goods at the time and no account being taken of any appreciation in the value of the goods due to any disaster or war, whether actual or imminent.

(2) Any compensation under subsection (1) must not —

(a) in a case where the owner of the goods, immediately before the requisition or acquisition, was a person who had produced the goods with a view to the sale thereof, exceed the aggregate of —

(i) the cost reasonably incurred by that person in producing the goods; and

(ii) the profit which that person might reasonably have been expected to make on a sale of the goods effected by that person immediately before the requisition or acquisition; or

- (b) in a case where the owner of the goods, immediately before the requisition or acquisition, was some person other than the producer of the goods, and the goods had been bought by that person with a view to the sale thereof, exceed the aggregate of —
- (i) the price which it was reasonable for that person to pay for the goods when they were so bought by that person; and
 - (ii) the profit which that person might reasonably have been expected to make on a sale of the goods effected by that person immediately before the requisition or acquisition,

and, in assessing such compensation in any other case, no account is to be taken of any profit which might be expected to be made on a sale of the goods.

(3) If, at the time when any goods are requisitioned or acquired by or on behalf of the competent authority in the exercise of any power under this Act, the price or maximum price at which the goods may be sold is fixed by law, subsection (2) is not to be taken to authorise the assessment, by way of compensation under subsection (1) in respect of the requisition or acquisition, a sum exceeding that price or maximum price, as the case may be.

(4) In subsection (2), the reference to a person who had produced the goods with a view to the sale thereof, and the reference to the producer of the goods, is to be construed as including a reference to the person's personal representative or any person carrying on business in succession to the person by virtue of any assignment or transmission by operation of law.

(5) The compensation payable under this Act in respect of the requisition or acquisition of any goods includes a sum equal to the amount of any expenses reasonably incurred for the purpose of compliance with any directions given by or on behalf of the competent authority in connection with the requisition or acquisition.

(6) Any compensation under subsection (1) accrues due at the time of the requisition or acquisition of the goods, and must, subject to the

provisions of this Act, be paid to the person who is then the owner of the goods.

(7) Any compensation under subsection (5) accrues due at the time when the expenses in respect of which the compensation is payable are incurred and must be paid to the person by whom or on whose behalf those expenses were incurred.

Provisions as to property subject to hire-purchase agreements

24. In a case where any property in respect of the requisition or acquisition of which compensation is required by the provisions of this Act to be paid to the person who is the owner of the property immediately before the requisition or acquisition, is then in the possession of some other person by virtue of a hire-purchase agreement —

- (a) that person may, by a notice given in the prescribed form and manner to the competent authority, within the period limited by this Act in relation to the making of any claim by the owner for payment of the compensation, make a claim to have apportioned to it such part of the compensation as may be specified in that person's claim; and
- (b) in default of agreement between the parties, the last mentioned claim must, despite any written law, be referred to a Compensation Board by the owner, and thereupon the Board may apportion the compensation between the owner and the other person in such manner as appears to it to be just.

Provisions as to property subject to mortgages, pledges, etc.

25. Where any sum by way of compensation is paid in accordance with any provisions of this Act requiring compensation to be paid to the owner of any property, then, if at the time when the compensation accrues due, the property is subject to any mortgage, pledge, lien or other similar obligation, the sum so paid is deemed to be comprised in that mortgage, pledge, lien or other obligation.

Compensation to other persons interested in property requisitioned

26. Where any person (called in this section a person interested) other than the person by whom any property is required to be requisitioned or acquired has any interest in the property —

- (a) the person by whom the property is required to be requisitioned or acquired must notify any person known to that person to be a person interested that the property has been requisitioned or acquired, as the case may be; and
- (b) any person interested is entitled to recover from the person by whom the property has been requisitioned or acquired such part (if any) of the compensation received by that person for the property as may be just.

Compensation in respect of requisition of services

27.—(1) The compensation payable under this Act in respect of the requisition of any services must be in accordance with this section.

(2) Where the person from whom any service has been requisitioned —

- (a) is employed under a contract of service — he or she must be paid the rate of remuneration payable to him or her under that contract on the day immediately preceding the date of the requisition of the person's service;
- (b) is a self-employed person — he or she must be paid such remuneration as would have been derived from the employment had the person's service had not been requisitioned;
- (c) is unemployed on the day the person's service was requisitioned — he or she must be paid such reasonable remuneration as may be fixed by the competent authority;
or
- (d) is an undertaking — that undertaking must be paid such reasonable remuneration as may be fixed by the competent authority.

