



# THE STATUTES OF THE REPUBLIC OF SINGAPORE

## IMMIGRATION ACT 1959

### 2020 REVISED EDITION

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# Immigration Act 1959

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An Act relating to immigration into, and departure from, Singapore.

[16 September 1963]

PART 1  
PRELIMINARY

**Short title**

1. This Act is the Immigration Act 1959.

**Interpretation**

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

“advance passenger information” means information relating to any passenger required to be furnished to the Controller prior to the arrival in Singapore of the vessel, aircraft or train (as the case may be) on which the passenger will be travelling to Singapore;

“arrive” means —

- (a) in relation to an aircraft, the aircraft coming to a stop after landing;
- (b) in relation to a vessel or ship, the securing of the vessel or ship for any purposes, including for the embarkation or disembarkation of its passengers or the loading or unloading of its cargo or stores or both; or
- (c) in relation to a train, the train coming to a stop at a train checkpoint;

“authorised airport”, “authorised landing place”, “authorised train checkpoint”, “authorised point of entry”, “authorised departing place” and “authorised point of departure” mean, respectively, an airport, a landing place, a train checkpoint, a point of entry, a departing place or a point of departure declared as such under section 5;

“authorised area” means an authorised airport, authorised landing place, authorised train checkpoint, authorised point of entry, authorised place of embarkation, authorised departing place, authorised point of departure or immigration control post declared as such under section 5;

“certificate” means a certificate of status issued under the provisions of any regulations made under section 55;

“Controller” means the Controller of Immigration appointed under section 3;

“Controller of Work Passes” means the Controller of Work Passes appointed under section 3 of the Employment of Foreign Manpower Act 1990;

“crew” includes every seaman on a vessel, and every person employed in the operation of an aircraft or a train or in any service rendered to the crew or passengers of an aircraft in flight or a train in motion;

“Director of Marine” means the Director of Marine appointed under section 4(1) of the Merchant Shipping Act 1995 and includes the Deputy Director of Marine appointed under that subsection and such other officers appointed under section 4(3) of that Act as the Director of Marine may authorise to carry out any of his or her duties under this Act;

“document” includes —

- (a) any endorsement;
- (b) any paper or other material where there is writing;
- (c) any paper or other material on which there are marks, figures, symbols or perforations that are —
  - (i) capable of being given a meaning by persons qualified to interpret them; or
  - (ii) capable of being responded to by a computer, a machine or an electronic device;
- (d) any article or material from which information is capable of being reproduced with or without the aid of any other article or device; or
- (e) any electronic record;

“electronic record” has the meaning given by section 2(1) of the Electronic Transactions Act 2010;



“employ” means to engage or use the service of any person, whether under a contract of service or otherwise, with or without remuneration;

“entry” means —

- (a) in the case of a person arriving by sea, disembarking in Singapore from the vessel in which he or she arrives;
- (b) in the case of a person arriving by air at an authorised airport, leaving the precincts of such airport;
- (c) in the case of a person entering by land and proceeding to an immigration control post under section 26 or an authorised train checkpoint under section 25A, leaving the precincts of such post or checkpoint for any purpose other than that of departing from Singapore by an approved route;
- (ca) in the case of a child born in Singapore on or after 15 January 2005 who is not a citizen of Singapore, his or her birth in Singapore; and
- (d) in any other case, any entry into Singapore by land, sea or air,

but shall not include in any case an entry made for the purpose of complying with this Act or an entry, expressly or impliedly, sanctioned by an immigration officer for the purpose of any enquiry or detention under the provisions of this Act;

“entry permit” means a permit to enter or remain in Singapore issued under section 10;

“harbour” means to give food or shelter, and includes the act of assisting a person in any way to evade apprehension;

“immigration control post” means a post established as such by the Controller at a place declared to be an immigration control post under section 5;

“immigration depot” means any place designated by the Controller for the examination, inspection or detention of persons under this Act;

“immigration officer” means any person appointed under section 3;

“immigration signal” means such signal as may be prescribed for vessels which arrive in Singapore;

“leave” means —

- (a) in the case of a person leaving Singapore by sea, embarking in Singapore on a vessel which is about to leave Singapore and remaining on board such vessel at the time of its departure for any place outside Singapore;
- (b) in the case of a person leaving Singapore by air, boarding an aircraft in Singapore which is about to depart from Singapore;
- (c) in the case of a person leaving Singapore by land, boarding and remaining in a train or other vehicle which is about to leave Singapore; and
- (d) in the case of a vessel, an aircraft or a train leaving Singapore by sea, air or land (as the case may be), departing from any authorised departing place in Singapore by sea, or from any airport or train checkpoint in Singapore, for any place outside Singapore;

“master” —

- (a) in relation to a vessel, means any person (except a pilot or harbour master) having for the time being control or charge thereof;
- (b) in relation to an aircraft, means the captain thereof; and
- (c) in relation to a train, means the driver of the train or any person having for the time being control or charge thereof;

“non-citizen” means any person who is not a citizen of Singapore;

“occupier”, in relation to any premises or place, includes —

- (a) the person having the charge, management or control of either the whole or part of the premises or place, either on the person’s own account or as an agent; and
- (b) a contractor who is carrying out building operations or construction works at the premises or place on behalf of some other person;

“pass” means a pass issued under the regulations entitling the holder thereof to remain, or enter and remain, temporarily in Singapore;

“passenger” means any person carried in a vessel, an aircraft or a train, other than the members of the crew;

“permit” includes an entry permit and a re-entry permit;

“personal identifier” means any of the identifiers specified in the Schedule (including any in digital form);

“prohibited immigrant” means any person who is a prohibited immigrant as defined in section 8;

“re-entry permit” means a permit to re-enter Singapore issued under section 11;

“regulations” means regulations made under this Act;

“seaman” includes the master and any person carried in a vessel as a bona fide member of the staff employed in the operation or service of the vessel and, if the vessel has articles, entered on the articles;

“Singapore visa” means a Singapore visa granted under Part 2A;

“stowaway” means a person who is secreted in a vessel, an aircraft or a train without the consent of the master or other person in charge of the vessel, aircraft or train and includes such a person who is arriving in or departing from Singapore on board any vessel, aircraft or train without the consent of

the master or other person in charge of the vessel, aircraft or train;

“through passenger” means any passenger who arrives in Singapore by a vessel, an aircraft or a train and who is continuing his or her journey in the same vessel, aircraft or train to a place outside Singapore;

“transportation company” means any government, municipality, body corporate, or organisation, firm or person carrying or providing for the transit of passengers, whether by vessel, aircraft, railway, highway or otherwise, and includes any 2 or more such transporting companies co-operating in the business of carrying passengers;

“vehicle” means any vehicle whether mechanically propelled or otherwise;

“vessel” includes any ship or boat or other description of floating craft used in navigation, and includes any tackle, equipment, book, document, goods, cargo or things carried therein or thereon.

[18/2012]

### **Appointment and powers of Controller and immigration officers**

3.—(1) The Minister may appoint a Controller of Immigration and such number of immigration officers as the Minister may consider necessary for the proper carrying out of the provisions of this Act.

(2) The powers and discretions vested in the Controller under this Act, and the duties required to be discharged by the Controller may, subject to section 4 and to such limitations as the Controller may impose, be exercised and discharged by immigration officers duly authorised by the Controller to act on the Controller’s behalf.

### **Power of Minister to issue directions**

4.—(1) The Minister may from time to time give the Controller directions of a general character, and not inconsistent with the provisions of this Act, as to the exercise of the powers and discretions conferred on the Controller by, and the duties required to be

discharged by the Controller under, this Act or any regulations or orders made under this Act, in relation to all matters which appear to the Minister to affect the immigration policy of Singapore.

(2) The Controller must give effect to all directions given under subsection (1).

## PART 2

### ENTRY INTO AND DEPARTURE FROM SINGAPORE

#### **Entry into and departure from Singapore**

**5.—**(1) The Minister may, by notification in the *Gazette*, prescribe approved routes and declare such immigration control posts, landing places, airports, train checkpoints or points of entry, as the Minister may consider to be necessary for the purposes of this Act, to be immigration control posts, authorised landing places, authorised airports, authorised train checkpoints or authorised points of entry, as the case may be.

(1A) In declaring under subsection (1) any place to be an immigration control post, a landing place or an authorised point of entry, the Minister may specify that it or any part of the place is to be an immigration control post, a landing place or an authorised place of entry generally only for a fixed period or for fixed periods of time in any day, or only for the separate and exclusive immigration clearance of a particular person or class of persons.

[18/2012]

(2) A person must not, unless compelled by accident or other reasonable cause, enter or attempt to enter Singapore except at an authorised landing place, airport, train checkpoint or point of entry.

(3) The Minister may, by notification in the *Gazette*, prescribe approved routes and declare such immigration control posts, places of embarkation, authorised airports, authorised train checkpoints, authorised departing places or authorised points of departure, as the case may be.

(3A) In declaring under subsection (3) any place to be an authorised departing place or an authorised point of departure, the Minister may specify that it or any part of the place is to be an authorised departing

place or an authorised point of departure generally only for a fixed period or for fixed periods of time in any day, or only for the separate and exclusive immigration clearance of a particular person or class of persons.

[18/2012]

(4) A person must not, unless compelled by accident or other reasonable cause, leave or attempt to leave Singapore except at an authorised place of embarkation, airport, train checkpoint, departing place or point of departure.

(5) Any person who contravenes subsection (2) or (4) shall be guilty of an offence.

(6) Without affecting subsection (1A) or (3A), where upon the application of any person (called in this section the applicant), any place or any part of that place is declared under subsection (1) or (3) (as the case may be) to be an immigration control post, a landing place, an authorised point of entry or an authorised departing place or authorised point of departure for the separate and exclusive immigration clearance of the applicant, or a particular person or class of persons associated with the applicant, the Controller may, with the approval of the Minister, require the applicant to pay to the Controller a rate, at such intervals and at such amount or rate as may be prescribed, for or in connection with immigration clearance performed by immigration officers at that place or part thereof.

[18/2012]

(7) The number of immigration officers to be deployed at any immigration control post, landing place, authorised point of entry, authorised departing place or authorised point of departure mentioned in subsection (6) is to be determined at the Controller's discretion.

[18/2012]

(8) In this section, unless the context otherwise requires —

“immigration clearance”, in relation to any person, includes refusing the person entry into Singapore or exit from Singapore;

“separate and exclusive immigration clearance” includes immigration clearance carried out only during a particular

period or periods in a day for a particular person or class of persons.

[18/2012]

**Person entering or leaving Singapore to produce passport, etc.**

**5A.**—(1) Subject to subsection (2), every person, whether a citizen of Singapore or a non-citizen, who is arriving in Singapore (by air, sea or land) from a place outside Singapore, or is leaving Singapore (by air, sea or land) to a place outside Singapore, must present to an immigration officer at the authorised airport, authorised landing place, authorised train checkpoint, authorised point of entry, authorised departing place or authorised point of departure, as the case may be —

- (a) if the person is a citizen of Singapore (whether or not the person is also the national of a country other than Singapore) — the person's Singapore passport that is valid, and any other prescribed evidence of the person's identity and Singapore citizenship; or
- (b) if the person is a non-citizen —
  - (i) the person's foreign passport or other foreign travel document that is valid, and such other evidence of the person's identity as the immigration officer may require; and
  - (ii) where a Singapore visa is required by section 9B, evidence of a Singapore visa that is in effect and is held by the person.

(2) The immigration officer may waive —

- (a) the requirements of a passport or travel document if the person is a citizen of Singapore and in prescribed circumstances; or
- (b) the requirements of a passport, travel document or Singapore visa in the case of any person entering Singapore from a place outside Singapore and holding a valid entry permit, re-entry permit or certificate of status issued in accordance with this Act.

(3) Any person who enters or leaves Singapore in contravention of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or to both.

(4) Subsection (1) does not apply to such categories of persons as the Minister may prescribe.

### **Facilities at authorised areas**

**5B.**—(1) The Minister may, by written notice, require the owner or occupier of any premises within which an authorised area is or is to be located (called in this section the relevant owner or occupier), but not the Government —

- (a) to provide and maintain in the authorised area, at the relevant owner's or occupier's cost, such facilities and resources as the Minister considers necessary for the proper, secure and efficient functioning of the authorised area, including providing such facilities to the immigration officers whose duties require their presence within or at the perimeter of the authorised area; or
- (b) to permit the establishment of immigration offices within the authorised area.

