



# THE STATUTES OF THE REPUBLIC OF SINGAPORE

## CIVIL DEFENCE ACT 1986

### 2020 REVISED EDITION

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

*Prepared and Published by*

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

Informal Consolidation – version in force from 1/6/2024

# Civil Defence Act 1986

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An Act to provide for the raising, maintenance and discipline of a civil defence force and for the exercise of the functions and powers of the Force during national emergencies, and for purposes connected therewith.

[14 November 1986]

## PART 1

## PRELIMINARY

**Short title**

1. This Act is the Civil Defence Act 1986.

**Interpretation**

2. In this Act, unless the context otherwise requires —
  - “auxiliary member” means any person who has been recruited to serve as a member of the Force on a part-time basis;

“civil defence” means the planning, organisation, coordination and implementation of measures, other than measures amounting to an actual combat, that are necessary or desirable for the safety of the public and are designed to guard against, prevent, reduce, or overcome the effects or possible effects of a national emergency or a civil defence emergency, and includes the conducting of, and participation in, drills, exercises and training for such purposes;

“civil defence emergency” means any fire, explosion, earthquake, oil spill, eruption, flood, storm, hazardous materials incident or other happening (whether or not attributable to an attack by an enemy or to any warlike act) that causes or may cause destruction of or damage to property or loss of life or injury or distress to persons or that in any way endangers the safety of the public in Singapore or in any part thereof;

“commanding officer” means —

- (a) an officer who is in command of a unit; or
- (b) an officer on whom the powers and functions of a commanding officer are conferred by or under the regulations;

“Commissioner” means the Commissioner of Civil Defence appointed under section 6;

“detention barracks” means any building or part of a building which is set apart by the Commissioner for those members who are serving sentences of detention;

“disciplinary officer” means a junior disciplinary officer or a senior disciplinary officer designated as such under Part 7;

“emergency services” means any organisation or group of persons providing services to respond to and deal with civil defence emergencies, and includes firefighting services, ambulance services and the police;

“ex-NSman” means a former operationally ready national serviceman;



- “Force” means the Singapore Civil Defence Force raised and maintained in accordance with the provisions of this Act;
- “full-time service” has the meaning given by the Enlistment Act 1970;
- “Fund” means the Civil Defence Force Fund established under section 101;
- “hazardous material” means any substance or article set out in the Third Schedule to the Road Traffic (Expressway Traffic) Rules;
- “hazardous materials incident” means an actual or suspected spillage or other escape of any hazardous material the spillage or escape of which causes or may cause destruction of or damage to property or loss of life or injury or distress to persons or that in any way endangers the safety of the public in Singapore or in any part thereof;
- “junior disciplinary officer”, in relation to a person charged with an offence, means an officer commanding a company or equivalent sub-unit or any other officer designated as a junior disciplinary officer by the Commissioner to deal with charges made against a member for the commission of a service offence;
- “medical practitioner” includes a medical officer in the service of the Government;
- “member” means an officer or a serviceman of the Force, and includes a volunteer ex-NSman or an auxiliary member;
- “national service” and “national serviceman” have the meanings given by the Enlistment Act 1970;
- “non-commissioned officer” means a member holding a rank not higher than the rank of senior warrant officer and not lower than the rank of lance-corporal;
- “offence” means an offence punishable under any written law or a service offence;
- “officer” means an officer of the rank of second lieutenant and above;

“operationally ready national service” has the meaning given by the Enlistment Act 1970;

“operationally ready national serviceman” means a person liable to render operationally ready national service under the Enlistment Act 1970;

“person of a higher rank”, in relation to a member, includes any other member who, by virtue of his or her office or appointment, is entitled to exercise command over the firstmentioned member;

“police officer” means any member of the Singapore Police Force;

“prescribed civil defence emergency device” means —

(a) a public warning device; or

(b) such device for the detection or monitoring of a civil defence emergency as may be prescribed,

and includes a prescribed civil defence emergency device installed by the Commissioner, with the agreement of the owner of the premises, before 1 February 2019;

“proper authority” has the meaning given by the Enlistment Act 1970;

“provost officer” means any member of the Force appointed by the Commissioner as a provost officer for the purposes of this Act;

“psychoactive substance” has the meaning given by section 2 of the Misuse of Drugs Act 1973;

*[Act 12 of 2023 wef 01/06/2024]*

“public officer” has the meaning given by the Constitution;

“public authority” includes a body corporate constituted under any written law to perform certain functions or vested with certain powers;

“regulations” means the regulations made under this Act;

“senior disciplinary officer”, in relation to a person charged with an offence, means an officer commanding a division, battalion, training school or its equivalent or any other officer designated as a senior disciplinary officer by the Commissioner to deal with charges made against a member for the commission of a service offence;

“serviceman” means a member of the Force holding a rank not higher than the rank of senior warrant officer and includes a recruit in the Force;

“service land” means land (including a building or other structure or part thereof) in the possession of or under the control of —

(a) the Force; or

(b) a mess, club, common room, canteen or other institution of the Force;

“service offence” means an offence punishable under any of the provisions of Part 5;

“service property” means property used by, or in the possession or control of —

(a) the Force; or

(b) a mess, club, common room, canteen or other institution of the Force,

and “service equipment”, “service facilities”, “service ship”, “service aircraft” and “service vehicle” have corresponding meanings;

“state of civil defence emergency” means a state of civil defence emergency declared under section 102;

“state of emergency” means the period when a Proclamation of Emergency issued by the President under Article 150 of the Constitution is in force;

“volunteer ex-NSman” means an ex-NSman enrolled as a volunteer ex-NSman under section 9A.

[32/2010; 53/2018]

## PART 2

CONSTITUTION, ORGANISATION AND ADMINISTRATION  
OF FORCE**Raising and maintenance of Singapore Civil Defence Force**

3. There is raised and maintained in accordance with the provisions of this Act, a civil defence force called the Singapore Civil Defence Force, which consists of such number of officers and servicemen as are from time to time approved by the Minister.

**Functions of Force**

4.—(1) The functions of the Force are —

- (a) to carry out civil defence duties;
- (b) to instruct the members of the public regarding civil defence and, if necessary, to equip them for the purposes of such defence; and
- (c) to carry out, on a day-to-day basis, operations for the protection of the life, health or safety of individuals, whether or not arising out of a civil defence emergency.

[32/2010; 53/2018]

(2) Without limiting subsection (1), the Force may exercise and perform all the following functions and duties:

- (a) rescue endangered persons and remove them to areas of safety;
- (b) provide first-aid to casualties and for their removal for medical treatment or to areas of safety;
- (c) train and, if necessary, equip the civilian population to cope with any civil defence emergency;
- (d) assist the public authorities to undertake measures for the retrieval and, if necessary, decontamination of the dead bodies from any place affected by any civil defence emergency;
- (e) disseminate information and advice to the public;

- (f) take lawful measures to extinguish and prevent the spread of fire;
- (g) provide, maintain, control and operate prescribed civil defence emergency devices;
- (h) manage all public shelters including air-raid shelters and temporary shelters;
- (i) take lawful measures for protecting life and property in case of fire;
- (j) take lawful measures to mitigate the consequences of hazardous materials incidents and for protecting life and property in such an event;
- (k) provide and maintain an adequate emergency ambulance service;
- (l) ensure effective coordination between the Force and other emergency services in Singapore; and
- (m) execute such other duties as may be imposed on the Force by this Act or any other written law.

[32/2010; 53/2018]

## Organisation

5.—(1) The Force consists of such units, corps or divisions as are from time to time organised by or under the authority of the Minister.

(2) The Minister may disband any unit, corps or division constituted under subsection (1) in whole or in part or amalgamate any unit, corps or division with any other unit, corps or division.

(3) The Force consists of —

- (a) officers appointed to, and servicemen enlisted in, the Force;
- (b) national servicemen enlisted in the Force;
- (c) volunteer ex-NSmen enrolled under section 9A;
- (d) persons who are recruited to serve as auxiliary members; and

(e) public officers who are serving in the Force.

[32/2010; 53/2018]

### **Administration of Force by Commissioner**

6.—(1) The Minister may appoint a Commissioner of Civil Defence who must —

- (a) be responsible for the supreme command, direction and administration of the Force and of members of the Force who are appointed, enlisted or recruited under the provisions of this Act; and
- (b) exercise such functions, and perform such duties and powers with respect to civil defence as are conferred upon him or her by this Act.

(2) The Minister may appoint any number of Deputy Commissioners, Senior Assistant Commissioners and Assistant Commissioners of Civil Defence as the Minister thinks fit.

[32/2010]

(3) Unless otherwise provided, the Deputy Commissioners, the Senior Assistant Commissioners and the Assistant Commissioners of Civil Defence have and may exercise all the powers conferred on the Commissioner by or under this Act, subject to such limitations as the Commissioner may see fit to impose.

[32/2010; 53/2018]

## **PART 3**

### **ENLISTMENT AND DISCHARGE OF MEMBERS OF FORCE**

#### **Appointment of officers and enlistment of servicemen in Force**

7.—(1) The Minister may appoint and enlist any number of officers and servicemen for the Force as the Minister thinks fit.

(2) The Commissioner may, in accordance with such conditions and subject to such qualifications or requirements as are prescribed or provided for by the regulations, recruit persons to serve in the auxiliary units of the Force on a part-time basis.

[53/2018]

(3) Auxiliary members are not bound to serve continuously but are bound to render service for such periods as are prescribed by the regulations.

(4) The Minister may, from time to time, authorise such allowances to be paid to auxiliary members for their services.

[53/2018]

(5) The Commissioner may at any time dismiss an auxiliary member from the Force without assigning any reason.

### **Public officers serving as members of Force**

**8.**—(1) The Public Service Commission continues to have control over the confirmation, emplacement on the permanent or pensionable establishment, promotion, transfer, dismissal and exercise of disciplinary control over public officers who are posted to serve in the Force.

(2) A public officer who is posted to the Force as an officer or a serviceman may resign from the Force by giving the notice of termination of service prescribed by the terms and conditions of his or her appointment as a public officer.

### **Enlistment of national servicemen in Force**

**9.**—(1) A person on whom a notice under section 10 of the Enlistment Act 1970 has been served requiring the person to report for enlistment in the Force is, as from the time when the person reports for enlistment for national service, deemed to have been enlisted in the Force.

(2) A person enlisted for national service pursuant to the provisions of the Enlistment Act 1970 is, from such time as the proper authority transfers the person to the service of the Force, deemed to have been enlisted in the Force.

(3) National servicemen who are enlisted in the Force must render —

- (a) full-time service for the period prescribed by the Enlistment Act 1970; and

- (b) where they have completed full-time service for the prescribed period, operationally ready national service for the period prescribed by the Enlistment Act 1970.

### **Volunteer ex-NSmen**

**9A.**—(1) The Commissioner may enrol under this section, as a volunteer ex-NSman, any ex-NSman who was enlisted as a national serviceman in the Force where —

- (a) the Commissioner wants that ex-NSman to continue to serve in the Force; and
- (b) the ex-NSman is offering his service.

[53/2018]

(2) The provisions of sections 14, 15, 21, 22, 23, 24, 25 and 30 of the Enlistment Act 1970 affecting any person who is liable for operationally ready national service apply (so far as relevant) to a volunteer ex-NSman enrolled under this section as if the volunteer ex-NSman were an individual liable for operationally ready national service, with such prescribed exceptions, modifications and adaptations as the differences between an operationally ready national serviceman and a volunteer ex-NSman require.

[53/2018]

(3) The provisions of any other existing law that relate to an individual liable for operationally ready national service have effect as if any reference therein to any such individual also includes a reference to any volunteer ex-NSman, with such prescribed exceptions, modifications and adaptations as the differences between this Part and that existing law require.

[53/2018]

(4) The Minister may, from time to time, authorise such emoluments to be paid to volunteer ex-NSmen for their services.

[53/2018]

(5) In this section, “existing law” means any written law having effect as part of the law of Singapore immediately before 1 February 2019.

[53/2018]



### **Appointments and promotions**

**9B.**—(1) Subject to section 8, the Minister may do the following:

- (a) appoint or promote a member to the rank of lieutenant-colonel and above;
- (b) reduce the rank of a member of the rank of lieutenant-colonel and above.

[53/2018]

(2) Subject to section 8, the Commissioner may do the following:

- (a) appoint or promote a member to the rank of major and below;
- (b) reduce the rank of a member of the rank of major and below.

[53/2018]

(3) The Commissioner may delegate the power under subsection (2) to any officer of the rank of lieutenant-colonel and above.

[53/2018]

### **Discharge of national servicemen from Force**

**10.** A member who is enlisted in the Force pursuant to the Enlistment Act 1970 is discharged —

- (a) from continuous full-time service in the Force when the member has completed the period of full-time service prescribed by the Enlistment Act 1970; and
- (b) from operationally ready national service in the Force when —
  - (i) the proper authority notifies the member that the member has been transferred from the Force to another force specified by the proper authority;
  - (ii) the proper authority notifies the member that the member is released from the Force; or
  - (iii) the member ceases to be a person subject to the Enlistment Act 1970.