(3) In computing the remuneration under subsection (2)(a), the competent authority may disregard any allowances, ex gratia payments or other benefits claimed by the person whose service has been requisitioned unless the competent authority is satisfied that such allowances, ex gratia payments and other benefits had been paid to or enjoyed by the person for a period of 6 months immediately before the date of the requisition of the person's service.

(4) No compensation is payable to any person under subsection (2)(a) or (b), where the contract of service of the person would have been terminated by reason of any emergency or war operations, or where the self-employed person would not have derived or be expected to derive any income by reason of any disaster or war operations; and in any such event, the person must be paid a remuneration in accordance with subsection (2)(c).

(5) In computing the remuneration under subsection (2)(d), the competent authority must have regard to the following:

- (a) the expenses incurred by the undertaking in providing the service;
- (b) the profits that might reasonably be expected to be made by an undertaking in providing the service,

and no account is to be taken in respect of paragraph (a) of any appreciation in the value of the services or products due to a disaster or war operations.

(6) In this section, "service" includes any work carried out or performed for the competent authority.

Receipt of and notification of damage to property requisitioned or acquired

28.—(1) As soon as may be practicable after the requisition or acquisition of any property or service, there must be given or sent to the person by whom it was requisitioned or acquired, by such person and in such form and manner as may be specified by instructions of the competent authority, a receipt for the property or service specifying what compensation, at what rate or of what amount, is offered in respect of the requisition or acquisition thereof.

(2) As soon as may be practicable after the end of the period of requisition of any property, there must be given or sent to the person by whom the property was requisitioned, by such person and in such form and manner as aforesaid, a notice stating whether any, and if so what, damage to the property has occurred during the period of requisition (other than damage which has been made good by the competent authority) or that the total loss of the property has occurred, and specifying what compensation is offered in respect of the damage or loss under this Act.

(3) A person to whom a receipt or notice under this section has been given or sent (called in this Act the claimant) is deemed to have accepted the offer contained therein unless, within 4 weeks from the time at which the claimant received the receipt or notice, the claimant gives notice to the competent authority that the claimant claims some specified greater amount or rate.

(4) Where a notice under subsection (2) has been given or sent stating that no damage has occurred to any property during the period of requisition, the claimant is deemed to have agreed that no damage has so occurred unless, within 4 weeks from the time at which the claimant received the notice, the claimant gives notice to the competent authority claiming that damage has so occurred and stating what compensation the claimant claims under this Act in respect of the damage.

(5) On the receipt of a claim under subsection (3) or (4), the competent authority may notify the claimant that the competent authority does not propose to make any further offer or that the authority makes a specified further offer.

(6) The instructions of the competent authority referred to in this section must secure that any receipt or notice under this section, or any notification under section 29(2), contains a statement of the effect of subsections (3) and (4) or (as the case may be) of section 29(2).

(7) Before making any compensation under this Act, the competent authority may require reasonable particulars of the damage to any property requisitioned and of the circumstances in which it occurred and may require a reasonable opportunity to be afforded to a person authorised by the competent authority to inspect the property.

(8) Nothing in this Part operates so as to require the making of any payment of compensation before the end of the period of requisition of any property or services.

PART 5

COMPENSATION BOARDS TO DETERMINE DISPUTES

Disputes on compensation to be referred to Compensation Board for determination

29.—(1) Any dispute as to whether any compensation is payable under this Act and as to the amount of any compensation payable under this Act must be referred to a Compensation Board for determination in accordance with the provisions of this Act.

(2) An application to a Compensation Board for the determination of any dispute under subsection (1) must not be made before the expiry of 4 weeks from the making of the claim under section 28(3) or (4) unless a notification has been given to the applicant under section 28(5); and where such notification contains a further offer by the competent authority, the person to whom it is given is deemed to have accepted the offer unless the person makes such an application within 8 weeks from receipt of the notification.

Compensation Board

30.—(1) For the purpose of determining disputes as to any entitlement to, or the quantum of, compensation payable under this Act for the requisition or acquisition of any property or services or for work or services performed or carried on the direction or order of the competent authority, there must be constituted one or more Compensation Boards consisting of a Commissioner or an Assistant Commissioner of a Compensation Board and 2 other members selected by the Commissioner or Assistant Commissioner from the panel of members constituted in accordance with this section.