[18/2012]

(2) The Minister may give to the relevant owner or occupier such written directions as may be necessary —

- (a) to ensure compliance with the provisions of this Act and the regulations; or
- (b) for the proper, secure and efficient functioning of the authorised area.

[18/2012]

(3) The relevant owner or occupier must comply with the written notice or direction served or given to the relevant owner or occupier under subsection (1) or (2).

[18/2012]

(4) Any relevant owner or occupier who or which fails to comply with subsection (3) shall be guilty of an offence and shall be liable on conviction to a fine of not less than \$100,000 and not more than



\$200,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,000 for every day or part of a day during which the offence continues after conviction.

[18/2012]

(5) Where a body corporate is guilty of an offence under subsection (4) and that offence is proved to have been committed with the authority, consent or connivance of any director, manager, secretary or other similar officer of the body corporate or of any person purporting to act in any such capacity, he or she, as well as the body corporate, shall each be guilty of that offence and shall each be liable to be proceeded against and punished accordingly.

[18/2012]

(6) In this section, “owner” means any person who has an estate or interest in the premises and whose permission to enter the premises is needed by another before that other may enter the premises.

[18/2012]

### **Control of entry into and departure from Singapore**

**6.—(1)** A person, other than a citizen of Singapore, must not enter or attempt to enter Singapore unless —

- (a) he or she is in possession of a valid entry permit or re-entry permit lawfully issued to him or her under section 10 or 11;
- (b) his or her name is endorsed upon a valid entry permit or re-entry permit in accordance with section 12, and he or she is in the company of the holder of that permit;
- (c) he or she is in possession of a valid pass lawfully issued to him or her to enter Singapore; or
- (d) he or she is exempted from this subsection by an order made under section 56.

(2) Every person departing from Singapore, other than a citizen of Singapore or a person exempted from this subsection by an order made under section 56, must, if so required by an immigration officer, complete an embarkation form and submit it for examination by that officer at the time he or she leaves Singapore.

[18/2012]

(3) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and —

(a) in the case of an offence under subsection (1), shall on conviction be punished with imprisonment for a term not exceeding 6 months and shall also, subject to sections 325(1) and 330(1) of the Criminal Procedure Code 2010, be punished with caning with not less than 3 strokes, or where by virtue of that section he or she is not punishable with caning, he or she shall, in lieu of caning, be punished with a fine not exceeding \$6,000;

(b) in the case of an offence under subsection (2), shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

[15/2010]

(4) In any proceedings for an offence under subsection (1), it is presumed, until the contrary is proved, that the defendant attempted to enter Singapore in contravention of subsection (1)(c) if the defendant was found within the waters of the port and it is proved to the satisfaction of the court that —

(a) he or she was unable, or refused, to produce when requested to do so by a police officer or an immigration officer a valid passport or other valid travel document issued by the competent authority of any State or territory;

(b) he or she has no visible means of subsistence; or

(c) he or she had taken precautions to conceal his or her identity or presence from any police officer or immigration officer.

(5) In this section, “port” means any place declared to be a port under section 3 of the Maritime and Port Authority of Singapore Act 1996.

### **Non-citizens born in Singapore**

**6A.**—(1) A child who —

(a) is born in Singapore on or after 15 January 2005; and

(b) is not a citizen of Singapore at the time of his or her birth, is deemed to be issued with a special pass authorising him or her to remain in Singapore.

(2) A special pass mentioned in subsection (1) is valid for 42 days from the date of the birth of the child and may be extended for such period as the Controller thinks fit.

(3) An application to renew a special pass referred to in subsection (1) —

(a) must be made —

(i) in the case of a legitimate child, by the father or mother; or

(ii) in the case of an illegitimate child, by the mother; and

(b) must be in such form as the Controller may determine.

(4) Upon an application made under subsection (3), the Controller may extend the special pass or issue the child with such permit or other pass as the Controller thinks fit.

(5) The father or mother in the case of a legitimate child, or the mother in the case of an illegitimate child, must ensure that the child mentioned in subsection (1) does not remain in Singapore after the expiry of the special pass or, where a permit or pass has been issued to the child under subsection (4), the expiry of the permit or pass, as the case may be.

(6) Any person who contravenes subsection (5) shall be guilty of an offence.

### **Right of entry**

7.—(1) A citizen of Singapore is entitled to enter Singapore without having obtained a permit or pass in that behalf under this Act.

(2) The burden of proof that any person is a citizen of Singapore shall lie upon that person.

**Prohibited immigrants**

**8.**—(1) Any person, not being a citizen of Singapore, who is a member of any of the prohibited classes as defined in subsection (3) or who, in the opinion of the Controller, is a member of any of the prohibited classes, is a prohibited immigrant.

(2) Subject to any exemption granted under section 56 —

(a) a prohibited immigrant who is a member of the prohibited class defined in subsection (3)(o) must not enter Singapore; and

(b) any other prohibited immigrant must not enter Singapore, unless he or she is in possession of a valid pass in that behalf issuable to a prohibited immigrant under the regulations.

(3) The following persons are members of the prohibited classes:

(a) any person who is unable to show that he or she has the means of supporting himself or herself and his or her dependants (if any) or that he or she has definite employment awaiting him or her, or who is likely to become a pauper or a charge on the public;

(b) any person suffering from a contagious or infectious disease which makes his or her presence in Singapore dangerous to the community;

(ba) any person suffering from Acquired Immune Deficiency Syndrome or infected with the Human Immunodeficiency Virus;

(c) any person desiring to enter Singapore who refuses to submit to an examination after being required to do so under section 29(1);

(d) any person who —

(i) has been convicted in any country or state of an offence for which a sentence of imprisonment has been passed for any term;

(ii) has not received a free pardon; and

- (iii) by reason of the circumstances connected with that conviction is deemed by the Controller to be an undesirable immigrant;
- (e) any prostitute or any person who is living on or receiving or who, prior to entering Singapore, lived on or received the proceeds of prostitution;
- (f) any person who procures or attempts to bring into Singapore prostitutes or women or girls for the purpose of prostitution or other immoral purpose;
- (g) vagrants or habitual beggars;
- (h) any person whose entry into Singapore is, or at the time of his or her entry was, unlawful under this Act or any other written law for the time being in force;
- (i) any person who believes in or advocates the overthrow by force or violence of the Government or of any established government or of constituted law or authority or who disbelieves in or is opposed to established government, or who advocates the assassination of public officials, or who advocates or teaches the unlawful destruction of property;
- (j) any person who is a member of or affiliated with any organisation entertaining or teaching disbelief in or opposition to established government or advocating or teaching the duty, necessity or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or officers generally, of the Government or of any established government, because of his, her or their official character, or advocating or teaching the unlawful destruction of property;
- (k) any person who, in consequence of information received from any source or from any government through official or diplomatic channels, is considered by the Minister to be an undesirable immigrant;
- (l) any person who has been removed from any country or state by the government of that country or state on repatriation for any reason whatever and who, by reason

of the circumstances connected therewith, is considered by the Controller to be an undesirable immigrant;

- (m) any person who, being required by any written law for the time being in force to be in possession of valid travel documents, is not in possession of those documents or is in possession of forged or altered travel documents or travel documents which do not fully comply with that written law;
- (n) the family and dependants of a prohibited immigrant; and
- (o) any person prohibited by an order made under section 9 from entering Singapore.

[18/2012]

(4) The burden of proof that any person seeking to enter Singapore is not a prohibited immigrant shall lie upon that person.

(4A) Where the Controller refuses to allow any person to enter Singapore on the ground that the person is a prohibited immigrant, the Controller must, if so requested by the person, inform the person of the class of prohibited immigrants of which, in the opinion of the Controller, the person is a member.

(5) Subject to any exemption granted under section 56, if any prohibited immigrant enters Singapore otherwise than in accordance with a valid pass lawfully issued to him or her, he or she shall be guilty of an offence.

(6) Any person in possession of a permit issued to him or her under the provisions of this Act who, upon his or her arrival in Singapore, is refused permission to enter on the ground that he or she is a prohibited immigrant, may appeal against the refusal, within such time and in such manner as may be prescribed, to the Minister whose decision is final.

(7) Despite sections 24, 25, 25A and 26, any person who appeals against such refusal must be permitted to disembark and must be detained in an immigration depot pending the determination of his or her appeal, unless released on a pass issued at the discretion of the Controller on such conditions as to furnishing security or otherwise as the Controller may think fit.

**Power to prohibit or limit entry into Singapore**

9.—(1) The Minister may, by order —

- (a) where the Minister thinks it expedient to do so in the interests of public security or by reason of any economic, industrial, social, educational or other conditions in Singapore —
  - (i) prohibit, either for a stated period or permanently, the entry or re-entry into Singapore of any person or class of persons;
  - (ii) limit the number of persons of any class who may enter Singapore within any period specified in the order; or
  - (iii) limit the period during which any person or class of persons entering or re-entering Singapore may remain therein; or
- (b) prohibit the entry into Singapore of passengers brought to Singapore by any transportation company which refuses or neglects to comply with the provisions of this Act.

(1A) No order made under subsection (1)(a), except an order made in the interests of public security, applies to any person outside Singapore at the time when the order is made and who is in possession of a valid re-entry permit lawfully issued to him or her.

(2) An order made under subsection (1) does not apply to any citizen of Singapore or to any person seeking to enter Singapore under and in accordance with any pass lawfully issued to that person.

(3) Every order made under subsection (1)(a) which relates to a class of persons, except an order made in the interests of public security, must be presented to Parliament as soon as possible after publication in the *Gazette* and if a resolution is passed within the next 3 months after the order is so presented disapproving the order or any part thereof, the order or such part thereof (as the case may be) ceases to have effect but without affecting the validity of anything previously done thereunder.

(4) Every order made under subsection (1), unless otherwise expressed therein, comes into force on the date of the making of the order, and must be published in the *Gazette*.

(5) Any person who enters or re-enters or remains in Singapore in contravention of any order made under subsection (1) shall be guilty of an offence and shall on conviction be punished with imprisonment for a presumptive minimum term of not less than 2 years and not more than 4 years and shall also be liable to a fine not exceeding \$6,000.

[15/2019]

(6) Where a person, who has been previously convicted of any offence which is punishable with imprisonment for a term of not less than 3 years, commits an offence under subsection (5) by the use of a passport or other travel document which bears a name different from that stated in the order made against him or her under subsection (1), he or she shall on conviction be punished with imprisonment for a term of not less than 2 years and not more than 5 years and shall also be liable to a fine not exceeding \$10,000 and to caning.

## PART 2A

### SINGAPORE VISAS FOR NON-CITIZENS

#### **Singapore visas**

**9A.**—(1) Subject to the provisions of this Act, the Controller may grant a non-citizen permission, to be known as a Singapore visa, to travel to and enter Singapore.

(2) Without limiting subsection (1), a Singapore visa to travel to and enter Singapore may be one to travel to and enter Singapore during a specified period.

#### **Visas essential for travel**

**9B.**—(1) Subject to subsection (2), a non-citizen must not travel to Singapore without a Singapore visa that is in effect.

(2) Subsection (1) does not apply to a non-citizen in relation to travel to Singapore if the travel is by a non-citizen who holds and produces a valid passport from a territory that is approved by the Minister.



**Effect of Singapore visa**

**9C.**—(1) A Singapore visa that is in effect is not a pass or other permission for, and does not confer any right on, the holder to enter Singapore.

(2) Subject to section 5(2) and any regulations made under section 55, the holder of a Singapore visa that is in effect must enter Singapore at an authorised airport, authorised landing place, authorised train checkpoint or authorised point of entry.

**PART 3****ENTRY AND RE-ENTRY PERMITS****Entry permits**

**10.**—(1) Any person seeking to enter Singapore who is not entitled so to enter as a citizen of Singapore or by virtue of a valid pass to enter Singapore issued to him or her or seeking to remain in Singapore after he or she had ceased to be a citizen of Singapore or after the expiry of such a pass may make application in that behalf in the manner prescribed to the Controller or to such other person whether within or outside Singapore as the Controller may, from time to time, appoint for the purpose.