**Discharge of volunteer ex-NSmen**

**10A.**—(1) The Commissioner may, without notice, discharge any volunteer ex-NSman.

[53/2018]

(2) Any volunteer ex-NSman is entitled, except when a state of emergency or a state of civil defence emergency is in force or when volunteer ex-NSmen are mobilised under section 113(1)(a), to be discharged from the Force after giving the Commissioner at least 3 months' notice in writing of the volunteer ex-NSman's intention to resign from the Force.

[53/2018]

**Discharge of auxiliary members**

**11.** Except when a state of emergency or a state of civil defence emergency is in force or when auxiliary members are mobilised for continuous full-time service, an auxiliary member is entitled to be discharged from the Force after giving the Commissioner at least 30 days' notice in writing of the auxiliary member's intention to resign from the Force.

**Identity card**

**12.** An identity card must be issued to every full-time national serviceman and is evidence of the national serviceman's enlistment in the Force under this Act.

[32/2010]

**Delivery of Government property on leaving Force**

**13.**—(1) Every member who, by resignation, dismissal, discharge or otherwise, leaves the Force must before leaving deliver up in good order (fair wear and tear excepted) any accoutrement, uniform or other article supplied to him or her and any other property belonging to the Government which may be in his or her possession.

(2) Any person neglecting to deliver up any such article or property shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 3 months, and in addition thereto shall be liable to pay the value of the article or property not delivered up, which value is to be ascertained

in a summary manner by the same court before which the person was convicted.

## PART 4

### JURISDICTION AND LIABILITY

#### *Division 1 — Persons subject to this Act*

#### **Application**

**14.—**(1) The following members are persons subject to this Act at all times:

- (a) national servicemen enlisted in the Force who are rendering continuous full-time service either as officers or servicemen;
- (b) officers and servicemen who are appointed to or enlisted in the Force under section 7(1).

(2) National servicemen enlisted in the Force as either officers or servicemen who are rendering operationally ready national service and volunteer ex-NSmen are subject to this Act while on duty, in uniform or while under arrest, in custody or undergoing punishment or detention in accordance with the provisions of this Act.

*[53/2018]*

(3) Auxiliary members are subject to this Act while on duty, in uniform or while under arrest, in custody or undergoing punishment or detention in accordance with the provisions of this Act.

(4) For the purposes of subsection (2), a member is deemed to be on duty —

- (a) from the time appointed by the Commissioner for the member to report to or to attend at a place specified by the Commissioner for rendering any operationally ready national service which the member is required to render under the Enlistment Act 1970 until the member is duly released or discharged from that service; or
- (b) while acting or purporting to act in or with intended reference to his or her capacity as a member of the Force.

(5) For the purposes of subsection (3), an auxiliary member is deemed to be on duty while acting or purporting to act in or with intended reference to his or her capacity as a member of the Force.

### **Modification of Act**

**15.** The regulations may make provision for —

- (a) the exemption of all or any of the classes of members from all or any of the provisions of this Act;
- (b) the modification of any provision so far as it relates to all or any of those classes; or
- (c) the addition or substitution of provisions relating to all or any of those classes.

[32/2010]

### **Certain persons to remain subject to Act**

**16.** Subject to section 73, a person who has ceased to be a member may, in respect of a service offence committed within 6 months before he or she ceased to be a member, be dealt with as though he or she were still a member, if and only if he or she is charged with the offence not later than 3 years from the date of the commission of the offence.

[32/2010]

### *Division 2 — Liability of persons subject to this Act to be tried and punished for service offences*

#### **Trial and punishment of person committing service offence**

**17.—(1)** Any person subject to this Act who is alleged to have committed a service offence may be charged, dealt with and tried by a court or may be dealt with by a disciplinary officer under the provisions of this Act and shall, if found guilty of the service offence by a court or by a disciplinary officer, be liable to be punished or dealt with in accordance with the provisions of this Act.

(2) Where a charge against a person for a service offence is dealt with by a disciplinary officer, a reference in any provision of this Act to a conviction is to be construed as a reference to a finding of guilt made by a disciplinary officer.

**Trial and punishment of service offences under Act despite offender ceasing to be subject to Act**

**18.—**(1) Subject to section 19, where a service offence under this Act has been committed, or is reasonably suspected of having been committed, by any person while subject to this Act, then in relation to that service offence the person is to be treated, for the purposes of this Act relating to arrest, keeping in custody, investigation of charges, trial and punishment by a disciplinary officer including review and execution of sentences, as continuing to be subject to this Act despite the person's ceasing at any time to be subject thereto.

(2) Subject to section 19, where a service offence under this Act has been committed, or is reasonably suspected of having been committed, by any person while subject to this Act, then the disciplinary officer or Disciplinary Board before whom the offence is triable may, under the authority of the Commissioner, order that person to report for trial for the offence as if that person continued to be subject to this Act despite the person ceasing at any time to be subject to this Act.

[53/2018]

(3) Any person who fails to comply with any order under subsection (2) —

- (a) is deemed to have failed to comply with a lawful order within the meaning of section 35(1); and
- (b) is liable to be arrested, proceeded against and punished for an offence under section 35(1) as if the person continued to be subject to this Act.

[53/2018]

(4) Where, while a person is in service custody by virtue of this section (whether before, during or after trial) the person commits, or is reasonably suspected of having committed, an offence which if the person were subject to this Act would be a service offence, then in relation to that offence or suspected offence the person is to be treated, for the purposes of this Act mentioned in subsection (1) and the provisions thereof as to the dealing with charges by a disciplinary officer, as having been subject to this Act when the offence was

committed or is suspected of having been committed and as continuing to be subject to this Act thereafter.

(5) Where under subsection (1) or (4) a person is treated as being at any time subject to this Act for the purpose of any provision of this Act, that provision is to apply to the person —

- (a) if the person holds any service rank, as to a person having that rank; and
- (b) in any other case, as to a person having the rank which the person had when last actually subject to this Act.

(6) Where apart from this subsection any provision of this Act would under subsection (5) apply to a person, in relation to different service offences, as to a person having different ranks, the provision is to apply to the person as to a person having the lower or lowest of those ranks.

### **Limitation of time for trial of offences under Act**

**19.**—(1) Subject to subsection (2), a person is not liable to be tried by a disciplinary officer for a service offence unless the trial begins within 3 years after the later of the following dates:

- (a) the date on which the service offence was alleged to have been committed;
- (b) the date on which information relating to the commission of that offence was first reported to or discovered by an investigating officer for that service offence.

*[53/2018]*

(2) Every person who is subject to this Act at the time of the alleged commission by the person of a service offence of desertion or absence without leave continues to be liable to be charged, dealt with and tried at any time under this Act.

(3) In calculating the period of limitation referred to in subsection (1), there is not to be included —

- (a) any time during which a person was serving sentence in a prison;

- (b) any period of absence caused by a person's detention in a drug rehabilitation centre or at any other place pursuant to the provisions of any other written law; and
- (c) any period of absence in respect of which a person has been found guilty by a disciplinary officer of desertion or absence without leave.

(4) This section does not affect the jurisdiction of a court to try any person for any service offence committed by the person.

### **Jurisdiction of courts**

**20.**—(1) This Act does not affect the jurisdiction of any court to try a person for any offence under any other written law triable by the court where the act or omission of that person also constitutes a service offence.

(2) Where a person subject to this Act has been charged with a service offence and has had the charge dealt with by a disciplinary officer, a court is debarred from trying the person subsequently for an offence substantially the same as that offence.

(3) To avoid doubt, nothing in this Act is to be construed as restricting the jurisdiction of any court to try a person subject to this Act for an offence.

(4) For the purposes of this section, a case is deemed to have been dealt with by a disciplinary officer notwithstanding that the finding of that officer has been quashed, or the award of that officer quashed or varied, on the review thereof.

(5) A person subject to this Act must not be tried by a court for any service offence unless the Public Prosecutor has given his or her consent for the trial.

### **Persons not to be tried under Act for offences already disposed of**

**21.** Where a person subject to this Act has been tried for a service offence by a court or has had a service offence committed by the person taken into consideration by the court in sentencing him or her,

the person shall not be liable in respect of that offence to be dealt with and punished by a disciplinary officer pursuant to this Act.

### **Application of principles of Penal Code 1871**

**22.** The principles of the Penal Code 1871 with respect to criminal liability apply in relation to service offences under this Act.

## **PART 5**

### **SERVICE OFFENCES**

#### **Looting**

**23.** Any person who —

- (a) steals from, or, with intent to steal, searches the person of anyone killed or injured in a civil defence emergency;
- (b) steals any property which has been left exposed or unprotected in consequence of a civil defence emergency;
- (c) takes, otherwise than for the purposes of the Force, any property abandoned or left exposed in consequence of a civil defence emergency,

shall be guilty of the offence of looting and shall be liable on conviction to imprisonment for a term not exceeding 7 years or any other punishment authorised by this Act.

#### **Desertion**

**24.** Any person who being on duty, or having been notified to report for duty, with intent to remain permanently absent without leave, leaves or does not attend at, the person's place of duty without leave, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 10 years or any other punishment authorised by this Act.



**Connivance at desertion**

**25.** Any person who —

- (a) being aware of the desertion or intended desertion of a member, does not without reasonable excuse inform the person's superior officer immediately; or
- (b) fails to take any steps in the person's power to cause the apprehension of a member whom the person knows, or has reasonable cause to believe, to be a deserter,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

**Assault on guard**

**26.—(1)** Any person who —

- (a) commits an assault on a member who is on guard duty; or
- (b) by threat or force compels that member to let him or her or any other person pass a member's post,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

(2) In this section, any reference to a person on guard duty includes a reference to a person who is —

- (a) posted or ordered to patrol; or
- (b) a member of a guard or other party mounted or ordered to patrol,

for the purpose of —

- (c) protecting any person, premises or place or ship, vehicle, aircraft or other thing;
- (d) preventing or controlling access to, or egress from any premises or place or ship, vehicle, aircraft or other thing; or
- (e) regulating traffic by road, rail or water.

**Offence by or in relation to person on guard or on watch**

27.—(1) Any person who, while on guard duty or on watch —

- (a) sleeps at his or her post or on watch;
- (b) not being on duty at a post, sleeps when his or her duty requires him or her to be awake;
- (c) is drunk; or
- (d) leaves his or her post or otherwise absents himself or herself from a place where it is his or her duty to be,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

(2) In this section, “a person on guard duty” has the meaning given by section 26.

(3) For the purposes of this section, a person is deemed to be drunk if, and only if, the person’s faculties are, by reason of being under the influence of intoxicating liquor, a drug or a psychoactive substance, so impaired that —

- (a) it would be imprudent to trust the person, or to allow the person to continue, with the discharge of the person’s duties; or
- (b) the person is unfit for the discharge of the person’s duties.

*[Act 12 of 2023 wef 01/06/2024]*

**Violence to superior**

28. Any person who commits an assault on a person of a higher rank shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

**Assault on subordinate**

29. Any person who commits an assault on, or ill-treats, a person of a lower rank shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

**Cruel, indecent or disgraceful conduct**

**30.** Any person who behaves in a cruel, indecent or disgraceful manner or in a manner unbecoming of a member of the Force shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

**Obstruction of provost officer**

**31.** Any person who —

(a) obstructs; or

(b) when called upon refuses to assist,

a provost officer, or a person lawfully exercising authority under or on behalf of a provost officer, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

**Insubordinate behaviour**

**32.** Any person who —

(a) uses threatening, insubordinate or insulting language to a person of a higher rank; or

(b) in the presence of a person of a higher rank uses threatening, insubordinate or insulting language about the person of a higher rank,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

**Refusing medical or dental examination or treatment**

**32A.** Any person who, without reasonable excuse, does not submit to —

(a) a medical or dental examination or test;

(b) inoculation, vaccination or immunisation; or

(c) medical or dental treatment,

where required to by the Commissioner, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 6 months or to any other punishment authorised by this Act.

[53/2018]

### **Disobedience to command**

**33.** Any person who disobeys a lawful command given to him or her by a person of a higher rank shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 3 years or any other punishment authorised by this Act.

### **Failure to comply with direction of person-in-command**

**34.** Any person who, when in or near any service ship, aircraft or vehicle, fails to comply with a lawful direction given to him or her by or with the authority of the person-in-command of the ship, aircraft or vehicle —

- (a) in relation to the sailing or handling of the ship, flying or handling of the aircraft or handling of the vehicle; or
- (b) affecting the safety of the ship, aircraft or vehicle or persons on board the ship, aircraft or vehicle,

whether the person-in-command is a member or not, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

### **Failure to comply with order**

**35.—(1)** Any person who does not comply with a lawful order that is applicable to him or her shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

(2) In this section, “order” means —

- (a) an order, instruction or directive issued by, or under the authority of, the Commissioner; or

- (b) a general standing or routine order or instruction in force with respect to the Force.