(2) The Commissioner and an Assistant Commissioner of a Compensation Board must be appointed by the Minister but a person is not eligible for appointment unless he or she possesses the

qualifications required for a District Judge under section 9(3) of the State Courts Act 1970 or is a District Judge appointed under section 9(1) of that Act.

[5/2014]

(3) The Minister may appoint such number of Assistant Commissioners as he or she thinks fit.

(4) The Commissioner or an Assistant Commissioner holds office for a period of 2 years from the date of his or her appointment and is eligible for re-appointment.

(5) For the purpose of enabling a Compensation Board to be constituted, there must be a panel of members which is appointed by the Minister.

(6) The panel consists of such number of persons as the Minister may think fit and the name of every person appointed to the panel must be published in the *Gazette*.

(7) A person is not eligible to be appointed or to remain a Commissioner, an Assistant Commissioner or a member of the panel if he or she —

- (a) is an undischarged bankrupt;
- (b) has been sentenced to imprisonment for a term exceeding 6 months and has not received a free pardon; or
- (c) has a mental disorder and is incapable of managing himself or herself or his or her affairs.

[21/2008]

(8) A person appointed to the panel is, except where his or her appointment is revoked by the Minister under subsection (10), a member of the panel, unless he or she resigns during the period of the appointment, for a period of 2 years, but is eligible for re-appointment.

(9) Where a person ceases to be a member of the panel, the Minister must, as soon as is reasonably practicable, take steps to fill the vacancy, but the existence of any vacancy in the panel does not invalidate the acts of a Compensation Board.

(10) The Minister may at any time revoke the appointment of a member of the panel.

(11) There must be paid to the members of the Compensation Board such salaries, fees and allowances as the Minister may determine.

Member of Compensation Board and proceedings deemed to be public servant and judicial proceedings respectively

31.—(1) Every member of a Compensation Board, when and so long as he or she is serving on the Compensation Board, is deemed to be a public servant within the meaning of the Penal Code 1871 and enjoys the same judicial immunity as is enjoyed by a District Judge.

(2) All proceedings before the Compensation Board under this Act are deemed to be judicial proceedings within the meaning of the Penal Code 1871.

Incidental powers of Compensation Board

32. A Compensation Board has the following powers:

- (a) to order persons to attend and give evidence and to produce and give discovery and inspection of documents, in like manner as in proceedings in the General Division of the High Court;
- (b) to examine any witness on oath;
- (c) to award and assess, or direct the assessment of such sums by way of costs as the Compensation Board in its discretion thinks just, and in addition award costs to an unsuccessful claimant where such an award appears to the Board to be justified on the merits of the case;
- (d) to call in the aid of one or more assessors specially qualified, and hear any claim wholly or partly with their assistance;
- (e) to appoint an expert or experts to report on any matter material to the hearing of any claim;
- (f) to determine, subject to the approval of the Minister, the remuneration (if any) of such assessors and experts.

[40/2019]

Proceedings before Compensation Board

33.—(1) Proceedings before a Compensation Board must be conducted in accordance with such directions as the Board may issue from time to time.

(2) Where a Compensation Board is divided in opinion on a question, the question must be decided according to the decision of the majority of the Compensation Board, and if there is no such majority decision, according to the decision of the Commissioner.

(3) A decision of a Compensation Board must be signed by the Commissioner and must be delivered by the Commissioner or by a member of the Board on the Commissioner's direction.

Decision of Compensation Board to be final

34.—(1) Except as provided in this section, a decision of a Compensation Board is final and binding on the parties.

(2) An appeal lies to the General Division of the High Court on any question of law arising out of a decision of a Compensation Board and on the determination of such an appeal the General Division of the High Court may, by order —

- (a) confirm, vary or set aside the decision of the Compensation Board; or
- (b) direct the Compensation Board to reconsider its decision on the basis of the opinion of the General Division of the High Court on the question of law which was the subject of the appeal,

and where a direction is given pursuant to paragraph (b), the Compensation Board must, unless the General Division of the High Court otherwise directs, make its order within 3 months of the date of the order.