(2) Upon an application made under subsection (1) and on payment of the prescribed fee, the Controller may issue to the applicant an entry permit in the prescribed form and must, if the applicant is required by the provisions of any written law relating to passports for the time being in force in Singapore to have a visa to enter Singapore, issue a visa to the applicant on the production by him or her of his or her passport or other travel document and on payment of the fee prescribed by that written law, and the visa remains valid until the expiry or cancellation of the entry permit issued to the applicant.

(3) The Controller may —

- (a) at the time of issuing an entry permit under subsection (2), impose any condition as the Controller thinks fit; or

(b) at any time after the issue of an entry permit under subsection (2), vary or revoke any condition to which the entry permit is subject or impose any condition thereto.

(3A) To avoid doubt, the power of the Controller to vary, revoke or impose any condition under subsection (3)(b) may be exercised whether or not the Controller is entitled to cancel the entry permit under this Act.

(4) Before varying, revoking or imposing any condition on an entry permit under subsection (3)(b), the Controller must notify the holder of the entry permit of the Controller's intention to do so and must give the holder an opportunity to be heard as to why the condition of his or her entry permit should not be varied or revoked or the additional condition should not be imposed.

[18/2012]

(5) Any person who is aggrieved by the decision of the Controller under this section may, within 30 days of being notified of the decision of the Controller, appeal by petition in writing to the Minister whose decision is final.

(6) Any entry permit issued by the Controller before 15 January 2005 to any person who was in Singapore at the time he or she ceased to be a citizen of Singapore and who continued to remain in Singapore is deemed to have been validly issued and continues in force until it is cancelled.

### **Re-entry permits**

**11.—**(1) Any person lawfully resident in Singapore, not being the holder of a valid pass or a citizen of Singapore, who seeks to leave Singapore temporarily, or within one month of so leaving Singapore, may make an application to the Controller in the prescribed manner for the issue to the person of a re-entry permit authorising the person to re-enter Singapore.

(2) Subject to subsection (3), upon an application made under subsection (1) and on payment of the prescribed fee, the Controller may issue to the applicant a re-entry permit in the prescribed form and must, if the applicant is required by the provisions of any written law relating to passports for the time being in force in Singapore to have a

visa to enter Singapore, issue a visa to the applicant on the production by him or her of his or her passport or other travel document and on payment of the fee prescribed by that written law and the visa remains valid until the expiry or cancellation of the re-entry permit issued to the applicant.

[18/2012]

(3) The Controller may —

- (a) at the time of issuing a re-entry permit under subsection (2), impose any condition as the Controller thinks fit; or
- (b) at any time after the issue of a re-entry permit under subsection (2), vary or revoke any condition to which the re-entry permit is subject or impose any condition thereto.

[18/2012]

(4) To avoid doubt, the power of the Controller to vary, revoke or impose any condition under subsection (3)(b) may be exercised whether or not the Controller is entitled to cancel the re-entry permit under this Act.

[18/2012]

(5) Before varying, revoking or imposing any condition on a re-entry permit under subsection (3)(b), the Controller must notify the holder of the re-entry permit of the Controller's intention to do so and must give the holder an opportunity to be heard as to why the condition of the holder's re-entry permit should not be varied or revoked or the additional condition should not be imposed.

[18/2012]

(6) Any person who is aggrieved by the decision of the Controller under this section may, within 30 days after being notified of the decision of the Controller, appeal by petition in writing to the Minister whose decision is final.

[18/2012]

### **Persons ceasing to be citizens of Singapore**

**11A.**—(1) Subject to subsection (4), any person in Singapore who, on or after 15 January 2005, ceases to be a citizen of Singapore must not remain in Singapore for more than 24 hours after the date on which the person ceases to be a citizen of Singapore unless the person

has been issued with a permit or a pass authorising the person to remain in Singapore.

(2) Any person who, on or after 15 January 2005, ceases to be a citizen of Singapore and who wishes to remain in Singapore may make an application to the Controller in the prescribed manner for a permit or a pass authorising the person to remain in Singapore.

(3) Upon an application made under subsection (2) and on payment of the prescribed fee, the Controller may issue to the applicant a permit or a pass authorising the applicant to remain in Singapore.

(4) Any person who applies for a permit or a pass under subsection (2) before the expiry of the time specified in subsection (1) —

(a) may remain in Singapore pending the determination by the Controller of the application; and

(b) subject to subsection (5), must not remain in Singapore for more than 24 hours after being informed that the person's application for a permit or pass has been rejected.

(5) Subsection (4)(b) does not prevent a person from entering and remaining in Singapore if the person is subsequently issued with a permit or a pass by the Controller authorising the person to enter and remain in Singapore.

(6) Any person who, without reasonable cause, contravenes subsection (1) or (4)(b) shall be guilty of an offence and —

(a) in the case where he or she remains unlawfully in Singapore for a period not exceeding 90 days, shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 6 months or to both; or

(b) in the case where he or she remains unlawfully in Singapore for a period exceeding 90 days, shall on conviction be punished with imprisonment for a term not exceeding 6 months and shall also, subject to sections 325(1) and 330(1) of the Criminal Procedure Code 2010, be punished with caning with not less than

3 strokes, or where by virtue of that section he or she is not punishable with caning, he or she shall, in lieu of caning, be punished with a fine not exceeding \$6,000.

[15/2010]

### **Endorsement of names of wife and children on permits, passes and certificates**

**12.** Subject to such conditions as may be prescribed, it is lawful for the Controller, on application made in that behalf in the prescribed form by the holder of, or by an applicant for, a permit, pass or certificate, to endorse upon the permit, pass or certificate issued to that person the name or names of the wife or child of that person.

### **Power to make inquiries**

**13.** The Controller may, before the issue of a permit, pass or certificate under this Act or before making any endorsement thereon under section 12, make such inquiries or require the production of such evidence as the Controller may think fit in order to satisfy himself or herself as to the truth of any statement made in the application for the permit, pass or certificate.

### **Cancellation and declarations regarding permits and certificates**

**14.—(1)** Where the holder of any permit seeks to enter Singapore accompanied by any child whose name is not endorsed upon that permit under section 12 and who is not otherwise entitled to enter Singapore under the provisions of this Act, the Controller may cancel the permit issued to that person.

(2) Where, upon the arrival in Singapore of any person to whom a permit or certificate has been issued, the Controller is satisfied, as a result of inquiries made under section 24, 25, 25A or 26, or from other information, that the permit or certificate was issued as a result of any false representation or concealment of a material fact, the Controller may cancel the permit or certificate.

(3) Where at any time during the period of validity of any permit or certificate, the Controller is satisfied that the holder of the permit or

certificate is a prohibited immigrant, the Controller must cancel the permit or certificate.

(4) Where any person has entered or remains in Singapore by virtue of a permit or certificate, and the Controller is satisfied that —

- (a) any material statement made in or in connection with the application for the permit or certificate was false or misleading;
- (b) the person is a prohibited immigrant; or
- (c) the holder of the permit or certificate has contravened any condition stated in the permit or certificate,

the Controller may cancel the permit or certificate issued to that person, and may declare at any time after the date of the entry or date of the issue of the permit or certificate that the presence of that person in Singapore is unlawful.

(5) On making any cancellation under subsection (2), (3) or (4) or on making any declaration under subsection (4), the Controller must, by notification which, if the person's address is known, must be sent to the person at that address and otherwise must be published in such manner as the Controller thinks fit, inform the person affected thereby of the grounds on which the cancellation or declaration has been made.

(6) The person may appeal against the cancellation or declaration (as the case may be) within such time and in such manner as may be prescribed, to the Minister whose decision is final.

### **Unlawful entry or presence in Singapore**

**15.—**(1) A person must not remain in Singapore after the cancellation of any permit or certificate, or after the making of a declaration under section 14(4) or after the expiration or notification to him or her, in such manner as may be prescribed, of the cancellation of any pass relating to or issued to him or her unless he or she is otherwise entitled or authorised to remain in Singapore under the provisions of this Act or the regulations.

(2) A person must not remain in Singapore in contravention of section 62.

(3) Any person who contravenes, without reasonable cause, this section shall be guilty of an offence and —

- (a) in the case where he or she remains unlawfully for a period not exceeding 90 days, shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 6 months or to both;
- (b) in the case where he or she remains unlawfully for a period exceeding 90 days, shall on conviction be punished with imprisonment for a term not exceeding 6 months and shall also, subject to sections 325(1) and 330(1) of the Criminal Procedure Code 2010, be punished with caning with not less than 3 strokes, or where by virtue of that section he or she is not punishable with caning, he or she shall, in lieu of caning, be punished with a fine not exceeding \$6,000.

[15/2010]

#### PART 4

### PROCEDURE ON ARRIVAL IN AND DEPARTURE FROM SINGAPORE

#### **Immigration signal**

**16.—**(1) The master of every vessel which arrives in or is about to leave Singapore must hoist the prescribed immigration signal and must exhibit that signal until authorised by an immigration officer to haul it down.

(2) The master of a vessel who contravenes subsection (1) shall be guilty of an offence.

#### **Vessel to stop, proceed to immigration or departure anchorage or other place when ordered**

**17.—**(1) The Controller may, by notification in the *Gazette*, declare any place within the limits of any port to be an immigration anchorage, either for vessels generally or for vessels of a class specified in the notification.

[18/2012]

(2) The master of every vessel which arrives at or is about to leave a port where an immigration anchorage, either for vessels generally or for vessels of a class to which that vessel belongs, has been declared must, subject to any directions given under subsection (4), immediately navigate the vessel to that anchorage and must remain there until an immigration officer gives him or her permission to leave.

(3) The master of every vessel which arrives in or is about to leave Singapore must, if ordered to do so by a police officer or an immigration officer, stop, anchor or tie up the vessel at such place as may be ordered, and must remain there until a police officer or an immigration officer gives him or her permission to leave.

[18/2012]

(4) The master of a vessel who contravenes or, without reasonable cause, fails to comply with this section or any order made or directions given thereunder shall be guilty of an offence.

### **Aircraft arriving in or departing from Singapore**

**18.**—(1) The captain of every aircraft which arrives in or leaves Singapore must land the aircraft at, or fly the aircraft away from, an authorised airport.

(2) The captain of an aircraft who, without reasonable cause, contravenes subsection (1) shall be guilty of an offence.

### **Train arriving in or leaving Singapore**

**18A.**—(1) The master of every train which arrives in or leaves Singapore must stop the train at, or drive the train away from, an authorised train checkpoint.

(2) The master of a train who, without reasonable cause, contravenes subsection (1) shall be guilty of an offence.

### **Vehicles arriving in or leaving Singapore**

**18B.**—(1) The driver of a vehicle who wishes to drive into Singapore must stop the vehicle at an authorised place of embarkation, an authorised point of entry or an immigration control post upon arrival in Singapore.



(2) The driver of a vehicle who wishes to drive out of Singapore must stop the vehicle at an authorised departing place, an authorised point of departure or an immigration control post before leaving Singapore.

(3) The driver of a vehicle who, without reasonable cause, contravenes subsection (1) or (2) shall be guilty of an offence.

### **Persons not to board or leave vessel until examination completed**

**19.**—(1) Except under and in accordance with any authority granted by an immigration officer, no person other than —

- (a) the pilot;
- (b) any Government officer boarding the vessel on duty;
- (c) the owner, charterer or agent of the vessel; or
- (d) a consular officer or an accredited representative of the country to which the vessel belongs,

is to leave or board a vessel arriving in Singapore nor may any person (other than the crew of a vessel carrying any such person) approach within 200 metres of the vessel, until the vessel has been examined by an immigration officer and the immigration signal has been hauled down, or board a vessel departing from Singapore after it has been examined by an immigration officer just before its departure.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and every such person leaving a vessel in contravention of subsection (1) must, if so required by an immigration officer, return immediately to the vessel and remain thereon and the master of the vessel is bound to re-embark that person.

### **Prohibition on disembarking from or boarding ships without permission of immigration officer**

**20.**—(1) It is the duty of the master and the owner or charterer of every vessel which arrives in Singapore to prevent any person other than a person specified in section 19(1)(a), (b), (c) or (d) from disembarking from or boarding the vessel until the disembarkation or

boarding has been authorised by an immigration officer, and for that purpose any means reasonably necessary may be used.

(2) Where any person disembarks from or boards any vessel before being authorised by an immigration officer in that behalf, that person, the master and the owner or charterer of the vessel shall each be guilty of an offence under this section.