### **Abuse of authority**

**36.** Any person who knowingly exceeds his or her authority over a person of a lower rank shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

### **Destruction of, or damage to, service property**

**37.** Any person who intentionally, recklessly or negligently destroys or damages service property shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 3 years or any other punishment authorised by this Act.

### **Causing irrecoverable loss of service property**

**37A.—(1)** Any person who wilfully causes the irrecoverable loss of any service property shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 3 years or any other punishment authorised by this Act.

[32/2010]

(2) Any person who, by any negligent act or omission, causes the irrecoverable loss of any service property shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

[32/2010]

### **Dishonest misappropriation of service property**

**38.** Any person who —

- (a) steals or dishonestly misappropriates any service property or any property belonging to a person subject to this Act or is concerned in the stealing or dishonest misappropriation of any such property; or
- (b) receives any service property or property belonging to a person subject to this Act knowing it to have been stolen or to have been dishonestly misappropriated,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 3 years or any other punishment authorised by this Act.

### **Misapplication and waste of service property**

**39.** Any person who misapplies or wastefully expends any service property shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

### **False statement in application**

**40.** Any person who, in or in connection with, or in support of, an application for any grant, payment, allotment of money or allowances, leave of absence or any other benefit or advantage, for himself or herself or another, makes, either orally or in writing, any statement which is to his or her knowledge false in a material particular shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

### **Falsification, etc., of service documents**

**41.—(1)** Any person who with a view to gaining for himself or herself or another or with intent to deceive another or cause loss to another —

- (a) makes or signs a service document that is false in a material particular;
- (b) makes in a service document an entry that is false in a material particular;
- (c) alters a service document so that the document is false in a material particular;
- (d) suppresses, defaces, makes away with or destroys a service document, or a part of a service document, that it is his or her duty to preserve or produce; or
- (e) does not make an entry in a service document that it is his or her duty to make,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

(2) In this section, “service document” means —

- (a) any document which is the property of the Force; or
- (b) any document submitted to the Force for any purpose,

and includes any such document in the form of an electronic record, and a reference to signing of a service document is deemed to include the application of an electronic signature to an electronic record.

[32/2010]

### **False statement in relation to appointment or enlistment**

**42.—**(1) Any person who —

- (a) for the purposes of the person’s appointment to or enlistment in the Force with intent to deceive —
  - (i) makes a false answer to any question set out in a document required to be completed in relation to the person’s appointment or enlistment;
  - (ii) provides any false information or document in relation to the person’s appointment or enlistment; or
  - (iii) does not disclose, if and when lawfully required to do so, particulars of any prior service in the Force; and
- (b) is subsequently appointed to or enlisted in the Force,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

(2) Any person who, with intent to deceive —

- (a) makes a false answer to any question set out in a document required to be completed in relation to the person’s appointment or enlistment;
- (b) provides any false information or document in relation to the person’s appointment or enlistment; or

(c) does not disclose, if and when lawfully required to do so, particulars of any prior service in the Force, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

### **False evidence**

**43.** Any person who having been lawfully sworn as a witness or as an interpreter in proceedings before a disciplinary officer or a board of inquiry makes a statement material in those proceedings which the person knows to be false or does not believe to be true shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

### **Delay or denial of justice**

**44.—(1)** Where any person is under arrest or in custody for an alleged service offence, a person who does not take such action as is required of the person by or under this Act —

- (a) to have the case of the firstmentioned person brought before a commanding officer for investigation; or
- (b) to have the case of the firstmentioned person disposed of or tried summarily by a disciplinary officer,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

(2) Where a person in custody under this Act is entitled to be released, a person who does not take such action as is required of him or her by or under this Act to release, or to order the release of the firstmentioned person shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.



**Resistance to arrest**

**45.** Any person who —

(a) refuses to obey a lawful order for the person's arrest; or

(b) commits an assault on —

(i) a member who gives the order; or

(ii) a person, whether a member or not who attempts to apprehend the firstmentioned person, or take or hold the firstmentioned person in custody, pursuant to the order,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 3 years or any other punishment authorised by this Act.

**Escape from custody**

**46.** Any person who escapes from custody or a place of detention in which the person is being held under this Act shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 3 years or any other punishment authorised by this Act.

**Unlawful release, etc., of person in custody**

**47.—(1)** Any person who allows to escape or without authority releases a person who is delivered into his or her custody under this Act or whom it is his or her duty to guard shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

(2) Any person who facilitates the escape of a person who is in custody or confinement under this Act shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

(3) Any person who with intent to facilitate an escape from a place of confinement under this Act conveys anything into that place shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

**Absence without leave**

**48.**—(1) Any person who is absent without leave shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

(2) For the purposes of this section, a person is absent without leave if the person —

- (a) without authority leaves his or her place of duty;
- (b) without authority is absent from his or her place of duty;
- (c) having been authorised to be absent from his or her place of duty, fails to return to his or her place of duty at the expiration of the period for which his or her absence was authorised; or
- (d) having been notified to report for duty fails to report to his or her place of duty without lawful excuse.

(3) It is a defence for any person charged with an offence under this section to prove that the person's absence was a result of circumstances over which the person had no control.

[32/2010]

**Malingering**

**49.**—(1) Any person who with intent to render or keep himself or herself unfit for service or duty —

- (a) injures himself or herself or causes or permits himself or herself to be injured; or
- (b) by act or omission causes himself or herself to suffer from a sickness or disability or prolongs or aggravates a sickness or disability from which he or she suffers,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 12 months or any other punishment authorised by this Act.

(2) Any person who, with intent to avoid service or duty, falsely represents himself or herself to be suffering from a sickness or disability shall be guilty of an offence and shall be liable on

conviction to imprisonment for a term not exceeding 12 months or any other punishment authorised by this Act.

### **Drunkenness on duty, etc.**

**50.**—(1) Any person who —

(a) is drunk on duty; or

(b) is drunk when the person reports or should report for duty,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 6 months or any other punishment authorised by this Act.

(2) For the purposes of this section, a person is deemed to be drunk if, and only if, the person's faculties are, by reason of being under the influence of intoxicating liquor, a drug or a psychoactive substance, so impaired that —

(a) it would be imprudent to entrust the person, or to allow the person to continue, with the discharge of the person's duties; or

(b) the person is unfit for the discharge of the person's duties.

*[Act 12 of 2023 wef 01/06/2024]*

### **Assaults, insulting words, etc.**

**51.** Any person who, on service land, in a service ship, aircraft or vehicle or in a public place —

(a) commits an assault on another person;

(b) causes a disturbance or behaves in a manner likely to cause a disturbance;

(c) behaves in an obscene manner;

(d) uses insulting or provocative words to another person; or

(e) by reason of being under the influence of intoxicating liquor, a drug or a psychoactive substance behaves in a disorderly manner,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

*[Act 12 of 2023 wef 01/06/2024]*

### **Negligent performance of duty**

**52.** Any person who, in the performance of a duty that he or she is required by his or her office or appointment to perform, does not exercise such care as he or she could reasonably be expected to exercise having regard to the activities upon which he or she is engaged and to his or her training and experience in the Force shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 3 years or any other punishment authorised by this Act.

### **Contempt**

**53.** Any person who —

- (a) fails to comply with a summons or order to attend as a witness at a board of inquiry or at a trial of a service offence before a disciplinary officer;
- (b) refuses to take an oath or make an affirmation when required to do so by a disciplinary officer at a trial of a service offence or by a board of inquiry;
- (c) refuses to produce any document or material in the person's custody or control which a board of inquiry, a disciplinary officer or an investigating officer lawfully requires the person to produce;
- (d) as a witness refuses to answer any question which a board of inquiry or a disciplinary officer lawfully requires an answer;
- (e) wilfully insults a disciplinary officer at a trial of a service offence or a board of inquiry; or
- (f) wilfully interrupts, obstructs or disturbs the proceedings of a trial before a disciplinary officer or a board of inquiry,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years or any other punishment authorised by this Act.

### **Attempts to commit service offence**

**54.**—(1) Any person who, with intent to commit an offence under this Part, by act or omission behaves in a manner that is, or that the person believes to be, a substantial step towards the commission of the offence is deemed, for the purpose of this section, to have attempted to commit the offence.

(2) Any person who attempts to commit a service offence under any of the provisions of this Part shall be liable on conviction to the like punishment for that offence.

(3) Any person charged with attempting to commit a service offence may be convicted of the attempt even though the evidence in the proceedings proves that the person committed the offence.

(4) Where an attempt to commit a service offence is voluntarily abandoned, the fact and circumstances of that abandonment may be taken into consideration in mitigation of any punishment to be imposed in respect of the attempt.

### **Aiding, etc., commission of service offence**

**55.** Any person who intentionally or recklessly —

- (a) aids, abets, counsels or procures;
- (b) incites to, urges or encourages; or
- (c) commands or orders,

the commission of a service offence shall be guilty of the offence.

### **Conduct to the prejudice of Force discipline**

**56.** Any person who is guilty of any conduct or neglect to the prejudice of good order or discipline of the Force shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding one year or any other punishment authorised by this Act.

## PART 6

## ARREST, CUSTODY AND SEARCH

**Arrest without warrant**

**57.—(1)** A member may, without warrant, arrest a person over whom the member has a power of arrest if —

- (a) the member finds the person committing a service offence;  
or
- (b) the member suspects, on reasonable grounds, that the person is committing or has committed a service offence and believes, on reasonable grounds, that the arrest of the person without warrant is necessary —
  - (i) to ensure the appearance of the person before a disciplinary officer;
  - (ii) to prevent any further disturbance of a substantial nature to public order;
  - (iii) to ensure the personal safety or wellbeing of the person; or
  - (iv) to prevent persistence in, or a repetition or continuance of, the service offence.

(2) For the purposes of this section —

- (a) an officer has subject to the regulations a power of arrest over —
  - (i) a member of a lower rank; and
  - (ii) any officer, if the officer is behaving in a disorderly or violent manner;
- (b) a non-commissioned officer has a power of arrest over —
  - (i) a serviceman of a lower rank; and
  - (ii) any serviceman, if the serviceman is behaving in a disorderly or violent manner;

- (c) a provost officer, or a person lawfully exercising authority under or on behalf of a provost officer, has a power of arrest over any member; and
- (d) a police officer has a power of arrest over a person whom the police officer suspects on reasonable grounds —
  - (i) to be unlawfully at large during the currency of a sentence of imprisonment or detention imposed under this Act; or
  - (ii) to be in desertion or absence without leave.

(3) A power of arrest under this section may be exercised personally or by giving an order for the arrest of the person concerned, and it is the duty of the member to whom such an order is given to carry out the order.

### **Arrest under warrant**

**58.**—(1) A commanding officer, an officer superior in command to that officer or an officer authorised by the regulations may issue a warrant for the arrest of a person subject to this Act where that person is not present and the issuing officer has reasonable grounds for suspecting that that person —

- (a) has committed an offence against this Act; and
- (b) will not appear before a disciplinary officer.

(2) A police officer or a member may, in execution of a warrant issued in accordance with subsection (1), arrest the person for whose arrest the warrant has been issued.

### **Reasonable force to effect arrest**

**59.** Any person authorised to effect an arrest may use such force as is reasonably necessary for that purpose.

### **Arrested person to be informed of alleged offence**

**60.** A person exercising a power of arrest must inform the person he or she is arresting at the time of the arrest, in ordinary language, of the nature of the charge upon which the person is being arrested, unless it

is not reasonably practicable to do so or unless the reason for the arrest is obvious in the circumstances.

### **Detention in civil custody of arrested person**

**61.** Any police officer may detain a person arrested (whether by himself or herself or by another) at a police station or other place provided for the holding of persons in custody for such time as is reasonably necessary to enable the arrested person to be delivered into the custody of a provost officer or of any other member who is authorised for the purpose by or under the regulations.

### **Person in custody to be dealt with in accordance with Act**

**62.** It is the duty of a member who receives a person into the member's custody to deal with the person as provided by this Act and the regulations.

### **Avoidance of delay after arrest**

**63.—(1)** When a member exercises his or her power of arrest or receives a person into service custody, the member must as soon as practicable having regard to the circumstances of the arrest cause the person arrested to be transferred to the custody of a commanding officer.

(2) Where a person arrested has come into the custody of a commanding officer, that commanding officer must release the person arrested as soon as the person's continued custody, for one of the reasons specified in section 57(1)(b), is no longer necessary and may impose such restrictions as are permitted by section 64.

(3) When a person arrested is not released in accordance with subsection (2), the commanding officer into whose custody the person arrested has been transferred in accordance with subsection (1) must, within 24 hours of receiving the person into custody, cause the person to be given a copy of the charge on which the person is being held.

(4) Within 48 hours of a person arrested being received into custody of a commanding officer, the commanding officer is to cause proceedings to be commenced for the hearing and determination of



the charge or report his or her reasons for not so doing to the appropriate authority.

(5) Where a person who has been charged with an offence remains in custody for a period exceeding 4 days without the charge having been disposed of or tried by a disciplinary officer, the commanding officer must make a written report to the appropriate authority stating the reasons for the delay.