[40/2019]

Power of Compensation Board to state special case for decision of General Division of High Court

35.—(1) A Compensation Board may, at any stage of any proceedings before it, reserve for the consideration of the General

Division of the High Court any question of law arising in the proceedings in the form of a special case which must —

- (a) be drawn up by the Commissioner and must set out briefly the facts on which the law is to be applied and the question or questions of law to be determined;
- (b) be sent by the Commissioner to the Registrar of the Supreme Court; and
- (c) be set down for argument in such manner as the General Division of the High Court directs.

[40/2019]

(2) The General Division of the High Court is to hear and determine the question or questions of law arising on the special case and must then remit the matter to the Commissioner with the opinion of the General Division of the High Court thereon and that opinion is binding on the Compensation Board.

[40/2019]

(3) The costs of the proceedings in the General Division of the High Court are to be in the discretion of the General Division of the High Court and may be dealt with by the order of the General Division of the High Court, except that no member of the Compensation Board shall be personally liable to any costs in respect of the proceedings.

[40/2019]

(4) Nothing in this section is to be construed to prevent a Compensation Board from determining any question of law arising in any proceedings before it.

PART 6

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Compensation payable apart from this Act

36. The provisions of this Act are without prejudice to any agreement for the making of any payment (whether by way of compensation or otherwise) in respect of the doing of anything on behalf of a competent authority in the exercise of the powers conferred upon the competent authority by this Act; but where compensation in respect of the doing of anything aforesaid would, apart from this section, be payable both under this Act and some other written law, then subject to such agreement, the compensation will be payable in accordance with this Act and not otherwise.

Establishment of manpower register

37.—(1) A competent authority must cause to be kept and maintained a register of all persons in Singapore and of citizens of Singapore residing overseas who are required to be registered under this Act and any person who is so required to be registered under this Act must furnish to the competent authority such particulars about himself or herself as is required by this Act.

(2) The register must be in such form and must contain such particulars as the Minister may require.

Competent authority may require undertakings to furnish returns

38.—(1) For the purpose of obtaining information on the availability of manpower and other resources for the defence of the country or for the securing of public safety, a competent authority may issue requisitions to any person carrying on any undertaking to furnish particulars and supply any information in relation to any matter which are required to be furnished to the competent authority by this Act.

[10/2008]

(2) A requisition must be in writing and must be served upon the person to whom it is addressed in the manner specified in section 41 and must specify the particulars of information required.

(3) A requisition may —

- (a) specify the form in which and the time within which the particulars and information are to be furnished;
- (b) require the particulars and information to be furnished periodically at or within such time or times and in such form or forms as are specified in the requisition; and
- (c) specify the place or manner at or in which the particulars and information are to be delivered.

(4) No person is bound to furnish any particulars or information other than those which are accessible to the person in or derived by the person from any business, occupation or work in the conduct or supervision of which the person is engaged.

(5) Any person who fails to furnish any information to the competent authority pursuant to a request made by the competent authority under this section 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 2 years or to both.

Modifications to vehicles, vessels or aircraft for defence and public safety purposes

39.—(1) Subject to subsections (2) and (3), a competent authority may direct the owners of vehicles, vessels or aircraft to carry out such modifications or install any equipment to their vehicles, vessels or aircraft which are useful for defence or public safety purposes.

[10/2008]

(2) The competent authority must pay for the cost of any modifications or any equipment directed to be carried out or installed to a vehicle, vessel or aircraft pursuant to this section.

(3) The owner of a vehicle, vessel or aircraft must not be required to make any modification or install any equipment which would render the owner's vehicle, vessel or aircraft unfit for the purpose for which the vehicle, vessel or aircraft is being used by the owner.

Record and inspection of vehicles, etc.

40.—(1) The Minister may make regulations to require persons having in their possession vehicles, vessels or aircraft, if required to do so by such competent authority or person as may be specified in the regulations —

- (a) to furnish to such competent authority or person as may be so specified a return containing such particulars as to the vehicles, vessels or aircraft, as may be required by or under the regulations; and
- (b) to provide all reasonable facilities for enabling any such vehicles, vessels or aircraft, in their possession to be inspected and examined, at such times as may be specified by or under those regulations, by such authority or person as may be so specified.

(2) Without affecting any penalty under section 45, if any person is obstructed in the exercise of the powers of inspection conferred on the person by regulations made under this section a Magistrate may, if satisfied by information on oath that the person has been obstructed, issue a search warrant authorising an authorised officer named therein, accompanied by that person, to enter the premises in respect of which the obstruction took place and to inspect any vehicles which may be found in the premises.