(3) It is no defence to a prosecution under this section that the master, owner or charterer did not permit or do anything to facilitate the disembarkation or boarding of the person.

(4) It is a good defence to a prosecution under this section that the master, owner or charterer took every reasonable precaution to prevent the disembarkation or boarding of the person.

(5) The master of the vessel from which any person has disembarked before the disembarkation has been authorised by an immigration officer is bound to re-embark that person and any master refusing to re-embark that person shall be guilty of an offence.

(6) Any person guilty of an offence under this section shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 12 months or to both.

### **Prohibition of removal of articles before examination**

**21.**—(1) Except with the authority of an immigration officer, no article or thing is to be removed or taken from, or put on board, any vessel until the vessel has been examined by an immigration officer under section 19.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

### **Provision of passenger and crew information by master, etc., of vessel arriving in, leaving or due to leave Singapore**

**22.**—(1) Subject to section 22A(4), the master, owner, agent or charterer of every vessel arriving at any authorised landing place for persons arriving in Singapore by sea from a place outside Singapore or leaving or due to leave from any authorised departing place for

persons leaving Singapore by sea to a place outside Singapore must —

- (a) within such time, in such form and manner and containing such particulars of the crew as may be prescribed, furnish to an immigration officer a complete list of all the crew who are or will be on board the vessel at the time of its arrival at the authorised landing place or at the time of its departure from the authorised departing place, as the case may be;
- (b) if so required by that immigration officer, produce to that immigration officer for inspection and interrogation every member of the crew, as directed, either generally or specifically, by that immigration officer;
- (c) furnish to that immigration officer such evidence of identity of each member of the crew within such time and in such form and manner as may be prescribed;
- (d) submit to such search of the vessel as may be necessary to establish the presence or absence of other persons on board;
- (e) produce the vessel's papers; and
- (f) before the vessel arrives at the authorised landing place or departs from the authorised departing place (as the case may be), report the presence on board of any stowaway or any unauthorised person or any person proceeding to any state or country on the person's removal from any other state or country by the competent authorities of that other state or country.

[18/2012]

(2) In the case of vessels carrying passengers, the master, owner, agent or charterer must, in addition —

- (a) within such time, in such form and manner and containing such particulars as may be prescribed, furnish a complete list of all passengers who are or will be on board the vessel at the time of its arrival at the authorised landing place or

departure from the authorised departing place, as the case may be;

- (b) furnish in relation to every passenger disembarking in or embarking from Singapore such particulars in such form and manner and within such time as may be prescribed; and
- (c) if so required by an immigration officer, produce every passenger for inspection and interrogation as directed, either generally or specifically, by that immigration officer.

[18/2012]

(3) The master, owner, agent or charterer of a vessel who contravenes subsection (1) or (2), and any person who hinders or obstructs any search of a vessel under subsection (1)(d), shall each be guilty of an offence.

(4) If any person whose presence has not been reported under subsection (1)(f) is found on board the vessel, the master, owner, agent and charterer of the vessel shall each be guilty of an offence and shall each be liable on conviction to a fine of not less than \$5,000 and not more than \$10,000 in respect of each such person.

(5) In any proceedings under this section, the certificate in writing of an immigration officer who boarded or examined any particular vessel to the effect that the vessel carried, on arrival in Singapore, a total number of seamen corresponding in description to the particulars on the identification cards furnished under subsection (1)(c) is conclusive proof that the vessel did on arrival carry that number of seamen.

### **Provision of passenger and crew information in advance by master, etc., of vessel due to arrive in Singapore**

**22A.**—(1) The master, owner, agent or charterer of every vessel which is due to arrive at any authorised landing place for persons arriving in Singapore by sea from a place outside Singapore must, upon being given reasonable prior notice in writing by the Controller to comply with this section —

- (a) within such time prior to the arrival of the vessel at the authorised landing place, in such form and manner and containing such particulars of the crew as may be prescribed, furnish to the Controller a complete list of all the crew who are or will be on board the vessel at the time of its arrival at the authorised landing place;
- (b) within such time prior to the arrival of the vessel at the authorised landing place and in such form and manner as may be prescribed, furnish to the Controller a complete list of all passengers who are or will be on board the vessel at the time of its arrival at the authorised landing place; and
- (c) furnish to the Controller in relation to every passenger disembarking in Singapore, such particulars regarding one or both of the following:
  - (i) advance passenger information;
  - (ii) information recorded in the passenger reservation system for that vessel,

within such time prior to the arrival of the vessel at the authorised landing place and in such form and manner as may be prescribed.

[18/2012]

(2) The Controller may at any time by notice in writing to the master, owner, agent or charterer of a vessel, revoke the notice given to that person under subsection (1).

[18/2012]

(3) The master, owner, agent or charterer of a vessel who contravenes subsection (1) shall be guilty of an offence.

[18/2012]

(4) Any master, owner, agent or charterer of a vessel who is required to comply with this section need not comply with section 22(1)(a) and (2)(a) and (b) unless so required by an immigration officer.

[18/2012]

**Provision of passenger and crew information by captain, etc., of aircraft arriving in, leaving or due to leave Singapore**

**23.—**(1) Subject to section 23AA(4), the captain, owner, agent or charterer of every aircraft arriving at any airport in Singapore from a place outside Singapore or leaving or due to leave any airport in Singapore to a place outside Singapore must —

- (a) within such time, in such form and manner and containing such particulars as may be prescribed, furnish to an immigration officer a complete list of all passengers who are or will be on board the aircraft at the time of its arrival at the airport or departure from the airport, as the case may be;
- (b) furnish to that officer in relation to every passenger landing in or departing from Singapore such particulars in such form and manner within such time as may be prescribed;
- (c) within such time, in such form and manner and containing such particulars of the crew as may be prescribed, furnish to that officer a complete list of all the crew of the aircraft who are or will be on board the aircraft at the time of its arrival at the airport or departure from the airport, as the case may be;
- (d) if so required by an immigration officer, produce every member of the crew and every passenger of that aircraft for inspection and interrogation as directed, either generally or specifically, by the immigration officer;
- (e) submit to such search of the aircraft as may be necessary to establish the presence or absence of other persons on board; and
- (f) before the aircraft arrives at or departs from the airport (as the case may be), report the presence on board of any stowaway or any unauthorised person or any person proceeding to any state or country on the person's removal from any other state or country by the competent authorities of that other state or country.

[18/2012]

(2) The captain, owner, agent or charterer of an aircraft who contravenes subsection (1), and any person who hinders or obstructs any search of an aircraft under subsection (1)(e), shall each be guilty of an offence.

(3) If any person whose presence has not been reported under subsection (1)(f) is found on board an aircraft, the captain, owner, agent and charterer of the aircraft shall each be guilty of an offence and shall each be liable on conviction to a fine of not less than \$5,000 and not more than \$10,000 in respect of each such person.

(4) In any proceedings under this section, the certificate in writing of an immigration officer who boarded or examined any particular aircraft to the effect that the aircraft carried, on arrival in Singapore, a total number of crew corresponding in description to the particulars on the list furnished under subsection (1)(c) is conclusive proof that the aircraft did on arrival carry that number of crew.

### **Provision of passenger and crew information in advance by captain, etc., of aircraft due to arrive in Singapore**

**23AA.**—(1) The captain, owner, agent or charterer of every aircraft which is due to arrive at any airport in Singapore from a place outside Singapore must, upon being given reasonable prior notice in writing by the Controller to comply with this section —

- (a) within such time prior to the arrival of the aircraft at the airport, in such form and manner and containing such particulars of the crew as may be prescribed, furnish to the Controller a complete list of all the crew of the aircraft who are or will be on board the aircraft at the time of its arrival at the airport;
- (b) within such time prior to the arrival of the aircraft at the airport and in such form and manner as may be prescribed, furnish to the Controller a complete list of all passengers who are or will be on board the aircraft at the time of its arrival at the airport; and
- (c) furnish to the Controller in relation to every passenger landing in Singapore, such particulars regarding one or both of the following:

- (i) advance passenger information;
- (ii) information recorded in the passenger reservation system for that aircraft,

within such time prior to the arrival of the aircraft at the airport and in such form and manner as may be prescribed.

[18/2012]

(2) The Controller may at any time by notice in writing to the captain, owner, agent or charterer of an aircraft, revoke the notice given to that person under subsection (1).

[18/2012]

(3) The captain, owner, agent or charterer of an aircraft who contravenes subsection (1) shall be guilty of an offence.

[18/2012]

(4) Any captain, owner, agent or charterer of an aircraft who is required to comply with this section need not comply with section 23(1)(a), (b) and (c) unless so required by an immigration officer.

[18/2012]

### **Provision of passenger and crew information by master, etc., of train arriving in, leaving or due to leave Singapore**

**23A.**—(1) Subject to section 23B(4), the master, owner, agent or charterer of every train arriving at any train checkpoint in Singapore from a place outside Singapore or leaving or due to leave any train checkpoint in Singapore to a place outside Singapore must, at an authorised train checkpoint and if required to do so by an immigration officer —

- (a) within such time, in such form and manner and containing such particulars of the crew as may be prescribed, furnish to that officer a complete list of all the crew who are or will be on board the train at the time of its arrival at the train checkpoint or departure from the train checkpoint, as the case may be;



- (b) if so required by that immigration officer, produce to that immigration officer for inspection and interrogation every member of the crew as directed, either generally or specifically, by that immigration officer;
- (c) submit to such search of the train as may be necessary to establish the presence or absence of other persons on board; and
- (d) upon the arrival of the train at or before the departure of the train from the train checkpoint (as the case may be), report the presence on board of any stowaway or any unauthorised person or any person proceeding to any state or country on the person's removal from any other state or country by the competent authorities of that other state or country.

[18/2012]

(2) In the case of a train carrying passengers, the master must, in addition —

- (a) within such time, in such form and manner and containing such particulars as may be prescribed, furnish a complete list of all passengers who are or will be on board the train at the time of its arrival at the train checkpoint or departure from the train checkpoint, as the case may be;
- (b) furnish in relation to every passenger disembarking in or embarking from Singapore such particulars in such form and manner within such time as may be prescribed; and
- (c) if so required by an immigration officer, produce every passenger for inspection and interrogation as directed, either generally or specifically, by that immigration officer.

[18/2012]

(3) The master, owner, agent or charterer of a train who contravenes subsection (1) or (2), and any person who hinders or obstructs any search of a train under subsection (1)(c), shall each be guilty of an offence.

(4) If any person whose presence has not been reported under subsection (1)(d) is found on board the train, the master, owner, agent and charterer of the train shall each be guilty of an offence and shall each be liable on conviction to a fine of not less than \$5,000 and not more than \$10,000 in respect of each such person.

(5) In any proceedings under this section, the certificate in writing of an immigration officer who boarded or examined any particular train to the effect that the train carried, on arrival in Singapore, a total number of crew corresponding in description to the particulars on the list furnished under subsection (1)(a) is conclusive proof that the train did on arrival carry that number of crew.

**Provision of passenger and crew information in advance by master, etc., of train due to arrive in Singapore**

**23B.**—(1) The master, owner, agent or charterer of every train which is due to arrive at any train checkpoint in Singapore from a place outside Singapore must, upon being given reasonable prior notice in writing by the Controller to comply with this section —

- (a) within such time prior to the arrival of the train at the train checkpoint, in such form and manner and containing such particulars of the crew as may be prescribed, furnish to the Controller a complete list of all the crew who are or will be on board the train at the time of its arrival at the train checkpoint;
- (b) within such time prior to the arrival of the train at the train checkpoint and in such form and manner as may be prescribed, furnish to the Controller a complete list of all passengers who are or will be on board the train at the time of its arrival at the train checkpoint; and
- (c) furnish to the Controller in relation to every passenger disembarking in Singapore, such particulars regarding one or both of the following:
  - (i) advance passenger information;

- (ii) information recorded in the passenger reservation system for that train,

within such time prior to the arrival of the train at the train checkpoint and in such form and manner as may be prescribed.

[18/2012]

(2) The Controller may at any time by notice in writing to the master, owner, agent or charterer of a train, revoke the notice given to that person under subsection (1).

[18/2012]

(3) The master, owner, agent or charterer of a train who contravenes subsection (1) shall be guilty of an offence.