(6) The commanding officer must make a similar report to the appropriate authority at the conclusion of each subsequent period of 4 days if the person is still held in custody without the charge having been disposed of or tried by a disciplinary officer.

(7) A commanding officer who certifies in writing that, having regard to the exigencies of service, it is not reasonably practicable to do so, is not required to comply with subsection (5) or (6).

(8) Where a person remains in custody for 8 days and the charge against the person has not been heard and determined, it is the duty of the appropriate authority to whom a report under subsection (5) or (6) has been made to notify the Commissioner of the reasons why the charge has not been heard and determined.

(9) Upon receipt of a notification in accordance with subsection (8), the Commissioner must, unless the Commissioner is satisfied that it is proper that the person should continue in custody, order the release of the person from custody.

### **Conditional release**

**64.—**(1) A commanding officer may at any time release from custody a person charged with an offence and may impose such reasonable restrictions on the person as the commanding officer considers appropriate.

(2) A person released under subsection (1) or under section 63 may only be returned into custody —

- (a) if the person is in breach of a restriction imposed upon the person under subsection (1);
- (b) if the person is arrested under section 57 or 58 in relation to another offence; or

(c) if it is necessary for any of the reasons specified in section 57(1)(b).

(3) A restriction imposed upon a person under subsection (1) may, at any time, be revoked by the officer who imposed it, or by an officer acting in the place of that officer and, if not so revoked ceases to have effect when —

(a) the person is again taken into custody in connection with the charge; or

(b) the charge is heard and determined.

### **Making of physical examination**

**65.**—(1) Where a person is in custody and a provost officer believes, on reasonable grounds, that the making of a physical examination of the person may —

(a) provide evidence of the commission of an offence by the person; or

(b) provide evidence of the identity of the person,

that officer may authorise a duly qualified medical practitioner to make a physical examination of the person and may authorise the use of such force as is reasonably necessary to convey that person to a duly qualified medical practitioner.

(2) A duly qualified medical practitioner who is authorised to do so under subsection (1) may make a physical examination of a person and may, for that purpose, use such force and obtain such assistance as is reasonably necessary.

(3) Where a duly qualified medical practitioner makes a physical examination of a person under this section, that medical practitioner has to give to the provost officer who authorised the examination a report setting out the results of the examination.

### **Search of place where person sought to be arrested has entered**

**66.**—(1) If any person acting with a warrant of arrest issued under section 58 or acting without a warrant of arrest under section 57 has reason to believe that any person to be arrested has entered into or is

within any place, the person residing in or in charge of such place must, on demand of such person acting as aforesaid, allow him or her free entry thereto and afford all reasonable facilities for search therein of the person to be arrested.

(2) Where free entry to such place cannot be obtained under subsection (1) it is lawful for a person acting with a warrant of arrest or a provost officer acting without a warrant of arrest, where such warrant is not immediately obtainable in order to enter such place, to break open any outer or inner door or window of any place whether that of the person to be arrested or of any other person if, after notification of his or her authority and purpose and demand of admittance duly made, he or she cannot otherwise obtain admittance.

### **Search of person in custody**

**67.** Subject to section 68, where a person is in custody —

- (a) the person whose custody he or she is in;
- (b) a provost officer; or
- (c) a person acting in accordance with the directions of a person referred to in paragraph (a) or (b),

may search the firstmentioned person and may take from the firstmentioned person anything found on him or her.

### **Search by person of same sex, etc.**

**68.** Despite section 67 —

- (a) a person must not be searched except by a person of the same sex;
- (b) a person must not be searched except in the presence of a third person of the same sex; and
- (c) an officer must not be searched except by or under the authority of an officer.

### **Disposal of property taken on search**

**69.—(1)** Where property of which possession has been taken under section 67 is required as evidence in connection with a charge, the

property may be retained for that purpose and then disposed of as the disciplinary officer hearing the charge orders but, if it is not so required, it must be returned to the person from whose possession it was taken.

(2) The power to retain and dispose of property conferred by subsection (1) is in addition to, and not in derogation of, the powers conferred by any other provision of this Act.

## PART 7

### TRIAL AND PUNISHMENT BY DISCIPLINARY OFFICERS

#### **Manner of dealing with charges**

**70.**—(1) Before an allegation against a person subject to this Act (called in this Act the accused) that he or she has committed a service offence is further proceeded with, the allegation must —

- (a) if the accused is a public officer — be reported in the form of a charge to a disciplinary officer and dealt with in accordance with the provisions of this Part; or
- (b) if the accused is not a public officer —
  - (i) be reported in the form of a charge to a disciplinary officer and dealt with in accordance with the provisions of this Part; or
  - (ii) be referred to a member or public officer authorised by the Commissioner to compound service offences for composition of the offence under section 85A.

*[Act 24 of 2022 wef 28/10/2022]*

(2) A disciplinary officer when dealing with a charge against an accused —

- (a) must refer the charge to the Commissioner if the accused is a public officer or if the disciplinary officer considers that the charge ought to be dealt with by a court;
- (b) may dismiss the charge if the disciplinary officer is of the opinion that it ought not to be further proceeded with; or
- (c) may try the accused.

(3) References in this Act to dealing with a charge by a disciplinary officer are references to the taking by the appropriate disciplinary officer, as the case may require, of the following actions:

- (a) determining whether the accused is guilty;
- (b) dismissing the charge or recording a finding of guilt accordingly; and
- (c) awarding punishment.

### **Manner of dealing with charge against members who are public officers**

71. A charge against an accused who is a public officer may, if the Commissioner thinks fit, be referred to the Public Service Commission for the member to be dealt with by the Public Service Commission in accordance with the regulations governing disciplinary proceedings against officers in the public service.

### **Jurisdiction of disciplinary officers**

72.—(1) If the accused is an officer below the rank of lieutenant-colonel, the charge must, within such time as may be prescribed, be brought before a senior disciplinary officer who is at least 2 ranks above the accused.

(2) If the accused is a senior warrant officer or a warrant officer, the charge must, within such time as may be prescribed, be brought before a senior disciplinary officer.

*[32/2010]*

(3) If the accused is a serviceman below the rank of warrant officer, the charge must, within such time as may be prescribed, be brought before a junior disciplinary officer.

### **Trial of former members**

73. A person who is subject to this Act under section 16 may be tried for an offence committed while the person was a member only by a court.

## Dismissal of charge

74. Where a disciplinary officer dismisses a charge, the disciplinary officer must record the reason for the dismissal of the charge.

## Punishments

75.—(1) Where a junior disciplinary officer finds an accused guilty of a charge, the junior disciplinary officer may award one of the following punishments:

- (a) detention for a period not exceeding 40 days;
- (b) a fine not exceeding \$1,500;
- (c) a reprimand;
- (d) any other minor punishment that may be prescribed by regulations.

[53/2018]

(2) Where a senior disciplinary officer finds an accused guilty of a charge, the senior disciplinary officer may award one of the following punishments:

- (a) if the accused is a warrant officer (of any rank), detention for a period not exceeding 40 days;
- (b) if the accused is a warrant officer (of any rank), second lieutenant or lieutenant, a fine not exceeding \$2,000 or, if the accused is a captain or major, a fine not exceeding \$3,000;
- (c) a reprimand;
- (d) any other minor punishment that may be prescribed by regulations.

[53/2018]

(3) Where a disciplinary officer is of the opinion that the accused should be reduced in rank in addition to or in lieu of any punishment which may be awarded by the disciplinary officer, he or she may refer the charge and the record of the proceedings to the Commissioner with a recommendation that the accused be reduced in rank and the Commissioner may, at his or her discretion but subject to section 76B,

reduce the rank of the accused in addition to or in substitution for the punishment imposed by the disciplinary officer.

[53/2018]

(4) In addition to any of the punishments mentioned in subsection (1), a disciplinary officer may order an officer or serviceman found guilty of any offence under this Act to pay compensation, not exceeding \$300, to any person who suffered bodily injury, damage or loss occasioned by the commission of the service offence.

[32/2010]

(5) In addition to or in lieu of any other punishment, a disciplinary officer may order the accused to pay such sum as the disciplinary officer may determine as compensation to the Government for the loss of or damage to any service property or part thereof occasioned by the commission of the service offence.

(6) In assessing the amount of compensation payable under subsection (5), the disciplinary officer must have regard to the earnings of the accused.

(7) Nothing in subsection (4) shall prejudice the right of any person to a civil remedy for the recovery of damages beyond the amount of compensation ordered.

### **Power of Disciplinary Board to deal with charges against lieutenant-colonel, etc.**

**76.—**(1) A charge against an officer of the rank of lieutenant-colonel or above may be dealt with only by a Disciplinary Board consisting of 3 persons (none of whom may be the Commissioner) appointed for the purpose, either generally or specially, by the Minister.

[53/2018]

(2) The following provisions apply to an officer dealt with by a Disciplinary Board as if the officer were dealt with by a disciplinary officer:

Sections 17, 18(1), 19(1) and (3), 20, 21, 43, 53, 74, 75(4), (5), (6) and (7), 83, 85, 89(1)(b), (c) and (d), 91, 97 and 115(2)(e).

[53/2018]

- (3) A Disciplinary Board may —
- (a) dismiss the charge if it thinks that the charge ought not to be proceeded with; or
  - (b) deal with the case and upon conviction of the accused impose —
    - (i) a reprimand; or
    - (ii) if the accused is a lieutenant-colonel or a colonel, a fine not exceeding \$6,000, or if the accused is an Assistant Commissioner, a fine not exceeding \$10,000,

and may additionally make a recommendation to the Minister that the accused be reduced in rank, and the Minister may, subject to section 76B, reduce the rank of the accused in addition to or in substitution for the punishment imposed by the Disciplinary Board.

[53/2018]

### **Appeal against award or finding**

**76A.**—(1) An accused who is aggrieved by a finding or punishment awarded by a disciplinary officer or Disciplinary Board may, within 5 days after being notified of the finding or punishment (or a longer or shorter period if prescribed in substitution), appeal to the Commissioner against the finding or punishment.

[53/2018]

(2) An appeal under subsection (1) must be made in such form and manner as may be prescribed.

[53/2018]

(3) Where an appeal has been made under subsection (2) against a finding or punishment awarded by a disciplinary officer or Disciplinary Board, the punishment awarded is suspended pending the determination of the appeal.

[53/2018]

(4) The Commissioner may determine an appeal under subsection (2) against a finding or punishment awarded by a disciplinary officer or Disciplinary Board —



- (a) by confirming any finding of guilt or punishment ordered by the disciplinary officer or Disciplinary Board;
- (b) by quashing any finding of guilt or punishment ordered by the disciplinary officer or Disciplinary Board and, if the Commissioner is of the opinion that the case against the appellant should be re-tried, by ordering the case to be re-tried by another disciplinary officer or Disciplinary Board;
- (c) by replacing any finding by the disciplinary officer or Disciplinary Board that, in the Commissioner's opinion, is illegal or cannot be supported by the evidence with a new finding that could validly have been made by the disciplinary officer or Disciplinary Board on the charge and on the facts; or
- (d) by varying the punishment by way of enhancement, reduction, substitution or otherwise except that no greater or more severe punishment is to be ordered unless the appellant has been given a reasonable opportunity of being heard.

[53/2018]

(5) The Commissioner's decision under this section is final.

[53/2018]

(6) Every appellant must be notified of the Commissioner's decision under this section.

[53/2018]

(7) The Commissioner may designate a Deputy Commissioner to hear and determine, in the Commissioner's place, any appeal to the Commissioner under subsection (1).

[53/2018]

(8) A reference to the Commissioner in subsections (4), (5) and (6) includes a reference to a person designated under subsection (7).

[53/2018]

### **Reduction after conviction**

**76B.** Where a disciplinary officer or Disciplinary Board recommends to the Commissioner or the Minister under section 75(3) or 76(3)(b) to reduce the rank of an accused, the

Commissioner or the Minister must not reduce the rank of the accused before —

- (a) the expiry of the period for making an appeal under section 76A(1); or
- (b) the determination of any appeal under section 76A,

whichever is later.

[53/2018]

### **Commencement of sentence of detention**

77.—(1) A sentence of detention imposed as a punishment takes effect from the date on which it was passed, unless the disciplinary officer passing the sentence otherwise directs.

(2) Where a person convicted of a service offence was already under service custody prior to the date on which an order for the person's detention was made, the sentence of detention takes effect from the date the person was in service custody.

### **Sentence of detention**

78. Any person sentenced to detention under this Act must, unless otherwise provided for in the regulations, serve the person's sentence in detention barrack.

### **Suspension of sentence**

79.—(1) It is lawful for a disciplinary officer when passing a sentence of detention to order that the sentence be suspended and the accused must not in that event be committed to detention barrack.

(2) Where any such sentence is suspended and the offender so sentenced is sentenced for a fresh offence during the period of suspension by a disciplinary officer to detention, the disciplinary officer —

- (a) may cancel the suspension of the earlier sentence; and
- (b) must direct whether the 2 sentences are to run concurrently or consecutively.