Orders, notices and requisitions

41.—(1) Orders, notices, directions and requisitions issued or made under this Act may —

- (a) be of a general nature;
- (b) refer to a class of persons or to any number of persons;
- (c) refer to an individual, a firm, company or corporation; or
- (d) refer to any number of firms, companies or corporations.

[26/89]

(2) An order, notice, direction or requisition required to be served or given under this Act may be served on any person, firm, company or corporation —

Personal delivery and telephone conversation

- (a) by delivering it personally, or reading the contents of the order, notice, direction or requisition over the telephone personally —
- (i) to the person to be served if the person is within Singapore;
 - (ii) to an agent of the person to be served if that person has an agent within Singapore;
 - (iii) any one or more of the partners of a firm to be served;
 - (iv) any director, manager or secretary of the company or corporation to be served; or
 - (v) any person having, on behalf of the company or corporation to be served, powers of control or management over the business, occupation, work or matter to which the order, notice, direction or requisition relates;

Publication in the newspapers and *Gazette*

- (b) by publishing it in the daily newspapers circulating in Singapore in all the official languages or in the *Gazette*;

Delivery to residence, place of business or registered office

- (c) by leaving it —
- (i) at the usual or last known place of residence or business of the person to be served if the person is within Singapore;
 - (ii) at the principal place of business of the firm to be served; or
 - (iii) at the registered office of the company or corporation to be served,

with a person apparently above 16 years of age and apparently residing at that place or, in the case of a place of business or registered office, apparently in charge of or employed at that place; or

Registered post

- (d) by sending it by registered post addressed to —
- (i) the person to be served at the usual or last known place of residence or business of that person if the person is within Singapore;
 - (ii) the firm to be served at the principal place of business of that firm; or
 - (iii) the company or corporation to be served at its registered office.

[26/89]

(3) Without limiting subsection (2), a notice of requisition issued pursuant to section 12 or an order or direction issued pursuant to section 16 or 17 may be served on any person, firm, company or corporation —

Broadcast over radio and television

- (a) by broadcasting it over the radio and television in the prescribed manner;

Public address system and siren

- (b) by audible signals given in the prescribed manner over a public address system or through a siren where such signals are audible from the usual or last known place of residence or business, principal place of business or registered office of the person, firm, company or corporation to be served;

Telephone conversation with member of family or household

- (c) by reading the contents of the notice of requisition, order or direction over the telephone to a member of the family or household of the person to be served who is apparently above 16 years of age and apparently residing at the usual or last known place of residence of the person to be served;

Telephone conversation with employee or person in charge of place of business or registered office

- (d) by reading the contents of the notice of requisition, order or direction over the telephone to a person who is apparently above 16 years of age and apparently in charge of or is employed at the usual or last known place of business, principal place of business or registered office of the person, firm, company or corporation to be served;

Pager

- (e) by sending it by radiocommunications pager transmission in the prescribed manner to the person to be served, one or more of the partners of the firm to be served or any director, manager or secretary of the company or corporation to be served; or

Fax, telex and other means of telecommunication

- (f) by sending it by fax, telex or any other prescribed means of telecommunication —
 - (i) to the person to be served at the usual or last known place of residence or business of that person;
 - (ii) to the firm to be served at the principal place of business of that firm; or
 - (iii) to the company or corporation to be served at its registered office:

Provided that there is an acknowledgment by electronic or any other means to the effect that the notice, order or direction has been received at the place of residence or business, principal place of business or registered office, as the case may be.

[26/89]

Knowledge of notice of requisition or order

(4) Where a notice of requisition issued pursuant to section 12 or an order or direction issued pursuant to section 16 or 17 is served on any person, firm, company or corporation pursuant to —