[18/2012]

(4) Any master, owner, agent or charterer of a train who is required to comply with this section need not comply with section 23A(1)(a) and (2)(a) and (b) unless so required by an immigration officer.

[18/2012]

### **Examination of persons arriving by sea**

**24.—**(1) Every person arriving by sea in Singapore, whether or not he or she enters Singapore, must appear before an immigration officer at such time and place as that officer may direct.

[18/2012]

(2) The immigration officer, after such examination as he or she may consider necessary, must inform any person whom the immigration officer considers to be prohibited from entering Singapore under the provisions of this Act or any regulations or orders made under this Act of his or her finding, and the person, if still aboard the vessel, must not disembark in Singapore or, if the person has disembarked for the purposes of the examination, must return immediately to the vessel and remain on the vessel.

(3) The master, owner, agent or charterer of the vessel must likewise immediately be informed in writing by the immigration officer of his or her finding and the master, owner, agent or charterer must not permit the person to disembark in Singapore, or, if the person has disembarked, whether for the purpose of examination or otherwise, is bound to re-embark the person and remove the person

from Singapore by the same or such other vessel, to the person's place of embarkation, the country of the person's birth or citizenship or such other destination, as that immigration officer may direct.

[18/2012]

(4) Any person who —

- (a) refuses or neglects to appear before an immigration officer as required by subsection (1) or who leaves the place of examination without or otherwise than in accordance with the authorisation of that officer;
- (b) after being informed by an immigration officer that the person is prohibited from entering Singapore, either disembarks in Singapore or refuses or neglects to return immediately to his or her vessel, as the case may be; or
- (c) being the master, owner, agent or charterer of a vessel, permits any person to disembark in Singapore or refuses to re-embark any person, or refuses or neglects to remove the person from Singapore in accordance with subsection (3), after being informed by an immigration officer that the person is prohibited from entering Singapore or that the person has refused or neglected to appear before an immigration officer as required by subsection (1) or that the person had left the place of examination without or otherwise than in accordance with the authorisation of that officer,

shall each be guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 12 months or to both.

[18/2012]

(5) Where any person either disembarks in Singapore or refuses or neglects to return to his or her vessel in contravention of this section or to board such other vessel as may be directed by an immigration officer, the immigration officer or any police officer may require that person to return to the person's vessel or board such other vessel and may take such steps, including the use of force, as may be reasonably necessary to compel that person to return or board (as the case may be) and the master, owner, agent or charterer of the relevant vessel is

bound to re-embark or embark (as the case may be) that person and to remove that person from Singapore.

[18/2012]

(6) The master, owner, agent or charterer of a vessel may use such force as may be reasonably necessary to enable him, her or it to comply with subsections (3) and (5).

### **Examination of persons arriving at authorised airport**

**25.**—(1) Every person arriving by air at any authorised airport in Singapore, whether or not the person enters Singapore, must appear before an immigration officer at such time and place as that officer may direct.

[18/2012]

(2) The immigration officer, after such examination as he or she may consider necessary, must inform any person whom the immigration officer considers to be prohibited from entering Singapore under the provisions of this Act or any regulations or orders made under this Act of his or her finding, and the person must not leave the precincts of the airport except for a place approved by that officer, and must leave and depart from Singapore by the first available means in accordance with the instructions of that officer.

(3) The captain, owner, agent or charterer of the aircraft in which the person arrived must, if so required by the immigration officer, remove the person from Singapore by the same or such other aircraft, to the person's place of embarkation, the country of the person's birth or citizenship or such other destination, as that immigration officer may direct.

[18/2012]

(4) Any person who —

- (a) refuses or neglects to appear before an immigration officer as required by subsection (1) or who leaves the place of examination without or otherwise than in accordance with the authorisation of that officer;
- (b) after being informed by an immigration officer that he or she is prohibited from entering Singapore, leaves the precincts of an airport without the permission of that

officer, or refuses or neglects to proceed to or remain at a place approved by that officer;

- (c) refuses or fails to leave Singapore in accordance with the instructions of an immigration officer given under subsection (2); or
- (d) being the captain, owner, agent or charterer of the aircraft in which any person arrived in Singapore, refuses or neglects to remove the person from Singapore in accordance with subsection (3) after being informed by an immigration officer that the person is prohibited from entering Singapore or that the person has refused or neglected to appear before an immigration officer as required by subsection (1) or that the person has left the place of examination without, or otherwise than in accordance with, the authorisation of that officer,

shall each be guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 12 months or to both.

[18/2012]

(5) Where any person leaves the precincts of an airport in contravention of this section or refuses to leave and depart from Singapore in accordance with the instructions of an immigration officer given under subsection (2), the immigration officer or any police officer may take such steps, including the use of force, as may be reasonably necessary to compel that person to return to the precincts of the airport or to comply with those instructions, as the case may be.

[18/2012]

### **Examination of persons arriving by train**

**25A.**—(1) Every person arriving by train at any authorised train checkpoint in Singapore, whether or not the person enters Singapore, must appear before an immigration officer at such time and place as that officer may direct.

[18/2012]

(2) The immigration officer, after such examination as he or she may consider necessary, must inform any person whom the immigration officer considers to be prohibited from entering Singapore under the provisions of this Act or any regulations or orders made under this Act of his or her finding, and the person must not leave the precincts of the checkpoint except for a place approved by that officer, and must leave and depart from Singapore by the first available means in accordance with the instructions of that officer.

(3) The master, owner, agent or charterer of the train in which the person arrived must, if so required by the immigration officer, remove the person from Singapore by the same or such other train, to the person's place of embarkation, the country of the person's birth or citizenship or such other destination, as that immigration officer may direct.

[18/2012]

(4) Any person who —

- (a) refuses or neglects to appear before an immigration officer as required by subsection (1) or who leaves the place of examination without, or otherwise than in accordance with, the authorisation of that officer;
- (b) after being informed by an immigration officer that he or she is prohibited from entering Singapore, leaves the precincts of an authorised train checkpoint without the permission of that officer, or refuses or neglects to proceed to or remain at a place approved by that officer;
- (c) refuses or fails to leave Singapore in accordance with the instruction of an immigration officer given under subsection (2); or
- (d) being the master, owner, agent or charterer of the train in which any person arrived in Singapore, refuses or neglects to remove the person from Singapore in accordance with subsection (3) after being informed by an immigration officer that the person is prohibited from entering Singapore or that the person has refused or neglected to appear before an immigration officer as required by subsection (1) or that the person has left the place of

examination without, or otherwise than in accordance with, the authorisation of that officer,

shall each be guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 12 months or to both.

[18/2012]

(5) Where any person leaves the precincts of an authorised train checkpoint in contravention of this section or refuses to leave and depart from Singapore in accordance with the instructions of an immigration officer given under subsection (2), the immigration officer or any police officer may take such steps, including the use of force, as may be reasonably necessary to compel that person to return to the precincts of the checkpoint or to comply with those instructions, as the case may be.

[18/2012]

### **Examination of persons entering Singapore by land or at place other than authorised landing place or airport**

**26.—**(1) Every person who enters Singapore by land must —

- (a) proceed to the nearest immigration control post;
- (b) appear before an immigration officer in charge of the post; and
- (c) if so required by that officer, furnish particulars about himself or herself in such form and manner and containing such particulars as may be prescribed.

[18/2012]

(2) Every person arriving by sea or air in Singapore at any place, other than at an authorised landing place or airport, must immediately proceed to and appear before the nearest immigration officer.

(3) The immigration officer before whom any person appears in accordance with this section must, if the immigration officer considers that the person is prohibited from entering Singapore under the provisions of this Act or any regulations or orders made under this Act, inform that person of his or her finding and that person must in accordance with the instructions of that officer immediately leave and depart from Singapore.



(4) Any person who contravenes this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 12 months or to both.

### **Power to send person to depot for further examination**

**27.—**(1) Where an immigration officer is in doubt as to the right of any person to enter Singapore, it is lawful for that officer to direct the person to an immigration depot and, in that case, that person must proceed immediately to that depot and must remain there until permitted to leave by that officer.

(2) No person shall, except on the written order of the Minister, be so detained for any period exceeding 7 days except that the Controller may, in his or her discretion, and pending the completion of inquiries regarding that person, release that person from the immigration depot on such terms and conditions as the Controller may think fit, and for that purpose the Controller may issue to that person a pass in the prescribed form.

(3) Any person who refuses or neglects to comply with any directions given by an immigration officer under subsection (1), or who leaves an immigration depot in contravention of that subsection, shall be guilty of an offence.

### **Interrogation of travellers**

**28.—**(1) Any person who arrives in Singapore or who is about to leave Singapore must —

- (a) fully and truthfully answer all questions and enquiries put to him or her by an immigration officer or a police officer tending, directly or indirectly, to establish his or her identity, nationality or occupation or bearing on any of the restrictions contained in this Act or the regulations or any absolute or conditional liability on his or her part to any military, naval or air force service under any state or country; and

- (b) disclose and produce to any such officer on demand all documents in his or her possession relating to those matters.
- (2) All such answers and documents shall be admissible in evidence in any proceedings under this Act against the person making, disclosing or producing the same.
- (3) Nothing in this section is to be construed as rendering any such answer inadmissible in any other proceedings in which they would otherwise be admissible.
- (4) Any person who —
- (a) refuses to answer any question or enquiry put to him or her under subsection (1);
  - (b) knowingly gives any false or misleading answer to any such question or enquiry;
  - (c) refuses or fails to produce any document in his or her possession when required to do so under subsection (1); or
  - (d) knowingly produces any false or misleading document,
- shall be guilty of an offence and shall be liable on conviction —
- (e) in the case of an offence under paragraph (a), (b) or (c), to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both; or
  - (f) in the case of an offence under paragraph (d), to a fine not exceeding \$6,000 or to imprisonment for a term not exceeding 2 years or to both.

### **Medical examination**

**29.**—(1) For the purpose of exercising his or her powers and carrying out his or her functions and duties under this Act or the regulations, an immigration officer may require any person who desires to enter Singapore, or to whom a permit, pass or certificate has been issued, to submit to an examination by a registered medical practitioner.

[18/2012]

(2) The registered medical practitioner must, upon completion of an examination of a person under subsection (1), submit a copy of the results of the examination to the Controller.

[18/2012]

(3) Despite the provisions of any other written law or rule of law, a registered medical practitioner must, if required by the Controller for the purposes of exercising his or her powers and carrying out his or her functions and duties under this Act or the regulations, furnish the Controller with a copy of any medical record relating to a person who has been examined pursuant to subsection (1) as the Controller may require.

[18/2012]

(4) Any person to whom a permit, pass or certificate has been issued who, without reasonable excuse, refuses to submit to an examination when required by an immigration officer under subsection (1) 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 6 months or to both.

(5) The Controller may cancel the permit, pass or certificate of any person who refuses to submit to any examination when required to do so by an immigration officer under subsection (1).

(6) On making any cancellation under subsection (5), the Controller must, by notification which, if the person's address is known, must be sent to him or her at that address and otherwise must be published in such manner as the Controller thinks fit, inform the person affected of the grounds on which the cancellation has been made.

(7) A person whose permit, pass or certificate is cancelled under subsection (5) may, within such time and in such manner as may be prescribed, appeal against the cancellation to the Minister whose decision is final.

(8) In this section, "registered medical practitioner" means a medical practitioner registered under the Medical Registration Act 1997 who is employed in any hospital or medical institution and is designated by name or office by the Controller in writing for the purposes of this section.

[18/2012]

**Immigration officer may give instructions to prevent evasion of examination**

**30.**—(1) An immigration officer may give such instructions as may be reasonably necessary to ensure that no passenger or member of a crew evades examination either of his or her person or effects.

(2) Any person who, without reasonable excuse, refuses or fails to comply with any instructions given under subsection (1) shall be guilty of an offence.

**PART 5****REMOVAL FROM SINGAPORE****Removal of prohibited immigrants from Singapore**

**31.**—(1) If during the examination of any person arriving in Singapore or after such inquiry as may be necessary that person is found to be a prohibited immigrant, the Controller shall, subject to the provisions of the regulations, prohibit the person from disembarking or may detain the person at an immigration depot or other place designated by the Controller.

(2) The person shall be liable to be removed from Singapore to his or her place of embarkation or to the country of his or her birth or citizenship or to any other port or place designated by the Controller.