### **Provisions as to persons unlawfully at large**

**80.**—(1) Any person who, having been sentenced to detention under this Act, is at large may (without prejudice to any other power of arrest) be arrested by any police officer or any officer of the Force or a provost officer without warrant and taken to any place in which the person may be required to be detained in accordance with this Act.

(2) Where any person sentenced to detention under this Act is at large at any time during the period for which the person is liable to be detained in pursuance of the sentence, no account is to be taken, in calculating the period for which the person is liable to be so detained, of any time elapsing after the person was at large and before either the person is taken into custody or the person is received into a detention barrack.

### **Review of findings and awards**

**81.**—(1) Where a charge has been dealt with by a disciplinary officer otherwise than by the dismissal thereof, the Commissioner may review the finding or award.

*[53/2018]*

(2) Where on a review under this section it appears to the Commissioner expedient to do so by reason of any mistake in law in the proceedings on the dealing with the charge or of anything occurring in those proceedings which in the Commissioner's opinion involved substantial injustice to the accused, the Commissioner may quash the finding and may order a re-trial if the Commissioner considers that a re-trial is necessary in the interests of justice.

*[53/2018]*

(3) If a finding in any proceedings is quashed under subsection (2) and the award made in those proceedings relates only to the finding quashed, the Commissioner may also quash the award.

*[53/2018]*

(4) If the award relates also to any other finding and it appears to the Commissioner that the award was not warranted by this Act in respect of that other finding, the Commissioner may vary the award by substituting such punishment as the Commissioner may think proper, being a punishment which could have been included in the original award in relation to that other finding, and not being in the opinion of

the Commissioner more severe than the punishment included in the original award.

[53/2018]

(5) Where on a review under this section it appears to the Commissioner that a punishment awarded was invalid, or too severe, the Commissioner may vary the award by substituting such punishment as the Commissioner may think proper, being a punishment which could have been included in the original award and not being in the Commissioner's opinion more severe than the punishment included in the original award.

[53/2018]

(6) Where on a review under this section it appears to the Commissioner that an order to pay compensation made under section 75(4) or (5) was invalid, or unduly excessive, the Commissioner may quash the order or vary the amount of compensation payable under the order.

[53/2018]

(7) The Commissioner may at any time suspend the execution of any sentence passed by a disciplinary officer for such period as the Commissioner thinks fit.

[53/2018]

**82.** [*Repealed by Act 32 of 2010*]

### **Inapplicability of law of evidence**

**83.** A disciplinary officer is not bound by the law of evidence and must act in such manner as seems to the disciplinary officer most expedient for the disposal of the charge.

### **Detention in default of payment of fine**

**84.—**(1) A disciplinary officer, if he or she is empowered under this Act to impose detention as a punishment, may direct that in default of the payment of any fine imposed by him or her on any offender, the offender must, subject to subsection (2), undergo detention for such period as the disciplinary officer may determine.

(2) The period of detention which a disciplinary officer may direct under subsection (1) is as follows:

- (a) if the fine does not exceed \$300, detention for a period not exceeding 10 days;
- (b) if the fine exceeds \$300 but does not exceed \$1,000, detention for a period not exceeding 20 days;
- (c) in any other case, detention for a period not exceeding 40 days.

[32/2010; 53/2018]

(3) Such detention takes effect from such date as the disciplinary officer may direct and terminates whenever the fine is paid.

### **Rules of Procedure**

**85.**—(1) Subject to this section, the Minister may make rules (called in this Act the Rules of Procedure) with respect to the investigation and trial of, and awarding of punishment for, offences which may be dealt with by a disciplinary officer.

(2) Without limiting subsection (1), the Rules of Procedure may make provision with respect to all or any of the following matters:

- (a) the procedure to be observed in the bringing of charges before a disciplinary officer;
- (b) the manner in which charges so brought are to be investigated, and the taking of evidence (whether orally or in writing, whether or not on oath and whether in full or in summary or abstract form) for the purpose of investigating or dealing with such charges;
- (c) the addition to, or substitution for, a charge which has been investigated of a new charge for an offence disclosed by evidence taken on the investigation and the treating of the investigation as the investigation of the new charge;
- (d) the procedure to be observed in proceedings before a disciplinary officer;
- (e) procuring the attendance of witnesses before such proceedings and at the taking of evidence pursuant to rules made under paragraph (b);

- (f) empowering a disciplinary officer to amend a charge which is being tried by him or her;
- (g) the forms of orders and other documents to be made or used for the purposes of any provision of this Act or the Rules of Procedure relating to the investigation or trial of, or award of punishment for, service offences; and
- (h) any matter which by this Part is required or authorised to be prescribed.

(3) Any provision of the Rules of Procedure which is inconsistent with the provisions of this Act is to the extent of the inconsistency void.

### **Composition of service offences**

**85A.**—(1) Subject to subsection (2), any member or public officer authorised by the Commissioner to compound service offences (called in this section an authorised composition officer), may compound any service offence that is prescribed as a compoundable offence (called in this section a prescribed offence) by collecting from an accused (not being a public officer) reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

- (a) one half of the amount of the maximum fine that is authorised to be imposed by a disciplinary officer on the accused for the offence under this Part;
- (b) \$5,000.

(2) An authorised composition officer must not compound a prescribed offence reasonably suspected to have been committed by an accused who is in the same chain of command as the authorised composition officer.

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

(4) All sums collected for the composition of a service offence under this Act must be paid into the Consolidated Fund.

*[Act 24 of 2022 wef 28/10/2022]*

## PART 8

## POWERS OF INVESTIGATION

**Provost officer may investigate service offences**

**86.** A provost officer may conduct an investigation where there is reason to believe that a service offence has been committed.

**Powers of investigation of provost officer**

**87.—(1)** In an investigation relating to the commission of a service offence, a provost officer has all the powers of a police officer under the Criminal Procedure Code 2010 in relation to an investigation of a seizable offence.

[15/2010]

(2) For the purposes of subsection (1), when a provost officer is exercising the powers of a police officer under the Criminal Procedure Code 2010, the provost officer is deemed to be an officer not below the rank of inspector of police.

[15/2010]

## PART 9

## DEDUCTIONS FROM PAY OF MEMBER

**Authorised deductions only to be made from pay**

**88.** The pay of a member is to be paid without any deduction other than the deductions authorised by this Act or by any other written law.

**Deductions from ordinary pay of member**

**89.—(1)** Subject to subsection (2), the following deductions may, or if the regulations so provide must, be made from the ordinary pay due to a member:

(a) all ordinary pay —

- (i) for every day of absence on desertion or without leave, or for overstaying the period for which leave of absence is granted;
- (ii) for every day of imprisonment, corrective training, preventive detention, reformatory training or

detention of any other description, to which the member is liable in consequence of an order or sentence of a court;

- (iii) for every day of detention imposed by a disciplinary officer under section 75;
  - (iv) for every day during which the member is in a drug rehabilitation centre;
  - (v) for every day during which the member is in hospital on account of sickness certified by the proper medical officer attending to the member at the hospital to have been caused by a service offence committed by the member;
- (b) the sum required to make good any compensation which a disciplinary officer has in exercise of the powers conferred by section 75(4) ordered the member to pay to any person;
  - (c) the sum to make good any compensation which a disciplinary officer has under section 75(5) ordered the member to pay to the Government;
  - (d) the sum required to pay any fine or penalty which a disciplinary officer before which the member has been charged with a service offence has ordered the member to pay; and
  - (e) the sum which the member is required to pay as contribution to the Government pursuant to an order made under section 92(3).

(2) The total amount of deductions from the ordinary pay due to a member in respect of the sums referred to in subsection (1) must not exceed such sums as will leave to the member less than \$5 a day.

[32/2010]

(3) A member must not be subjected to any deduction greater than the sums which he or she has been ordered to pay to make good the loss or damage.



**Supplemental provisions as to deductions from ordinary pay**

**90.**—(1) Any sum authorised by this Act to be deducted from the ordinary pay of a member may, without prejudice to any other mode of recovering the same, be deducted from the ordinary pay or from any sum due to the member, in such manner, and when deducted or recovered may be appropriated in such manner, as may from time to time be directed by the regulations.

(2) The regulations may from time to time declare what is, for the purposes of this Act relating to deductions from pay, deemed to constitute a day of absence or a day of imprisonment or detention, so that —

- (a) no person may be treated as absent, imprisoned or detained for the purposes of this Act unless the absence, imprisonment or detention has lasted 6 hours or more, except where the absence prevented the absentee from fulfilling any duty;
- (b) a period of absence, imprisonment or detention which commences before and ends after midnight may be reckoned as a day;
- (c) the number of days may be reckoned as from the time when the absence, imprisonment or detention commences; and
- (d) no period of less than 24 hours may be reckoned as more than one day.

**Write-off of public property**

**91.** Without affecting section 19 of the Financial Procedure Act 1966 —

- (a) where, during or at the conclusion of a trial by a disciplinary officer, the disciplinary officer —
  - (i) makes an order under section 75(5) for the payment of compensation for part of the loss of or damage to service property; or

(ii) does not make any order for the payment of compensation for the loss of or damage to service property; or

(b) where there is any loss of or damage to any service property which was caused by the commission of an offence which has been dealt with by a court,

the Commissioner may write off the full value or part thereof of the loss or damage to service property which remains irrecoverable or unrecovered.

## PART 10

### BOARD OF INQUIRY

#### **Board of inquiry**

**92.**—(1) Where it is expedient that the Minister, or such other person as the Minister may appoint to exercise the powers conferred upon the Minister by this Part, should be informed on any matter connected with the government, discipline, administration or functions of the Force or affecting any person subject to this Act, the Minister or the person appointed by the Minister may convene a board of inquiry.

[32/2010]

(2) A board of inquiry must inquire into and report on the facts relating to any matter referred to it and, if directed by the Minister to do so, express its opinion on any question arising out of any such matter.

(3) The Minister may, where a board of inquiry has found that any wrongful or negligent act or omission of a member has caused or will cause the Government to suffer any loss or to incur any liability arising from the negligent act or omission of the member, order the member (whether or not he or she is still a member when the order is made) to pay such sum as the Minister may determine as contribution to the Government for the loss or liability.

(4) The Minister may write off the value of any loss which remains irrecoverable or unrecovered.

(5) The Minister may exercise the powers conferred by this section even though any other person has been appointed under subsection (1).

(6) In this Part, “Minister” includes the person appointed by the Minister under subsection (1) to act on his or her behalf for the purposes of this Part.

### **Composition**

**93.**—(1) A board of inquiry consists of one or more persons who must be appointed by the Minister.

(2) Where a board of inquiry consists of more than one person, the Minister must appoint one of the members to be the chairperson.

(3) Where a board of inquiry consists of one member only, he or she is to be vested with the powers of chairperson.

(4) Members of a board of inquiry need not necessarily be members of the Force.

### **Powers**

**94.** A board of inquiry may —

- (a) summon any person to give evidence on oath or on affirmation or produce any document or material necessary for the purpose of the inquiry; and
- (b) visit any place in order to inquire into any matter which may arise in the course of the inquiry.

### **Summoning and privilege of witnesses at board of inquiry and misconduct of civilian thereat**

**95.**—(1) Every person required to give evidence before a board of inquiry may be summoned or ordered to attend the proceedings of the board.

(2) Every person attending pursuant to such summons or order as a witness before any board has, during the person’s necessary attendance at such inquiry and in going to and returning from the same, the same privilege from arrest as he or she would have if he or she were a witness before a civil court.

- (3) Where any person who is not subject to this Act —
- (a) on being duly summoned as a witness before a board of inquiry and after payment or tender of the reasonable expenses of the person's attendance, makes default in attending; or
  - (b) being in attendance as a witness —
    - (i) refuses to take an oath lawfully required by the board to be taken;
    - (ii) refuses to produce any document in the person's power or control lawfully required by the board to be produced by him or her; or
    - (iii) refuses to answer any question to which a board may lawfully require an answer,

the chairperson of the board may certify the offence of the person under the hand of the chairperson to a Magistrate's Court and that Court may thereupon inquire into the alleged offence.

(4) After examining any witness that may be produced against or on behalf of the person so accused, and after hearing any statement that may be offered in defence, the Magistrate's Court may, if it seems just, punish the person in the like manner as if he or she had committed the offence in a proceeding in the Court.

(5) Where a person not subject to this Act when examined on oath or on affirmation before a board of inquiry wilfully gives false evidence, he or she shall be guilty of an offence and shall be liable on conviction before a competent court to be punished for the offence of giving false evidence in a judicial proceeding.

(6) Where a person not subject to this Act is guilty of any contempt towards a board of inquiry —

- (a) by using insulting or threatening language;
- (b) by causing any interruption or disturbance in its proceedings; or

- (c) by printing observations or using words calculated to influence the members of or witnesses before the board or to bring the board into disrepute,

the chairperson of the board may certify the offence of the person under the hand of the chairperson to a Magistrate's Court.