- (a) subsection (2)(b), it is deemed to have been read by the person to whom it applies, all the partners of the firm and every director, manager and secretary of the company or corporation to which it applies by noon on the day following the date of publication;
- (b) subsection (2)(d), it is deemed to have been received and read by the person to whom it applies, all the partners of the firm and every director, manager and secretary of the company or corporation to which it applies on the expiry of 48 hours from the time at which it was delivered to the post office for despatch;
- (c) subsection (3)(a) or (b), it is deemed to have been seen or heard by the person to whom it applies, all the partners of the firm and every director, manager and secretary of the company or corporation to which it applies on the expiry of 6 hours from the commencement of the first broadcast, transmission or audible signal, as the case may be;
- (d) subsection (2)(c), (3)(c) or (3)(d), it is —
 - (i) presumed, until the contrary is proved, to have been conveyed or read to the person to whom it applies, all the partners of the firm and every director, manager and secretary of the company or corporation to which it applies at the time of delivery or telephone conversation, as the case may be; and
 - (ii) deemed to have been conveyed or read to the person to whom it applies, all the partners of the firm and every director, manager and secretary of the company or corporation to which it applies on the expiry of 6 hours from the time of delivery or telephone conversation, as the case may be;

(e) subsection (3)(e) or (f), it is —

- (i) presumed, until the contrary is proved, to have been received and read or heard by the person to whom it applies, all the partners of the firm and every director, manager and secretary of the company or corporation to which it is directed at the time of the first transmission; and
- (ii) deemed to have been received and read or heard by the person to whom it applies, all the partners of the firm and every director, manager and secretary of the company or corporation to which it is directed on the expiry of 6 hours from the time of the first transmission.

[26/89]

Order, notice, direction or requisition to remain in force until compliance or revocation

(5) An order, notice, direction or requisition issued under this Act remains in force until it is complied with or revoked and every person, firm, company or corporation failing to comply with such an order, notice, direction or requisition at the specified time shall be liable to comply with it as soon as possible.

[26/89]

Conditions and revocation

(6) An order, notice, direction or requisition, issued or made under this Act, may be subject to conditions and may be revoked at any time.

[26/89]

Ignorance of order, notice, direction or requisition not an excuse

(7) Where a person, firm, company or corporation has under subsection (4) been deemed to have knowledge of an order, notice, direction or requisition issued under this Act, ignorance of the fact that the order, notice, direction or requisition has been duly served on that person, firm, company or corporation in accordance with subsection (2) or (3) is not an excuse for failing to comply with that order, notice or requisition.

[26/89]

Vehicles used for purposes of this Act

42.—(1) When Part 3 is in force, any person who is in possession of a certificate or document issued to him or her by a competent authority authorising the person to drive or requisition a vehicle of a class or description specified in such certificate or document may drive any such vehicle requisitioned under this Act or hired for the purposes of the armed forces or the civil defence force, and that certificate or document is deemed to be a driving licence for the purposes of section 35 of the Road Traffic Act 1961.

(2) A person using any vehicle pursuant to a requisitioning order under this Act is deemed, as respects any claim in respect of injury or damage to any other person or property, to be so using the vehicle as an employee of the Government.

Liability of Government for person ordered to carry out work

43. Any person carrying out any work pursuant to a direction issued by the competent authority under section 17 is deemed, as respects any claim in respect of death or injury sustained by the person, to be an employee of the Government.

Powers of arrest

44.—(1) Any police officer or any authorised officer may without a warrant arrest any person who has committed an offence under this Act or any regulations made under this Act.

(2) Where a person is arrested and not released, he or she must without unreasonable delay and in any case within 24 hours

(excluding the time of any necessary journey) be produced before a Magistrate.

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

Offences

45. Any person who —

- (a) fails to furnish any chattel which the person is directed to furnish pursuant to a requisitioning order, or fails to furnish any such chattel at the time and place at which the person is directed to furnish it;
- (b) refuses or without lawful excuse neglects to furnish any information which under this Act or the regulations made under this Act is to be furnished within the time within which it is to be furnished;
- (c) knowingly furnishes or causes to be furnished any information required to be furnished under this Act or the regulations made under this Act which is false in any material particular;
- (d) refuses to answer, or wilfully gives a false answer to, any question necessary for obtaining any information or particulars required to be furnished under this Act or the regulations made under this Act;
- (e) being a person liable to be registered under this Act, fails to register or fails to register within the prescribed time;
- (f) refuses, or without lawful excuse neglects, to attend at any place or time at which the person's attendance is required under this Act;
- (g) wilfully obstructs any person in the discharge of the person's duties under this Act or the regulations made under this Act; or

- (h) contravenes or fails to comply with any provision of this Act, or any order or direction made or given by a competent authority or any requirement imposed under any provision of this Act,

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 2 years or to both.