(3) For the purposes of this Part, any reference to a person who has arrived in Singapore includes a reference to a person who has arrived but has not yet entered Singapore.

**Power of Controller to remove prohibited immigrants**

**31A.**—(1) The Controller may, at any time, by written order, direct any person mentioned in subsection (2) to remove, within such period as may be specified in the order, a prohibited immigrant who has arrived in Singapore.

(2) An order under subsection (1) is to be made against and served on —

- (a) the master of the vessel, aircraft or train which first brought the prohibited immigrant to Singapore; or

(b) the master of any other vessel, aircraft or train belonging to the same owner or chartered by the same charterer of the vessel, aircraft or train mentioned in paragraph (a).

(3) The Controller may take such action or use such force as may be necessary to ensure that an order under this section is complied with.

(4) Without limiting subsection (3), the Controller may, by written order, direct the person against whom an order under this section is made, not to move his or her vessel, aircraft or train unless the prohibited immigrant named in that order is on board the vessel, aircraft or train.

(5) Any person who contravenes any order made under subsection (1) or (4) shall be guilty of an offence and shall be liable on conviction to a fine of not less than \$5,000 and not more than \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

### **Removal of illegal immigrants**

**32.—**(1) Any person who is convicted of an offence under section 5, 6, 8 or 9 is liable to be removed from Singapore by order of the Controller.

(2) A citizen of Singapore convicted of an offence under section 5 must not be ordered to be removed from Singapore under this section.

### **Removal of persons unlawfully remaining in Singapore**

**33.—**(1) Where the presence of any person in Singapore is unlawful by reason of section 15 or 62, that person is, whether or not any proceedings are taken against him or her in respect of any offence under that section, liable to be removed from Singapore by order of the Controller.

(2) Any person in respect of whom an order of removal has been made under subsection (1) may appeal to the Minister in such manner and within such time as may be prescribed.

(3) There is no appeal under subsection (2) against an order of removal under subsection (1) made in respect of any person whose

presence in Singapore is unlawful under section 15 or 62 by reason of the expiry of any pass relating to or issued to him or her.

(4) An appeal under subsection (2) does not operate as a stay of execution of any order of removal under subsection (1).

(5) Where an order of removal under subsection (1) has been made in respect of any person, any permit, pass or certificate to enter or remain in Singapore issued to him or her under this Act or the regulations ceases to be valid.

(6) Nothing in this Part or the regulations requires the Minister, the Controller or any other public officer to disclose any fact, produce any document or assign any reason for the making of any order of removal under this Part which he or she considers it to be against the public interest to do so.

### **Detention of persons ordered to be removed**

**34.**—(1) Where any person is ordered to be removed from Singapore under the provisions of this Act, it is lawful for the Controller to order that person to be detained in custody for such period as may be necessary for the purpose of making arrangements for that person's removal.

(2) Any person detained under subsection (1) who appeals under section 33(2) against the order of removal may, in the Controller's discretion, be released, pending the determination of the person's appeal, on such conditions as to furnishing security or otherwise as the Controller may think fit.

(3) Subject to the determination of any appeal under section 33, any person who is ordered to be removed from Singapore may be placed on board a suitable vessel, aircraft or train by any police officer or immigration officer, and may be lawfully detained on board that vessel, aircraft or train, so long as the vessel, aircraft or train is within the limits of Singapore.

(4) Any person who is detained in custody pursuant to an order made by the Controller under subsection (1) may be so detained in any prison, police station or immigration depot, or in any other place appointed for the purpose by the Controller.

**Power to arrest person liable to removal**

**35.** Any person reasonably believed to be a person liable to removal from Singapore under this Act may be arrested without warrant by any immigration officer generally or specially authorised by the Controller in that behalf or by a police officer, and may be detained in any prison, police station or immigration depot for a period not exceeding 14 days pending a decision as to whether an order for his or her removal should be made.

**Unlawful return after removal**

**36.** Any person who, having been removed from or otherwise lawfully sent out of Singapore, enters or resides in Singapore without the written permission of the Controller shall be guilty of an offence and shall on conviction be punished with imprisonment for a presumptive minimum term of not less than one year and not more than 3 years and shall also be liable to a fine not exceeding \$6,000, and shall in addition be liable to be removed from Singapore.

[15/2019]

**PART 5A****OBLIGATIONS RELATING TO IDENTIFYING  
INFORMATION OR PASSENGER INFORMATION**

[18/2012]

**Interpretation of this Part**

**36A.** In this Part, unless the context otherwise requires —

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

“identifying information” means —

- (a) any personal identifier;
- (b) any meaningful identifier derived from any personal identifier;

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

“passenger information” means the information relating to a passenger on board an aircraft, a vessel or a train provided to the Controller or any immigration officer pursuant to any provision of this Act.

[18/2012]

### **Authorising access to or disclosure of identifying information and passenger information**

**36B.**—(1) The Minister may, in writing, authorise a specified person, or any person included in a specified class of persons —

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

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

[18/2012]

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

- (a) combating document and identity fraud in immigration matters;



- (b) assisting in the identification of, and authenticating the identity of, any person who may be required by or under this Act to provide a personal identifier;
- (c) improving the efficiency and integrity of immigration processing at authorised landing places, airports, train checkpoints or points of entry;
- (d) assisting in the identification of, and authenticating the identity of, any applicant for or holder of a Singapore visa, and facilitating his or her entry into Singapore;
- (e) enforcement of the criminal law, including investigating or prosecuting a person for an offence under any written law;
- (f) administering or managing the storage of identifying information or passenger information;
- (g) modifying identifying information to enable it to be matched with other identifying information, or in order to correct errors or ensure compliance with appropriate standards;
- (h) identifying non-citizens who are prohibited immigrants, who are of national security concern or who are associated with activities of a criminal nature and whose detention or supervision may be necessary in the interests of public safety, peace and good order;
- (i) making decisions under this Act, the Passports Act 2007 or the regulations made under either Act;
- (ia) preventing, detecting or investigating criminal or terrorist activities or activities which may be prejudicial to the security of Singapore or any part thereof or to the maintenance of public order or essential services;
- (ib) identifying an individual who is unconscious or otherwise unable to communicate, for the purposes of providing urgent medical care to the individual;
- (j) any other purpose the disclosure of which is required or authorised by or under any written law.

[18/2012; 53/2018]

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

[18/2012]

### **Accessing or disclosing identifying information or passenger information**

**36C.**—(1) If a person accesses identifying information or passenger information, and the person —

- (a) is not authorised under section 36B to access any identifying information or passenger information; or
- (b) is not authorised under section 36B to access the identifying information or passenger information for the purpose for which the person accessed it,

the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.

[18/2012]

(2) If a person's conduct causes disclosure of identifying information or passenger information, and the disclosure is not a disclosure that is for any of the purposes specified in section 36B(2), the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.

[18/2012]

## **PART 6**

### **MISCELLANEOUS**

#### **Performance of duties of immigration officers**

**37.**—(1) Immigration officers appointed under this Act must perform the duties imposed on them by this Act and the regulations, and must also perform such duties as are required of them by the Controller, either directly or through any other officer.

(2) No action taken by any such officer under or for any purpose of this Act is deemed to be invalid or unauthorised by reason only that it was not taken by the officer specially appointed or detailed for the purpose.

(3) Every immigration officer is deemed to be a public servant within the meaning of the Penal Code 1871.

### **Authority of immigration officer to arrest and prosecute**

**38.**—(1) Except when exercising any powers under section 51AA, every immigration officer appointed under this Act has the authority and powers of a police officer to enforce any of the provisions of this Act relating to arrest, detention or removal.

*[6/2018]*

(2) Every immigration officer has the authority to appear in court and may, with the authorisation of the Public Prosecutor, conduct any prosecution in respect of any offence under this Act or the regulations.

*[15/2010]*

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

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

*[15/2010]*

### **Immigration officer to be armed**

**38A.** Every immigration officer must be provided with such batons, arms, ammunition and other accoutrements as may be necessary for the effective discharge of his or her duties.

### **Power to summon witnesses, etc.**

**39.**—(1) The Controller may, for the purpose of any inquiry under this Act, summon and examine witnesses on oath or affirmation, and may require the production of documents relevant to the inquiry.

(2) Any person summoned as a witness under subsection (1) who, without reasonable excuse, fails to attend at the time and place mentioned in the summons, or who, having attended, refuses to answer any question that may lawfully be put to him or her or to produce any document which it is in his or her power to produce, shall be guilty of an offence.

### **Exclusion of judicial review**

**39A.**—(1) There shall be no judicial review in any court of any act done or decision made by the Minister or the Controller under any provision of this Act except in regard to any question relating to compliance with any procedural requirement of this Act or the regulations governing that act or decision.

(2) In this section, “judicial review” includes proceedings instituted by way of —

- (a) an application for a Mandatory Order, a Prohibiting Order or a Quashing Order;
- (b) an application for a declaration or an injunction;
- (c) an Order for Review of Detention; and
- (d) any other suit or action relating to or arising out of any decision made or act done pursuant to any power conferred upon the Minister or the Controller by any provision of this Act.

### **Minister may designate others to hear appeals**

**39B.**—(1) The Minister may designate any of the following persons to hear and determine, in the Minister’s place, any appeal or a specific appeal under section 8(6), 10(5), 11(6), 14(6), 29(7) or 33:

- (a) the Second Minister (if any) for his or her Ministry;
- (b) any Minister of State for his or her Ministry;
- (c) any Parliamentary Secretary to his or her Ministry.

[16/2016]

(2) Any reference to the Minister in section 8(6), 10(5), 11(6), 14(6), 29(7), 33 or 39A includes a reference to a person designated under subsection (1).

[16/2016]

(3) To avoid doubt, in this section —

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

“Parliamentary Secretary” includes a Senior Parliamentary Secretary.

[16/2016]

### **Duty of police officers to execute orders**

**40.** Every police officer must, when so requested by an immigration officer, receive and execute any written order of the Controller, and any warrant of the Controller for the arrest, detention or removal of any person made under the provisions of this Act.

### **Restriction on discharge of member of crew**

**41.—**(1) When any seaman is about to be or is discharged or paid off in Singapore, the master, owner, charterer or agent must so notify the Controller.

(2) A member of a crew who has been discharged or paid off must not be left in Singapore unless either —

(a) he or she is a citizen of Singapore; or

(b) he or she is in possession of a valid permit or pass.

(3) Where there has been any contravention of subsection (2), the master, owner, charterer, agent or consignee of the vessel, aircraft or train in which the person concerned was employed is liable for the maintenance of that person and for the cost of that person’s repatriation to that person’s place of birth or citizenship or, if the master, owner, charterer, agent or consignee so elects, to such other place as the Controller may approve.

**Signing on or bringing as member of crew any person with intent to land contrary to this Act**

42. Any transportation company and any person, including the master and the owner of a vessel, aircraft or train arriving in Singapore, who —

- (a) has knowingly signed on the ship's articles or brought to Singapore as a member of the crew of the vessel, aircraft or train any person with intent to permit that person to enter Singapore contrary to the provisions of this Act or the regulations; or
- (b) represents to an immigration officer that that person is a bona fide member of the crew of the vessel, aircraft or train,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000 and not less than \$200 in respect of each such person.

**Security to prevent unlawful landing**

43.—(1) An immigration officer may demand security from the master, owner, charterer or agent or consignee of any vessel, aircraft or train from which the immigration officer has reasonable grounds to believe that any person is about to disembark in or enter Singapore in contravention of the provisions of this Act or the regulations, and may refuse to release the vessel, aircraft or train from examination until the security is furnished.

(1A) Despite subsection (1), an immigration officer may demand security from the master, owner, charterer or agent of any vessel to ensure that no member of the crew of the vessel disembarks in or enters Singapore in contravention of the provisions of this Act or the regulations, and may refuse to release the vessel from examination until the security is furnished.

(2) The Controller may, if satisfied that any person has disembarked in or entered Singapore from any vessel, aircraft or train, in respect of which security has been furnished under subsection (1) or (1A), in

contravention of any provisions of this Act or the regulations, direct the forfeiture of the security or any part thereof.

(3) The Controller must not direct the forfeiture of any security under subsection (2) if he or she is satisfied that the master, owner, charterer, agent or consignee took every reasonable precaution to prevent any person from so disembarking in or entering Singapore.