(7) The Magistrate's Court may thereupon inquire into the alleged offence as specified in subsection (6), and after hearing —

- (a) any witness that may be produced against or on behalf of the person so accused; and
- (b) any statement that may be offered in defence,

if it seems just, punish or take steps for the punishment of the person in the like manner as if he or she had been guilty of contempt of that Court.

### **Evidence and procedure**

**96.** Except as otherwise provided in this Act, a board of inquiry is not bound by the rules of evidence and may act in such manner as it thinks most expedient.

### **Admissibility of evidence**

**97.** No statement made in the course of any inquiry and no report of a board of inquiry are admissible as evidence in proceedings before a disciplinary officer other than proceedings for an offence under section 43.

### **Sittings not open to public**

**98.—(1)** A board of inquiry must not sit in public.

(2) A person is not allowed to attend an inquiry or address the board of inquiry except with the permission of the chairperson of the board or if the Minister so directs.

### **Person who may be affected by finding**

**99.—(1)** Where it appears to a board of inquiry that any person subject to this Act may be adversely affected by its findings, it must notify him or her thereof and give him or her an opportunity to be

present at the sittings of the board of inquiry or at such part thereof as the chairperson of the board may specify.

(2) Any such person as referred to in subsection (1) is allowed to give evidence and examine witnesses.

### **Record of proceedings**

**100.**—(1) The chairperson of the board of inquiry is to record or cause to be recorded in writing the proceedings of the board.

(2) The evidence of each witness before the board of inquiry must be read over to the person and must be signed by that person.

(3) A record of the proceedings must be signed by the chairperson of the board of inquiry and its members (if any) and forwarded to the Minister.

## PART 11

### CIVIL DEFENCE FORCE FUND

#### **Civil Defence Force Fund**

**101.**—(1) A fund called the Civil Defence Force Fund is established.

(2) The Fund consists of —

- (a) all sums forfeited by or fines inflicted on members under the powers conferred by this Act;
- (b) donations offered to the Fund and accepted by the Commissioner;
- (c) voluntary contributions from members; and
- (d) contributions from moneys provided by Parliament.

(3) The Fund is to be controlled by the Commissioner and applied for the purposes of the welfare of members, civil defence volunteers and their families and for such other purposes as the Commissioner thinks fit.

## PART 11A

## DAY-TO-DAY OPERATIONS

**Powers for day-to-day operations**

**101A.**—(1) The Commissioner or any member authorised by the Commissioner may, if the action authorised by this section appears to him or her to be necessary for the discharge of the function in section 4(1)(c) —

- (a) enter upon and, if necessary, break into any place, building, premises or land;
- (b) remove from any place, vehicle, structure or thing impeding such operations and, to facilitate its removal, use such force as is reasonably necessary or break into any such vehicle;
- (c) remove, using reasonable force if necessary, any individual whose life, health or safety is, in his or her opinion, endangered;
- (d) stop individuals from entering, or close or cause to be closed to traffic, any road, street, path, private street, private way, service lane, waterway, right of way or access way or other way;
- (e) shut off or disconnect the supply of gas, fuel oil, water or electricity to any premises or order any person having the control of such supply to shut off or disconnect the supply;
- (f) require any individual whom he or she has reason to suspect has been exposed to any hazardous material in a hazardous materials incident to undergo such medical examination and medical treatment at such place or hospital as he or she may specify; and
- (g) seize any thing that is contaminated by any hazardous material as a result of a hazardous materials incident and dispose of the thing.

[53/2018]

(2) The Commissioner or any member authorised by the Commissioner may, for the purposes of facilitating the provision of

urgent medical care to an individual whose identity is not known and who is unconscious or otherwise unable to communicate, take the individual's fingerprints or other personal identifiers.

[53/2018]

### **Persons assisting Force**

**101B.**—(1) The powers conferred by section 101A(1)(a) to (e) and (2) may also be exercised by the following persons:

- (a) any employee of an emergency ambulance service provider providing emergency ambulance services for the Force in the performance of a contract between the emergency ambulance service provider and the Government;
- (b) any regular serviceman or national serviceman enlisted with the Singapore Armed Forces who is attached to the Force to assist in the provision of emergency ambulance services by the Force.

[53/2018]

(2) An employee of an emergency ambulance service provider providing emergency ambulance services for the Force in the performance of a contract between the emergency ambulance service provider and the Government is, in relation to the employee's performance of the employee's duties in connection with the provision of the emergency ambulance services, taken to be a public servant for the purposes of the Penal Code 1871.

[53/2018]

### **Protection from personal liability**

**101C.** No liability shall lie personally against the Commissioner or any member, or any person mentioned in section 101B who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act.

[53/2018]

## PART 12

### STATE OF CIVIL DEFENCE EMERGENCY

[32/2010]



### **Declaration of state of civil defence emergency**

**102.**—(1) If at any time it appears to the Minister that a civil defence emergency has occurred or may occur in any part or district of Singapore, the Minister may declare that a state of civil defence emergency exists in that part or district.

(2) The Minister must immediately give public notice by such means of communication as are available of every declaration of a state of civil defence emergency made under subsection (1) and the declaration must be published in the *Gazette* as soon as possible.

(3) A state of civil defence emergency for any part or district in Singapore terminates on the expiry of the seventh day from the time the state of civil defence emergency is in force.

[32/2010]

(4) The Minister may, with the approval of the President, extend the duration of a state of civil defence emergency for such further period or periods as the Minister thinks fit.

### **Special powers during emergency**

**103.**—(1) During a state of emergency or a state of civil defence emergency, the Commissioner, a member or a police officer may, if the action authorised by this section appears to him or her to be necessary for the carrying out of civil defence measures or for the preservation of human life or property —

- (a) direct any person to render any assistance to the Force to save life in immediate danger;
- (b) direct the evacuation of any area, building or place, and the exclusion of persons from any area, building or place and in the exercise of that power may remove or cause to be removed a person who does not comply with a direction to evacuate or a person who enters or is found in any area, building or place in respect of which a direction for the exclusion of persons has been given;
- (c) remove from any place, vehicle, structure or thing that is impeding civil defence operations and to facilitate its

removal may use such force as is reasonably necessary or may break into any such vehicle;

- (d) enter upon and, if necessary, break into any place, building, premises or land where he or she believes on reasonable grounds that it is necessary to do so for saving life or preventing injury or rescuing injured or endangered persons or for facilitating the carrying out of any urgent measures in respect of the relief of suffering and distress; and
- (e) restrict the movement of persons and close to traffic any road, street, path, private street, private way, service lane, waterway, right of way or access way or other way or close any public place.

[53/2018]

(2) Any person who renders any assistance under subsection (1)(a) is entitled to fair and reasonable remuneration from the Commissioner, such claim to be made in accordance with the regulations and paid out of moneys appropriated by Parliament for the purpose.

(3) Any person who suffers loss of or damage to his or her property by reason of the exercise of the powers conferred by subsection (1)(c) and (d) is entitled to fair and reasonable compensation for such loss or damage, such claim to be made in accordance with the regulations and paid out of moneys appropriated by Parliament for the purpose.

(4) Any person who contravenes a direction lawfully given under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both.

## PART 12A

## PUBLIC WARNING SYSTEM

**Interpretation of this Part****103A.**—(1) In this Part —

“owner” —

- (a) in relation to any premises comprised in a strata title plan under the Land Titles (Strata) Act 1967, means —
  - (i) in the case of a lot, the person who is registered as the subsidiary proprietor of the lot under that Act;
  - (ii) in the case of a common property, the management corporation having control of that common property, or the person receiving any rent or charge for the maintenance and management of that common property; and
  - (iii) in the case of a limited common property as defined in section 2(1) of the Building Maintenance and Strata Management Act 2004, the subsidiary management corporation established by that Act having control of that limited common property, or the person receiving any rent or charge for the maintenance and management of that limited common property;
- (b) in relation to a building in a housing estate of the Housing and Development Board (called an HDB housing estate), means —
  - (i) in the case of a flat, any owner of the flat as defined in section 2(1) of the Housing and Development Act 1959;
  - (ii) in the case of the building’s common property in an HDB housing estate that is controlled,

managed and maintained by a Town Council, that Town Council; and

- (iii) in the case of the building's common property in an HDB housing estate that is not controlled, managed and maintained by a Town Council, the Housing and Development Board;
- (c) in relation to a subdivided building that is not mentioned in paragraph (a) or (b), means —
- (i) in the case of a lot, the person who is registered under the Land Titles Act 1993 as the proprietor of the fee simple, estate in perpetuity or leasehold estate of that lot; and
  - (ii) in the case of the subdivided building's common property, every person who is registered under the Land Titles Act 1993 as the proprietor of the fee simple, estate in perpetuity or leasehold estate of a lot in that building, or the person receiving any rent or charge for the maintenance and management of the common property;
- (d) in relation to any premises which are not a subdivided building mentioned in paragraph (a), (b) or (c), means any person who is registered under the Land Titles Act 1993 as the proprietor of the fee simple, estate in perpetuity or leasehold estate of those premises; and
- (e) in relation to any other premises or building, means the person for the time being receiving the rent of the premises or building, whether on the person's own account or as agent, trustee or receiver, or who would receive such rent if the premises or building were let to a tenant, and includes the person whose name is entered in the Valuation List prepared under section 10 of the Property Tax Act 1960 as the owner of the premises or building, or a mortgagee in possession;

“relevant premises” means any building or part of a building but does not include —

- (a) a residential building not exceeding such height as may be prescribed; and
- (b) any other type of building that may be prescribed;

“working day” means any day other than a Saturday, Sunday or public holiday.

[53/2018]

(2) For the purposes of this Part, the height of a building is the distance, measured in a straight line on a vertical plane, from the lowest point of the building at ground level to the highest point of the building (including any structure fixed to the building).

[53/2018]

### **Provision of space to install prescribed civil defence emergency devices**

**103B.**—(1) The Commissioner may by direction require the owner of any relevant premises to provide, at the owner’s expense and within such period as may be specified in the direction —

- (a) such space or facility within or on the premises specified in the direction; and
- (b) access to the premises,

as will substantially assist the Commissioner in installing a prescribed civil defence emergency device.

[53/2018]

(2) To avoid doubt, the Commissioner may give a direction under subsection (1) even though the direction may prejudice the contractual obligations of the owner or occupier of the premises, whether the obligation relates to a contract made before, on or after 1 February 2019.

[53/2018]

(3) No liability shall lie against any party to a contract made before, on or after 1 February 2019 for or in relation to, any breach of the contract where the breach is solely attributable to, or occasioned by,

the compliance by that party with any direction of the Commissioner under subsection (1).

[53/2018]

(4) Subsection (3) does not affect the operation of the Frustrated Contracts Act 1959.

[53/2018]

(5) The Commissioner may at any time vary, suspend or revoke the whole or any part of a direction under subsection (1).

[53/2018]

(6) Any owner who contravenes any direction 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 3 years or to both and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part of a day during which the offence continues after conviction.

[53/2018]

### **Power to enter premises for assessment, repair and maintenance**

**103C.**—(1) The Commissioner may —

- (a) enter any relevant premises to assess whether the premises are suitable for installing a prescribed civil defence emergency device; and
- (b) enter any premises on which a prescribed civil defence emergency device is installed by the Commissioner to inspect or carry out works to repair or maintain the prescribed civil defence emergency device.

[53/2018]

(2) The Commissioner must not exercise the power under subsection (1)(a) or (b) in respect of any premises unless the Commissioner notifies the owner of the premises of the intention to exercise a power conferred by that subsection not less than 5 working days before the power is exercised.

[53/2018]

(3) Despite subsection (2), where the Commissioner has reason to believe that a civil defence emergency is likely to occur and urgent

repairs to a prescribed civil defence emergency device installed on any relevant premises are needed, and —

- (a) entry into those premises has been refused or such refusal is apprehended; or
- (b) the Commissioner is, after reasonable efforts, unable to obtain the owner's consent to enter the premises for any other reason,

the Commissioner may enter the premises to carry out such urgent repairs to the prescribed civil defence emergency device at any time and without giving the owner of the premises notice of the Commissioner's intention to do so.

[53/2018]

(4) The Commissioner may, in exercising the power under subsection (1)(a) or (b), take with the Commissioner any other persons that may be necessary.

[53/2018]

(5) The Commissioner may, in exercising the power under subsection (3), do all or any of the following:

- (a) take with the Commissioner any other persons that may be necessary;
- (b) break open any outer or inner door or window leading to the premises;
- (c) forcibly enter the premises and every part of the premises;
- (d) remove by force any obstruction to the entry;
- (e) remove or demolish any fixtures or fittings in the premises if the removal or demolition is necessary for the carrying out of urgent repairs to a prescribed civil defence emergency device.

[53/2018]

(6) The Commissioner's powers under subsections (1) to (5) may be exercised by any officer or serviceman authorised by the Commissioner (called in this section an authorised person), and any reference to the Commissioner in those subsections includes a reference to such an authorised person.