Offences by corporations

46. Where —

- (a) a body corporate is guilty of an offence under this Act or any regulations made under this Act; and
- (b) that offence is proved to have been committed with the consent or connivance of, or attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity,

he or she, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Jurisdiction of District and Magistrate's Courts

47. Despite any written law, a District Court or Magistrate's Court has jurisdiction to try any offence under this Act and to impose the maximum penalty provided for by this Act.

Regulations

48.—(1) The Minister may make regulations for any purpose for which regulations may be made under this Act and for prescribing anything which may be prescribed under this Act and generally for the purpose of carrying this Act into effect.

(2) Without limiting the foregoing powers, the Minister may make regulations with respect to any of the following matters or for any of the following purposes:

- (a) for requiring persons to register under this Act and to supply such particulars about themselves as may be prescribed by the regulations and to report to registration centres established for the purposes of this Act;
- (b) for requiring persons carrying on any undertaking to allow authorised officers to enter and inspect their premises for the purpose of verifying the returns given to the competent authority under this Act;
- (c) for any incidental matters for which the Minister thinks it expedient to provide with a view to securing compliance with the requirements of or any directions or orders given or made under this Act.

(3) All regulations made under this Act must be published in the *Gazette* and must be presented to Parliament as soon as possible after publication.

(4) If, pursuant to a motion notice of which has been given for a sitting day not later than the first available sitting day of Parliament next after the expiry of one month from the date when the regulations are so presented, a resolution is passed annulling the regulations or any part thereof as from a specified date, the regulations or such part thereof, as the case may be, then become void as from that date but without affecting the validity of anything previously done thereunder or to the making of new regulations.

LEGISLATIVE HISTORY
REQUISITION OF RESOURCES
ACT 1985

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

1. Act 8 of 1985 — Requisition of Resources Act 1985

Bill	:	4/1985
First Reading	:	18 March 1985
Second Reading	:	14 May 1985
Select Committee Report	:	Parl. 2 of 1985
Third Reading	:	30 August 1985
Commencement	:	5 October 1985 (except Part III)

2. 1985 Revised Edition — Requisition of Resources Act (Chapter 273)

Operation	:	30 March 1987
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3. Act 26 of 1989 — Requisition of Resources (Amendment) Act 1989

Bill	:	26/1989
First Reading	:	7 April 1989
Second Reading	:	29 May 1989
Notice of Amendments	:	29 May 1989
Third Reading	:	29 May 1989
Commencement	:	15 June 1989

4. Act 10 of 2008 — Infectious Diseases (Amendment) Act 2008
(Amendments made by section 36 of the above Act)

Bill	:	5/2008
First Reading	:	28 February 2008
Second and Third Readings	:	22 April 2008
Commencement	:	10 June 2008 (section 36)

5. Act 21 of 2008 — Mental Health (Care and Treatment) Act 2008
(Amendments made by section 33 read with item 1(42) of the
Second Schedule to the above Act)

Bill	:	11/2008
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First Reading	:	21 July 2008
Second and Third Readings	:	15 September 2008
Commencement	:	1 March 2010 (section 33 read with item 1(42) of the Second Schedule)

6. Act 5 of 2014 — Subordinate Courts (Amendment) Act 2014

(Amendments made by section 11(6) of the above Act)

Bill	:	26/2013
First Reading	:	11 November 2013
Second and Third Readings	:	21 January 2014
Commencement	:	7 March 2014 (section 11(6))

7. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019

(Amendments made by section 28(1) read with item 136 of the Schedule to the above Act)

Bill	:	32/2019
First Reading	:	7 October 2019
Second Reading	:	5 November 2019
Notice of Amendments	:	5 November 2019
Third Reading	:	5 November 2019
Commencement	:	2 January 2021 (section 28(1) read with item 136 of the Schedule)

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
REQUISITION OF RESOURCES
ACT 1985

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.	1985 Ed.
12—(2) and (3)	12—(2)
(4)	(3)
(5)	(4)
(6)	(5)
(7), (8) and (9)	(6)
(10)	(7)
(11)	(8)
(12)	(9)
(13)	(10)
(14)	(11)
(15)	(12)
15—(4) and (5)	15—(4)
(6)	(5)
30—(5) and (6)	30—(5)
(7)	(6)
(8)	(7)
(9)	(8)
(10)	(9)
(11)	(10)
48—(3) and (4)	48—(3)