(4) The security under subsection (1) or (1A) shall be given in such manner and form as the Controller may determine and may be by bond, guarantee, cash deposit or any other method, or by 2 or more different methods.

### **Reports as to persons failing to continue their journey**

**44.**—(1) Where any through passenger on or member of the crew of any vessel, aircraft or train fails to continue his or her journey in the vessel, aircraft or train in circumstances from which it may reasonably be inferred that the passenger or member of the crew has remained in Singapore, the master of the vessel, aircraft or train (as the case may be) must notify an immigration officer or a police officer of the failure of the passenger or member of the crew to continue his or her journey.

(2) A master of a vessel, an aircraft or a train who fails to comply with subsection (1) shall be guilty of an offence.

### **Repatriation**

**45.**—(1) Any person residing in Singapore who —

- (a) is not a citizen of Singapore;
- (b) is by reason of destitution, infirmity or mental incapacity, unable to obtain employment or to support himself or herself and his or her family (if any);
- (c) is unable to pay the cost of his or her passage and of the passages of his or her family (if any) to the country of his or her birth or citizenship; and

- (d) is or is likely to become a charge upon the public or on a charitable institution,

may apply to the Controller for the repatriation of himself or herself and his or her family (if any) at the cost of the Government.

(2) Upon an application under subsection (1), if the Controller is satisfied, after such inquiry as he or she thinks necessary, that the person has or is about to become a charge on the public or on a charitable institution and is unable to pay the cost of the repatriation of himself or herself and his or her family (if any) and that no government, organisation, company or person is liable or willing to pay the cost of repatriation, the Controller may authorise the payment of the cost subject to the condition specified in subsection (3).

(3) Any person repatriated at the cost of the Government must enter into an undertaking, in such form as may be prescribed, that he or she will not return to Singapore without the written sanction of the Controller.

(4) Such sanction is conditional upon the person refunding to the Controller all costs and charges incurred in the repatriation of the person and his or her family (if any) and is subject to such other conditions as the Controller may consider expedient.

(5) Any person repatriated at the cost of the Government under this section who enters or attempts to enter Singapore without the sanction of the Controller under subsection (3), or who having entered Singapore with such sanction, fails or neglects to comply with any condition upon which the sanction was given, shall be guilty of an offence.

### **Masters, owners, etc., liable for expenses**

**46.**—(1) If any person —

- (a) enters Singapore from any vessel, aircraft or train contrary to the provisions of this Act or the regulations;
- (b) disembarks from any vessel on which he or she has been re-embarked or to which he or she has been returned under section 19, 20 or 24; or



- (c) arrives at any authorised airport or train checkpoint in Singapore from any aircraft or train (as the case may be) and is required to leave or depart from Singapore under section 25 or 25A, as the case may be,

the master, owner, charterer and agent thereof shall be jointly and severally liable for all expenses incurred by the Government in respect of the detention and maintenance of the person and his or her removal from Singapore.

[18/2012]

- (2) The expenses are recoverable as a debt due to the Government from the master, owner, charterer and agent of the vessel, aircraft or train jointly and severally.

### **Obligation to afford free passage**

**47.—**(1) When an order of removal is made under the provisions of this Act in respect of any person who has entered Singapore contrary to the provisions of this Act or the regulations, and the person was brought to Singapore in a vessel, an aircraft or a train, the master of the vessel, aircraft or train, and also the master of any vessel, aircraft or train belonging to the same owners or chartered by the same charterers, must, if required in writing by the Controller, receive the person on board his or her vessel, aircraft or train and afford the person free of charge a passage to the port or place at which the person embarked for Singapore or to any other port or place designated by the Controller and proper accommodation and maintenance during the voyage, flight or journey.

- (2) No master shall be liable under subsection (1) unless the order of removal has been made by the Controller within 12 months from the date on which the person entered Singapore.

- (3) A master of a vessel, an aircraft or a train who fails to comply with this section shall be guilty of an offence.

### **Seizure of moneys for purposes of repatriation, etc.**

**47A.—**(1) A prohibited immigrant is liable to pay to the Government a sum sufficient to cover all expenses incurred by the Government in connection with the detention, maintenance, medical

treatment and removal from Singapore of himself or herself and his or her dependants.

(2) For the purposes of subsection (1), the Controller may order a prohibited immigrant to be searched and that all moneys found on him or her when so searched be seized and used by the Controller to meet the expenses which have been incurred or may be incurred by the Government under that subsection.

(3) Where any sum seized under subsection (2) is in excess of the total amount of expenses for which the prohibited immigrant is liable under subsection (1), the balance of the moneys must be returned to him or her.

(4) The Controller may seize moneys under subsection (2) even though the prohibited immigrant has not been charged with nor convicted of an offence.

(5) Any person who claims to be the legal owner of any moneys seized under subsection (2) (other than the prohibited immigrant from whom the moneys were seized) may, within 6 years from the date of seizure, apply to the Controller in such form and manner as may be prescribed for the moneys seized to be returned to him or her.

(6) Despite the provisions of any written law, the moneys seized under subsection (2) (except any excess moneys which have been returned to the prohibited immigrant under subsection (3)) shall not be liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim, other than to meet the expenses referred to in subsection (1) or any claim made under subsection (5).

### **Power to detain vessel**

**48.**—(1) The Controller may by writing under his or her hand authorise the Director of Marine to detain any vessel in connection with which an offence under this Act is reasonably believed to have been or to be about to be committed, and the vessel may then be detained either at the place where it is found or at any place to which the Controller may order it to be brought.

(1A) The Controller must give notice to the master, owner, charterer or agent of the vessel of the detention of the vessel.

(2) For the purposes of the detention and other lawful dealing with the vessel, the Director of Marine has power to muster the crew and may, if he or she considers it necessary to do so, place a police guard on board.

(3) The detention is for safe custody only, and ceases if a bond with 2 sufficient sureties to the satisfaction of the Controller is given by the master, owner, charterer or agent of the vessel for the payment of any fine, costs, expenses or charges incurred under this Act in respect of any offence or default thereunder.

(4) If default is made in the payment of any such fine, costs, expenses or charges, the Director of Marine may seize the vessel and the vessel is to be declared forfeited to the Government by order of a court of competent jurisdiction upon the application of the Attorney-General.

(4A) Any vessel so forfeited is to be sold free of all encumbrances.

(5) The proceeds of sale of a vessel under this section must, despite any rule of law relating to priority of claims, be applied first in payment of any fine, costs, expenses or charges incurred under this Act and of any costs incurred in and about the sale and the proceedings leading thereto, and the balance must be paid to the owner of the vessel or other person lawfully entitled to the proceeds thereof.

(6) Section 3(1)(r) of the High Court (Admiralty Jurisdiction) Act 1961 is to be construed as extending to any claim in respect of a liability incurred by the owner of a vessel under this Act.

### **Power to seize, detain and forfeit vessels below 200 tons or vehicles**

**49.**—(1) Any vessel below 200 tons or any vehicle that is used, or in respect of which there is reasonable cause to suspect that it has been or that it is about to be used, in the commission of any offence under this Act or the regulations may be seized and detained at any place either on land or in the territorial waters of Singapore —

- (a) by the Controller, or any immigration officer authorised in that behalf by the Controller in writing under his or her hand; or
- (b) by any police officer authorised in that behalf by a Deputy Commissioner of Police in writing under his or her hand.

[18/2012]

(2) The seizing officer must immediately give written notice of the seizure and the grounds thereof to the owner, charterer or agent of the vehicle or vessel so seized or detained, either by delivering the notice to the owner, charterer or agent in person or by post at that person's place of office or abode, if known.

(3) The notice under subsection (2) is not required to be given where the seizure or detention is made in the presence of or with the knowledge of the offender or the owner or the agent of the offender or owner, as the case may be.

(4) Any vehicle or vessel liable to seizure or detention under subsection (1) is liable to forfeiture.

(5) An order for the forfeiture or for the release of any vehicle or vessel liable to forfeiture under this section is to be made by the court before which the prosecution with regard thereto has been held.

(6) Where, upon an application by the Public Prosecutor, it is proved to the satisfaction of a court that an offence under this Act or the regulations has been committed and that the vehicle or vessel was used in the commission of the offence, the court is to make an order for the forfeiture of the vehicle or vessel, even though no person may have been charged with or convicted of the offence.

(6A) No vehicle or vessel is to be forfeited under this section if it is established by the owner thereof that the vehicle or vessel was unlawfully in the possession of another person without the owner's consent.

(7) The Controller may sell any vehicle or vessel forfeited under this section.

(8) The proceeds of the sale must, after payment of the expenses of the sale, be applied in payment of any fine, costs or charges incurred

under this Act and any balance remaining must be paid into the Consolidated Fund.

### **Power of interrogation**

**50.**—(1) Any person reasonably believed to be a person liable to removal from Singapore under any of the provisions of this Act may be questioned by an immigration officer.

(2) The person must fully and truthfully answer all questions and enquiries put to the person by the immigration officer tending, directly or indirectly, to establish the person's identity, nationality or occupation or bearing on any of the restrictions contained in this Act or the regulations, and shall disclose and produce to that officer on demand all documents in the person's possession relating to those matters.

(3) All such answers and documents are admissible in evidence in any proceedings under this Act against the person making or producing the same.

(4) Nothing in this section is to be construed as rendering any such answers inadmissible in any other proceedings in which they would otherwise be admissible.

### **Power of search and arrest for offence under Act**

**51.**—(1) Any immigration officer or any other officer generally or specially authorised in writing in that behalf by the Controller, and any officer of the Singapore Customs acting under the instructions of such immigration officer, and any police officer may without a warrant and with or without assistance —

(a) enter and search any premises; and

(b) stop and search any vehicle, train, vessel or person, or search any aircraft, whether in a public place or not,

if he or she has reason to believe that any evidence of the commission of an offence under this Act or the regulations is likely to be found on the premises or person or in the vehicle, vessel, aircraft or train, and may seize any evidence so found.

[6/2018]

(2) A woman must not be searched under this section except by a woman.

(3) Any police officer, immigration officer or customs officer may arrest without warrant any person whom the officer reasonably believes has committed an offence under this Act or the regulations.

(4) Where any person is arrested by an immigration officer or customs officer under subsection (3), the immigration officer or customs officer must comply with sections 67 and 68 of the Criminal Procedure Code 2010 as if he or she were a police officer.

[15/2010]

### **Power of search and arrest for offences committed within authorised area, etc.**

**51AA.**—(1) An immigration officer or a police officer may, without a warrant and with or without assistance, stop and search any vehicle, train, vessel or person, or search any aircraft, within or in the vicinity of an authorised area, if the immigration officer or police officer has reason to believe that —

- (a) a relevant offence has been, or is likely to be, committed within or in the vicinity of the authorised area; and
- (b) any evidence of the commission of the relevant offence is likely to be found on the person or in the vehicle, train, vessel or aircraft.

[6/2018]

(2) An immigration officer or a police officer may seize any evidence so found under subsection (1).

[6/2018]

(3) A woman must not be searched under this section except by a woman.

[6/2018]

(4) An immigration officer or a police officer may require any person subject to a search under subsection (1) to undergo any form of security screening, including doing one or more of the following:

- (a) to walk through a walk-through detector;
- (b) to pass the person's personal property through an X-ray machine;

- (c) to allow the immigration officer or police officer to pass a hand-held scanner in close proximity to the person;
- (d) to allow the immigration officer or police officer to pass a hand-held scanner in close proximity to the person's personal property.

[6/2018]

(5) If an immigration officer has reason to believe that a relevant offence has been committed within or in the vicinity of an authorised area, the immigration officer may examine orally any person who appears to be acquainted with the facts and circumstances of the relevant offence.

[6/2018]

(6) The person mentioned in subsection (5) is bound to state truly the facts and circumstances with which the person is acquainted, except that the person need not say anything that might expose the person to a criminal charge, penalty or forfeiture.

[6/2018]

(7) A statement made by a person mentioned in subsection (5) must —

- (a) be reduced to writing;
- (b) be read over to the person;
- (c) if the person does not understand English, be interpreted to the person in a language that the person understands; and
- (d) after correction (if necessary), be signed by the person.

[6/2018]

(8) An immigration officer may arrest without warrant any person if the immigration officer has reason to believe that a relevant offence (being also an arrestable offence) has been committed within or in the vicinity of an authorised area.