[53/2018]

(7) Before entering the premises under subsection (1)(a) or (b), an authorised person must produce, if so required —

- (a) the authorised person's original identity card or such identification card as the Commissioner may direct to be carried by the person as proof of the authorised person's identity; and
- (b) some duly authenticated document showing the authorised person's authority.

[53/2018]

### **Damage, etc., to prescribed civil defence emergency devices**

**103D.** Any person who wilfully removes, relocates, destroys, damages or tampers with any prescribed civil defence emergency device installed by the Commissioner shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 3 years or to both.

[53/2018]

## **PART 13**

### **TRAINING OF CIVILIAN POPULATION IN CIVIL DEFENCE**

#### **Civil defence training for civilian population**

**104.** The Minister may from time to time make arrangements for the civilian population to be trained in matters of civil defence and for the conduct of exercises for the purposes of civil defence.

#### **Protection of civil defence volunteers**

**105.—(1)** For the purposes of the Government Proceedings Act 1956, any civil defence volunteer acting or purporting in good faith to be acting under any order or instruction given to the civil defence volunteer by a member of the Force whilst participating in any civil defence measures or whilst receiving instruction in civil defence is deemed to be the agent of and acting under the instructions of the Government.

(2) No act or default done or made by the civil defence volunteer in good faith whilst participating in any civil defence measures or whilst



receiving instruction in civil defence shall subject him or her to any personal liability.

(3) For the purposes of subsection (1), “civil defence volunteer” means any person who has agreed to take part in civil defence measures or receives instruction in civil defence organised under the authority of the Commissioner.

## PART 13A

### SERVICE OUTSIDE SINGAPORE

#### **Minister may send members of Force outside Singapore**

**105A.**—(1) Subject to subsections (3) and (7), the Minister may —

- (a) on a request in that behalf being made by, or with the consent of, a government of a territory outside Singapore;
- (b) on a request in that behalf being made by a United Nations agency; or
- (c) in connection with any agreement or arrangement with a government of a territory outside Singapore,

order such number of members of the Force as to the Minister seems expedient to proceed outside Singapore to carry out duties to respond to and deal with a civil defence emergency taking place in such territory.

[32/2010]

(2) In making an order under subsection (1), the Minister must specify the purposes for which the members of the Force are to carry out duties outside Singapore or in any territory outside Singapore.

[32/2010]

(3) The Minister must not make an order under subsection (1) unless the Minister is satisfied that adequate provisions have been or will immediately be made in the territory outside Singapore for the proper carrying out of duties by members of the Force in that territory, which may include provisions —

- (a) that all members of the Force serving in that territory under the provisions of this Part must remain under the orders of their own commanding officers; or

- (b) that all members of the Force serving in that territory under the provisions of this Part must be conferred with the powers, duties and privileges of members of the equivalent civil defence force in that territory.

[32/2010]

(4) The Commissioner may issue directions of a routine nature for the deployment, command, control and information of members of the Force ordered under subsection (1) to proceed outside Singapore to carry out duties outside Singapore.

[32/2010]

(5) Any direction under subsection (4) must not be inconsistent with subsection (3).

[32/2010]

(6) All members of the Force ordered under subsection (1) to proceed outside Singapore for service must comply with every direction issued under subsection (4).

[32/2010]

(7) To avoid doubt, the Minister may order such number of members of the Force as to the Minister seems expedient to carry out duties in international waters, and this Part applies, with the necessary modifications, to members of the Force serving outside Singapore pursuant to such an order as it applies to members of the Force serving outside Singapore pursuant to an order under subsection (1).

[14/2013]

(8) No volunteer ex-NSman or auxiliary member shall be liable to serve or proceed on duty outside Singapore unless he or she first consents to such service.

[32/2010; 53/2018]

### **Members of Force serving outside Singapore to remain subject to this Act**

**105B.** Subject to section 105D, a member of the Force who is temporarily attached to the forces of another territory, or otherwise serving outside Singapore, pursuant to any order made under section 105A does not cease to be subject to this Act by reason only of the member being so temporarily attached, or being outside Singapore.

[32/2010]

### **Jurisdiction during overseas service**

**105C.**—(1) Section 105D applies to any act done or omitted to be done outside Singapore by any member of the Force while the member is serving outside Singapore pursuant to any order made under section 105A.

[32/2010]

(2) For the purposes of this section, a person is deemed to be serving outside Singapore pursuant to an order made under section 105A from the time the person leaves Singapore to undertake those duties until the time the person returns to Singapore.

[32/2010]

### **Offences and misconduct during overseas service**

**105D.**—(1) If any member of the Force to whom this section applies does, or omits to do, any act outside Singapore (whether or not the act or omission concerned constitutes an offence under the laws in force in the territory where it took place) that if done or omitted to be done within Singapore would constitute an offence, that act or omission is deemed to have taken place within Singapore unless —

- (a) the person is subject to the criminal jurisdiction of the territory in which the act or omission took place; and
- (b) the authorities in that territory —
  - (i) are not subject to any obligation to cede jurisdiction to the Singapore authorities in respect of that act or omission; and
  - (ii) are bringing criminal proceedings against the member of the Force in that territory.

[32/2010]

(2) No information may be laid against any member of the Force over whom jurisdiction is claimed by virtue of subsection (1) without the Attorney-General's consent.

[32/2010]

(3) If any member of the Force is alleged to have committed an offence in respect of which the laying of information requires the Attorney-General's consent under subsection (2), the member

concerned may be arrested and detained in custody or remanded in custody or on bail, even though the Attorney-General's consent has not been obtained to the making of such complaint in respect of that offence, but no further proceedings may be taken until that consent is obtained.

[32/2010]

(4) If any member of the Force to whom this section applies does, or omits to do, any act outside Singapore, and that act or omission would, if it occurred in Singapore, be a disciplinary offence for the purposes of this Act —

- (a) the person may be investigated and, if appropriate, proceeded against under this Act by way of disciplinary proceedings under Part 7 and punished, in the same manner as if the act or omission had occurred in Singapore; and
- (b) for that purpose, this Act and the Civil Defence (Arrests, Searches, Investigation and Trial of Offences) Regulations apply to the person with any necessary modifications.

[32/2010]

## PART 14

### GENERAL

#### **Persons exercising power, etc., not to be obstructed**

**106.** Any person who assaults, obstructs, threatens, abuses, insults or intimidates a person carrying out or performing his or her duties or functions under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

#### **Wearing and possession of uniforms, etc., by others**

**106A.—**(1) A person who, when the person is not a member —

- (a) wears or possesses any SCDF uniform, or uses any SCDF insignia —
  - (i) for the purpose of personating or representing himself or herself as a member; or

- (ii) knowing that it is likely to cause any member of the public to believe that he or she is a member;
- (b) uses the designation of a member or a rank of the Force, in connection with any business, occupation or employment —
  - (i) for the purpose of personating or representing himself or herself as a member; or
  - (ii) knowing that it is likely to cause any member of the public to believe that he or she is a member;
- (c) represents himself or herself, by word or conduct, to be a member for the purpose of personating or representing himself or herself as a member; or
- (d) wears or possesses any SCDF uniform, or uses any SCDF insignia, in connection with any business, occupation or employment, for the purpose of falsely claiming, suggesting or implying —
  - (i) that the person receives or is to receive, a fee, commission or other reward for providing professional or other services in relation to a matter being dealt with or to be dealt with by the Force;
  - (ii) that the Force has agreed to acquire any goods or services provided by or on behalf of the person, or that those goods or services had previously been used or acquired by the Force; or
  - (iii) that the person has the sponsorship or approval of the Force for any goods or services provided by or on behalf of the person,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 6 months or to both.

*[53/2018]*

(2) A member who wears an SCDF uniform or uses any SCDF insignia otherwise than —

- (a) in the course of, and for the purpose of, exercising the functions of a member; or
- (b) for such other purpose authorised in writing by the Commissioner,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 6 months or to both.

[53/2018]

(3) It is a defence to any prosecution for an offence under subsection (1)(a) or (2) if the accused proves, on a balance of probabilities, that —

- (a) the accused had the express permission of the Commissioner to wear or possess the SCDF uniform or use the SCDF insignia, as the case may be; or
- (b) the accused wore or possessed the SCDF uniform or used the SCDF insignia (as the case may be) for the purposes of a public entertainment provided in compliance with the Public Entertainments Act 1958.

[53/2018]

(4) A person (whether or not a member) who —

- (a) manufactures any SCDF uniform or SCDF insignia otherwise than under an agreement with the Government;
- (b) sells any SCDF uniform or SCDF insignia to a person who is neither a member nor otherwise authorised or permitted under subsection (3) to wear or possess the SCDF uniform or use the SCDF insignia; or
- (c) gives or provides, whether or not for a consideration, any SCDF uniform or SCDF insignia to a person who is neither a member nor otherwise authorised or permitted under subsection (3) to wear or possess the SCDF uniform or use the SCDF insignia,

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 3 years or to both.

[53/2018]

(5) It is a defence to any prosecution for an offence under subsection (4) if the accused proves, on a balance of probabilities, that —

- (a) the accused had reasonable grounds to believe and did make reasonable inquiries to ascertain that the person to whom the SCDF uniform or SCDF insignia was sold, given or provided was —
  - (i) a member; or
  - (ii) a person otherwise authorised or permitted under subsection (3) to wear or possess the SCDF uniform or use the SCDF insignia; or
- (b) the accused had received from the person to whom the SCDF uniform or SCDF insignia was sold, given or provided, evidence purporting to show that —
  - (i) that person was a member or was otherwise authorised or permitted under subsection (3) to wear or possess the SCDF uniform or use the SCDF insignia; and
  - (ii) it was reasonable to and the accused did accept that evidence as correct.

[53/2018]

(6) An offence under subsection (1), (2) or (4) is an arrestable offence.

[53/2018]

(7) In this section —

“SCDF insignia” means —

- (a) any item (being any insignia, emblem, logo, symbol, representation, device, badge of rank or other thing) that is generally recognised as pertaining to the Force or as being used by members;
- (b) any part of any such item;
- (c) any reasonable imitation of any such item, or part of such item; or

- (d) any insignia, emblem, logo, symbol, representation, device, badge of rank or other thing prescribed as being within this definition;

“SCDF uniform” means the uniform of a member, and includes —

- (a) any part of such a uniform or any accoutrement of a member that is generally recognised as a part of the uniform or accoutrement of a member; or
- (b) any reasonable imitation of such a uniform or accoutrement, or part of a uniform or accoutrement;

“sell” includes —

- (a) exchange or let on hire;
- (b) offer, expose, possess, send, forward or deliver for sale, exchange or hire; or
- (c) cause, suffer or allow any sale, exchange or hire;

“use”, in relation to SCDF insignia, includes —

- (a) driving on a public road a vehicle that has on it any SCDF insignia; and
- (b) using a reproduction or representation of SCDF insignia,

but does not include wearing an SCDF uniform.

[53/2018]

## **Offences by body corporate**

**107.** Where a body corporate commits an offence against this Act —

- (a) the managing director, manager, or other governing officer, by whatever name called, and every member of the governing body thereof, by whatever name called; and
- (b) every person who manages or acts or takes part in the management, administration, or government of the business of the body corporate,



are deemed also to have committed the offence jointly with the body corporate and shall be liable to be proceeded against and punished accordingly unless he or she proves that —

- (c) the offence was committed without his or her consent or connivance; and
- (d) he or she exercised such diligence to prevent the commission of the offence as he or she ought to have exercised having regard to the nature of his or her function in that capacity and to all the circumstances.

### **Protection of employment rights**

**108.** A person who, during a state of emergency or a state of civil defence emergency, is absent from his or her usual employment by reason of carrying out duties in connection with civil defence measures in any capacity shall not be liable for dismissal, loss of vacation leave, or other benefits to which he or she may be entitled under the industrial award or agreement applicable to his or her usual employment, by reason only of his or her absence on those duties, whether or not his or her usual employer has consented to his or her absence.

### **Members deemed to be public servants**

**109.** Members of the Force are deemed to be public servants for the purposes of the Penal Code 1871.

### **Civil Defence General Orders and Standing Orders**

**110.—(1)** The Commissioner may from time to time make such orders not inconsistent with the provisions of this Act to be called Civil Defence General Orders as the Commissioner may consider necessary or expedient to provide for —

- (a) conduct and discipline and the regulation and carrying out of punishment;
- (b) classifications and promotions;
- (c) instructions and examinations;
- (d) inspections, drill, parades, training and exercises;

- (e) civil defence services and duties of every description and the manner in which they are to be carried out;
- (f) the institution and maintenance of common rooms and canteens;
- (g) the manner and form of reports, correspondence and other records; and
- (h) any other matters that may be necessary and expedient for rendering the Force efficient in the discharge of its duties and for carrying out the purposes of this Act.

(2) A commanding officer may issue orders of a routine nature to be called Standing Orders and any directives not inconsistent with the provisions of this Act or the Civil Defence General Orders for the control, direction and information of the members of the Force in his or her command.

(3) It is not necessary to publish any Civil Defence General Orders, Standing Orders or directives in the *Gazette*.

### **Compensation for personal injury**

**111.** The Government shall be liable to pay compensation in respect of the loss of life of, or injury to, a person that occurs while that person is —

- (a) engaged in civil defence measures under the authority of the Commissioner; or
- (b) participating in training for civil defence measures under the control of the Commissioner or a person acting under the authority of the Commissioner,

at the rates prescribed by the regulations and paid out of the Pension Fund established by the Pension Fund Act 1995.

### **Protection from liability**

**112.** No action or proceeding shall lie or be brought against the Government, any officer or employee of the Government, a member of the Force or any other person acting under any direction given or purported to be given under this Act in respect of anything done or

omitted to be done in good faith under and for the purposes of this Act during a state of civil defence emergency or a state of emergency.

### **Mobilisation of ex-NSmen or auxiliary members**

**113.**—(1) During a state of emergency or a state of civil defence emergency, the Minister may by declaration mobilise all or any of the following for continuous full-time service:

- (a) volunteer ex-NSmen;
- (b) auxiliary members.

[53/2018]

(2) A declaration under subsection (1) must be published in the *Gazette* as soon as possible.

(3) Whenever a volunteer ex-NSman or an auxiliary member is mobilised for continuous full-time service, such member is bound to render continuous full-time service for such period as the Minister directs until the publication of a declaration in the *Gazette* notifying that the employment of volunteer ex-NSmen or auxiliary members on continuous full-time service is no longer required.

[53/2018]

(4) Auxiliary members mobilised for continuous full-time service are to be paid such salaries and allowances as are prescribed or provided for by regulations.

### **Section 14 of Government Proceedings Act 1956 applies to Force**

**114.** Section 14 of the Government Proceedings Act 1956 applies to members of the Force including any person serving as an auxiliary member of the Force.

### **Regulations**

**115.**—(1) The Minister may make regulations, not inconsistent with this Act, for carrying out or giving effect to the provisions of this Act.

(2) Without limiting subsection (1), the regulations may provide for all or any of the following matters:

- (a) the manner in which, and conditions subject to which, persons are to be enlisted in the Force;
- (b) the administration and organisation of the Force;
- (c) ranks of officers and servicemen;
- (d) the suspension from duty of members suspected of committing a service offence or an offence under any other written law;
- (e) the practice and procedure to be adopted by disciplinary officers when dealing with charges of service offences under this Act;
- (f) detention barracks for members of the Force sentenced to detention;
- (g) the classification, treatment, employment, discipline and control of members serving sentences of detention or in custody;
- (h) the establishment and administration of any association for the welfare of members and the control of the funds of any such association and the collection from members thereof of subscriptions thereto;
- (i) the reimbursement for or payment to members;
- (j) the payment of compensation in respect of death and physical injury suffered by any member of the Force or by a member of the public in the course of being trained in civil defence measures or taking part in civil defence measures or drills;
- (k) the assessment and payment of remuneration for work done and services rendered and compensation payable in respect of loss of or damage to property in consequence of the exercise of the powers conferred by or under this Act including the determination of objections made against the assessment of such remuneration or compensation;
- (l) the administration of the Fund;
- (m) the convening of boards of inquiry;

- (n) the instruction of members of the public in civil defence and, if necessary, to equip them for the purposes of civil defence;
- (o) the provision, storage and maintenance of essential foodstuff and equipment for the purposes of civil defence;
- (p) prescribing anything which may be prescribed.

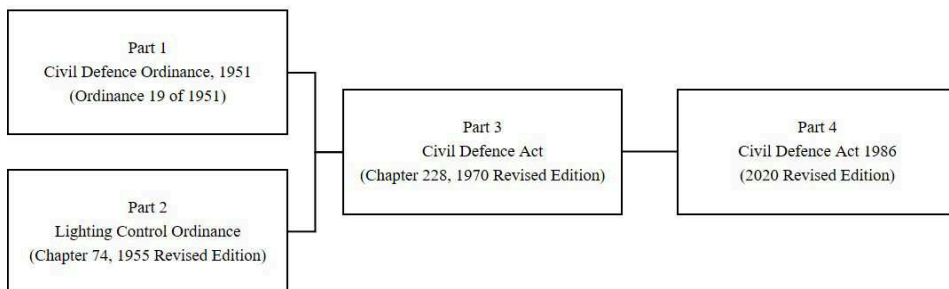
*[32/2010; 53/2018]*

# LEGISLATIVE HISTORY

## CIVIL DEFENCE ACT 1986

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

### PICTORIAL OVERVIEW OF PREDECESSOR ACTS



### LEGISLATIVE HISTORY DETAILS

#### PART 1

#### CIVIL DEFENCE ORDINANCE, 1951

#### (ORDINANCE 19 OF 1951)

##### 1. Ordinance 19 of 1951 — Civil Defence Ordinance, 1951

Bill	:	G.N. No. S 103/1951
First and Second Readings	:	24 April 1951
Notice of Amendments	:	24 April 1951
Third Reading	:	24 April 1951
Commencement	:	26 May 1951

##### 2. 1955 Revised Edition — Civil Defence Ordinance (Chapter 73)

Operation	:	1 July 1956
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##### 3. Ordinance 31 of 1958 — Legislative Assembly (Presentation of Subsidiary Legislation) Ordinance, 1958

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

Bill	:	158/1958
First Reading	:	16 July 1958
Second Reading	:	13 August 1958
Notice of Amendments	:	10 September 1958

Third Reading	:	10 September 1958
Commencement	:	25 September 1958 (section 2 read with the Schedule)

**4. G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order, 1959**

Commencement	:	20 November 1959
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**5. G.N. No. S (N.S.) 179/1959 — Singapore Constitution (Modification of Laws) (No. 5) Order, 1959**

Commencement	:	20 November 1959
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PART 2

LIGHTING CONTROL ORDINANCE  
(CHAPTER 74, 1955 REVISED EDITION)

**6. Act 4 of 1938 — Lighting Control Ordinance, 1938**

Bill	:	G.N. No. 3591/1937
First Reading	:	15 December 1937
Second Reading	:	14 February 1938
Notice of Amendments	:	14 February 1938
Third Reading	:	14 February 1938
Commencement	:	7 March 1938

**7. Ordinance 37 of 1952 — Law Revision (Penalties Amendment) Ordinance, 1952**

(Amendments made by section 2 read with item 87 of the Schedule to the above Ordinance)

Bill	:	32/1952
First Reading	:	16 September 1952
Second and Third Readings	:	14 October 1952
Commencement	:	30 April 1955 (section 2 read with item 87 of the Schedule)

**8. 1955 Revised Edition — Lighting Control Ordinance (Chapter 74)**

Operation	:	1 July 1956
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**9. G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order, 1959**

Commencement	:	20 November 1959
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PART 3  
CIVIL DEFENCE ACT  
(CHAPTER 228, 1970 REVISED EDITION)

**10. M. Ordinance 38 of 1951 — Civil Defence Ordinance, 1951**

Commencement : 24 March 1952

Application : 20 May 1965

*Note: This Ordinance was extended to Singapore with modifications by the Modification of Laws (Civil Defence) (Extension to Borneo States and Singapore) Order, 1965 (L.N. 201/1965 (G.N. Sp. No. S 91/1965)) with effect from 20 May 1965.*

**11. L.N. 201/1965 (G.N. Sp. No. S 91/1965) — Modification of Laws (Civil Defence) (Extension to Borneo States and Singapore) Order, 1965**

Commencement : 20 May 1965

*Note: This Order repealed the Civil Defence Ordinance (Chapter 73, 1955 Revised Edition) and extended the Federation of Malaya Civil Defence Ordinance, 1951 (M. Ordinance 38 of 1951) with modifications to Singapore.*

**12. 1970 Revised Edition — Civil Defence Act (Chapter 228)**

Operation : 31 July 1971

*Note: This Revised Edition incorporated the Lighting Control Ordinance (Chapter 74, 1955 Revised Edition).*

PART 4  
CIVIL DEFENCE ACT 1986  
(2020 REVISED EDITION)

**13. Act 29 of 1986 — Civil Defence Act 1986**

Bill : 23/1986

First Reading : 25 August 1986

Second and Third Readings : 22 September 1986

Commencement : 14 November 1986

**14. 1985 Revised Edition — Civil Defence Act (Chapter 42)**

Operation : 30 March 1987



**15. Act 39 of 1993 — Fire Safety Act 1993**

(Amendments made by section 62(6) read with paragraph 1 of the Second Schedule to the above Act)

Bill	:	31/1993
First Reading	:	12 October 1993
Second and Third Readings	:	10 November 1993
Commencement	:	29 April 1994 (section 62(6) read with paragraph 1 of the Second Schedule)

**16. Act 19 of 1994 — Enlistment (Amendment) Act 1994**

(Amendments made by section 4 read with paragraph 1 of the Schedule to the above Act)

Bill	:	21/1994
First Reading	:	25 July 1994
Second and Third Readings	:	31 October 1994
Commencement	:	1 December 1994 (section 4 read with paragraph 1 of the Schedule)

**17. Act 8 of 1995 — Pension Fund Act 1995**

(Amendments made by section 18(1)(a) of the above Act)

Bill	:	2/1995
First Reading	:	23 January 1995
Second and Third Readings	:	1 March 1995
Commencement	:	1 April 1995 (section 18(1)(a))

**18. 2001 Revised Edition — Civil Defence Act (Chapter 42)**

Operation	:	31 July 2001
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**19. Act 15 of 2010 — Criminal Procedure Code 2010**

(Amendments made by section 430 read with item 17 of the Sixth Schedule to the above Act)

Bill	:	11/2010
First Reading	:	26 April 2010
Second Reading	:	18 May 2010
Third Reading	:	19 May 2010
Commencement	:	2 January 2011 (section 430 read with item 17 of the Sixth Schedule)

**20. Act 32 of 2010 — Civil Defence (Amendment) Act 2010**

Bill	:	27/2010
First Reading	:	18 October 2010
Second and Third Readings	:	22 November 2010
Commencement	:	1 February 2011

**21. Act 14 of 2013 — Fire Safety (Amendment) Act 2013**

(Amendments made by section 58 of the above Act)

Bill	:	1/2013
First Reading	:	14 January 2013
Second and Third Readings	:	8 April 2013
Commencement	:	1 September 2013 (section 58)

**22. Act 53 of 2018 — Civil Defence and Other Matters Act 2018**

(Amendments made by Part 1 of the above Act)

Bill	:	44/2018
First Reading	:	1 October 2018
Second and Third Readings	:	20 November 2018
Commencement	:	1 February 2019 (Part 1 except sections 11, 13 to 17 and 22) 13 May 2019 (sections 11, 13 to 17 and 22)

**23. 2020 Revised Edition — Civil Defence Act 1986**

Operation	:	31 December 2021
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**24. Act 24 of 2022 — Singapore Armed Forces and Other Matters Act 2022**

(Amendments made by the above Act)

Bill	:	15/2022
First Reading	:	4 July 2022
Second and Third Readings	:	2 August 2022
Commencement	:	28 October 2022

**25. Act 12 of 2023 — Misuse of Drugs (Amendment) Act 2023**

(Amendments made by the above Act)

Bill	:	9/2023
First Reading	:	24 February 2023

Second and Third Readings : 21 March 2023

Commencement : 1 June 2024

### Abbreviations

(updated on 29 August 2022)

G.N.	Gazette Notification
G.N. Sp.	Gazette Notification (Special Supplement)
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian)
M.	Malaya/Malaysia (including Federated Malay States, Malayan Union, Federation of Malaya and Federation of Malaysia)
Parl.	Parliament
S	Subsidiary Legislation
S.I.	Statutory Instrument (United Kingdom)
S (N.S.)	Subsidiary Legislation (New Series)
S.S.G.G.	Straits Settlements Government Gazette
S.S.G.G. (E)	Straits Settlements Government Gazette (Extraordinary)

**COMPARATIVE TABLE**  
**CIVIL DEFENCE ACT 1986**

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.

<b>2020 Ed.</b>	<b>2001 Ed.</b>
<b>18—(2)</b>	<b>18—(1A)</b>
(3)	(1B)
(4)	(2)
(5)	(3)
(6)	(4)
—	<b>19—(2)</b> [ <i>Deleted by Act 32 of 2010</i> ]
<b>19—(2)</b>	(3)
(3)	(4)
(4)	(5)
<b>75—(2)</b>	<b>75—(1A)</b>
(3)	(2)
(4)	(3)
(5)	(4)
(6)	(5)
(7)	(6)
<b>76—(2)</b>	<b>76—(1A)</b>
(3)	(2)
—	<b>81—(1)</b> [ <i>Deleted by Act 53 of 2018</i> ]
—	(2) [ <i>Deleted by Act 53 of 2018</i> ]
<b>81—(1)</b>	(3)
(2)	(4)
(3)	(5)
(4)	(6)
(5)	(7)

<b>2020 Ed.</b>	<b>2001 Ed.</b>
(6)	(8)
(7)	(9)
<b>105A—(7)</b>	<b>105A—(6A)</b>
(8)	(7)