[6/2018]

(9) An immigration officer may arrest any person who, within or in the vicinity of an authorised area, is accused of committing or commits in the view or presence of the immigration officer, a non-arrestable offence if, on the demand of the immigration officer —

- (a) the person refuses to give his or her name and residential address; or
- (b) the person gives a residential address outside Singapore, or a name or residential address which the immigration officer has reason to believe is false.

[6/2018]

(10) In making the arrest under this section, the immigration officer —

- (a) must touch or confine the body of the person to be arrested unless the person submits to arrest by word or action; and
- (b) may use all reasonable means necessary to make the arrest if the person to be arrested forcibly resists or tries to evade arrest.

[6/2018]

(11) The person arrested must not be restrained more than is necessary to prevent the person's escape.

[6/2018]

(12) Where any person is arrested by an immigration officer under subsection (8) or (9), the immigration officer —

- (a) must immediately inform a police officer of the arrest and await the arrival of a police officer to hand over the person to the police officer; and
- (b) while awaiting the arrival of a police officer, may detain the person for a period not exceeding 24 hours in any suitable place of detention within or in the vicinity of an authorised area.

[6/2018]

(13) An immigration officer, who has reasonable grounds to suspect that a relevant offence may be committed within or in the vicinity of an authorised area, may intervene for the purpose of preventing and must, to the best of the immigration officer's ability, use all lawful means to prevent the commission of the relevant offence.

[6/2018]

(14) Where a relevant offence is committed within or in the vicinity of an authorised area, an immigration officer may, for the purpose of



preserving any crime scene, cordon off any area where the relevant offence is committed.

[6/2018]

(15) Nothing in this section affects any other power exercisable by an immigration officer under any other written law.

[6/2018]

(16) In this section —

“arrestable offence” and “non-arrestable offence” have the meanings given by section 2(1) of the Criminal Procedure Code 2010;

“relevant offence” means an offence under any written law (other than this Act or the regulations).

[6/2018]

### **Provision of information by Housing and Development Board**

**51A.—**(1) Any immigration officer duly authorised by the Controller may, if the immigration officer considers it necessary for administering or enforcing any requirement under this Act or the regulations relating to the reporting of the place of residence of any person or any change thereof, by written notice require the Board to disclose any secret or confidential document or information which is in the possession or control of the Board.

[5/2010]

(2) The Board must disclose the document or information required by an immigration officer under subsection (1) despite any obligation as to secrecy or confidentiality imposed by any law.

[5/2010]

(3) Any immigration officer to whom any document or information has been disclosed under subsection (2) must not disclose that document or information to any other person except —

(a) to another law enforcement officer for the performance of his or her official duties in administering or facilitating the administration of any written law, provided the Board consents to such disclosure; or

(b) for the purpose of criminal proceedings.

[5/2010]

(4) Any immigration officer who contravenes subsection (3), or any law enforcement officer who discloses any document or information obtained under that subsection to any other person other than for the purpose specified in paragraph (a) or (b) of that subsection, 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 12 months or to both.

[5/2010]

(5) In this section, unless the context otherwise requires —

“Board” means the Housing and Development Board established under section 3 of the Housing and Development Act 1959;

“disclose”, in relation to any document or information, includes allowing access to such document or information;

“law enforcement officer” means —

(a) any police officer;

(b) any immigration officer; or

(c) any registration officer within the meaning of the National Registration Act 1965.

[5/2010]

### **Person registered under Enlistment Act 1970**

**52.—**(1) An immigration officer may prevent any person from leaving Singapore and require the person to surrender the person’s passport to the immigration officer if the immigration officer has reason to believe that the person is a person subject to the Enlistment Act 1970 who has been registered under section 3 of that Act or is deemed to be registered or is liable to be registered under that Act and is attempting to leave Singapore without an exit permit issued by the proper authority.

(2) In this section, “person subject to the Enlistment Act 1970” and “proper authority” have the meanings given by the Enlistment Act 1970.

**Registration of particulars for purposes of identification**

**53.** The provisions of the Registration of Criminals Act 1949 relating to persons ordered to be expelled from Singapore apply to persons ordered to be removed from Singapore under the provisions of this Act or persons who have been found guilty of an offence under section 57(1)(a), (b), (c), (d) or (e), and for the purpose of so applying that Act an immigration officer is deemed to be a police officer.

**Counterfoils, etc., to be prima facie evidence**

**54.** In any proceedings under this Act or at the hearing of any charge for an offence under this Act, any counterfoil or counterpart of any permit, pass, certificate or other document issued under this Act or the regulations and purporting to be signed by the Controller or by an immigration officer generally or specially authorised in that behalf by the Controller may be produced in evidence without further proof and is prima facie evidence of the facts therein stated and is, unless the contrary be proved, presumed to be a true statement of the relevant contents of the permit, pass, certificate or other document to which it relates.

**Regulations**

**55.—(1)** The Minister may make regulations not inconsistent with the provisions of this Act for all or any of the following purposes:

- (a) prescribing anything that is to be or may be prescribed under the provisions of this Act;
- (b) prescribing the forms to be used for the purposes of this Act;
- (c) prescribing —
  - (i) the period for which permits are valid;
  - (ii) the terms and conditions subject to which any person (other than a person referred to in sub-paragraph (v)) may be granted a permit and the authority who may issue permits;

- (iii) the terms and conditions subject to which any person (other than a person referred to in sub-paragraph (v)) may be granted a pass entitling him or her to enter and remain temporarily within Singapore, the period for which any pass may be granted, the classes of passes and the authority who may issue passes;
  - (iv) the terms and conditions subject to which any person may be granted a certificate of status entitling him or her to enter Singapore, the period for which the certificate may be granted and the authority who may issue such certificates;
  - (v) the terms and conditions subject to which any person who has ceased to be a citizen of Singapore may be granted a permit or a pass entitling him or her to enter, re-enter or remain temporarily within Singapore, including but not limited to the period for which such a permit or pass may be granted, the classes of such permits and passes and the authority who may issue such permits or passes;
- (d) providing for the payment and recovery of any expenses incurred by the Government in connection with the detention, maintenance, medical treatment and removal from Singapore of any person under the provisions of this Act;
  - (e) prescribing the place where, the person to whom and the manner in which application to enter Singapore must be made;
  - (ea) providing for the circumstances for granting Singapore visas and the conditions subject to which a Singapore visa may be granted;
  - (eb) providing for the manner in which personal identifiers (within the meaning of Part 5A) are obtained and kept;
  - (f) prescribing the procedure to be followed by persons entering Singapore;

- (g) prescribing the procedure to be followed by authorities in the exercise of their functions under this Act;
- (ga) providing for the taking or recording of any personal identifier of —
  - (i) any person who applies for or has been issued with a permit or pass;
  - (ii) any person suspected or have been convicted of an offence under section 5, 6(1), 15 or 36 or the regulations;
  - (iii) any prohibited immigrant;
  - (iv) any person (other than a citizen of Singapore) who transits through Singapore; or
  - (v) any applicant for, or holder of, a Singapore visa;
- (h) governing the procedure to be followed and the fees and costs to be paid on any appeal;
- (i) providing for a deposit or security to be made or given by or in respect of any person as a condition of, or for the grant of, an entry permit, a re-entry permit or a pass to him or her and the conditions subject to which the deposit or security may be forfeited;
- (j) prescribing the fees to be charged upon the issue of any entry permit, re-entry permit, certificate, pass, Singapore visa or document issued or to be issued under this Act or the regulations and the processing of any application for the issue of such entry permit, re-entry permit, certificate, pass, Singapore visa or document;
- (ja) prescribing different fees for different classes of applicants for any entry permit, re-entry permit, certificate, pass, Singapore visa or document issued or to be issued under this Act or the regulations, and any application fee so prescribed need not bear any relationship to the cost of issuing or processing the entry permit, re-entry permit, certificate, pass, Singapore visa or document;

- (k) prescribing the penalties of imprisonment for a term not exceeding 2 years or a fine not exceeding \$3,000 or both for the breach of the regulations;
- (ka) prescribing the penalties for the late payment of any fees prescribed under the regulations;
- (l) generally for the better carrying into effect of the purposes and provisions of this Act.

[18/2012; 6/2018]

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

(3) If a resolution is passed within the next 3 months after the regulations are so presented disapproving the regulations or any part thereof, the regulations or such part thereof (as the case may be) then cease to have effect but without affecting the validity of anything previously done thereunder.

### **Power to exempt from provisions of this Act**

**56.**—(1) Despite anything in this Act, the Minister may by order exempt any person or class of persons, either absolutely or conditionally, from all or any of the provisions of this Act and may in that order provide for any presumptions necessary in order to give effect thereto.

(2) Every order made under this section which relates to a class of persons shall be published in the *Gazette*.

### **Offences**

**57.**—(1) Any person who —

- (a) attempts unlawfully to enter Singapore in contravention of any provision of this Act, other than section 6(1), or the regulations;
- (aa) abets any person to enter Singapore in contravention of the provisions of this Act or the regulations;
- (b) abets any person to leave Singapore in contravention of the provisions of this Act or the regulations;

- (c) engages in the business or trade of conveying to or out of Singapore in or on any vehicle, vessel, aircraft or train any person whom he or she knows or has reasonable grounds for believing is a prohibited immigrant;
- (d) harbours a person —
  - (i) whom the defendant knows has acted in contravention of the provisions of this Act or the regulations;
  - (ii) with reckless disregard as to whether he or she has acted in contravention of the provisions of this Act or the regulations; or
  - (iii) negligently failing to ascertain as to whether he or she has acted in contravention of the provisions of this Act or the regulations;
- (e) employs any person who has acted in contravention of section 6(1), 15 or 36 or the regulations;
- (f) makes or causes to be made any false report, false statement or false representation in connection with any obligation imposed by the provisions of this Act or the regulations;
- (g) resists or obstructs, actively or passively, any immigration officer in the execution of the immigration officer's duty;
- (h) without lawful excuse hinders or obstructs any removal under the provisions of this Act;
- (i) gives, sells or parts with possession of any entry or re-entry permit, pass, Singapore visa or certificate in order that it may be used in contravention of paragraph (j);
- (j) uses any entry or re-entry permit, pass, Singapore visa or certificate issued to any other person as if it had been lawfully issued to himself or herself;
- (k) by making a false statement obtains or attempts to obtain an entry or a re-entry permit, pass, Singapore visa or certificate for himself or herself or for any other person;

- (l) uses or without lawful authority has in the person's possession any forged, unlawfully altered or irregular entry or re-entry permit, pass, Singapore visa or certificate or other document issued under this Act or the regulations, or any permit, pass, Singapore visa or certificate or other document so issued on which any endorsement has been forged or unlawfully altered;
- (m) makes or has in the person's possession, without lawful authority, or traffics in any electronic template, stamp, seal, plate, paraphernalia or other instrument knowing that the electronic template, stamp, seal, plate, paraphernalia or instrument is or is intended to be used for forging or unlawfully altering any endorsement made under this Act or the regulations on any passport, entry or re-entry permit, pass, Singapore visa or certificate or other document issued or to be issued under this Act or the regulations; or
- (n) makes or has in the person's possession, without lawful authority, or traffics in any device, machine, paper, material or other thing knowing that the device, machine, paper, material or thing is or has been specially designed or adapted for making a forged entry or re-entry permit, pass, Singapore visa or certificate or other document issued under this Act or the regulations,

shall be guilty of an offence.

(1AA) A person who is guilty of an offence under subsection (1) —

- (a) in the case of an offence under subsection (1)(a), shall be punished with imprisonment for a term not exceeding 2 years and shall also be liable to a fine not exceeding \$4,000;
- (b) in the case of an offence under subsection (1)(aa), shall be punished with imprisonment for a presumptive minimum term of not less than 6 months and not more than 2 years, and —



- (i) where the offence is abetted within the meaning of section 107(1)(b) or (c) of the Penal Code 1871 and the offence abetted is punishable with caning, shall also, subject to sections 325(1) and 330(1) of the Criminal Procedure Code 2010, be punished with caning with not less than 3 strokes; or
  - (ii) in any other case, shall also be liable to a fine not exceeding \$6,000;
- (c) subject to subsection (1A), in the case of an offence under subsection (1)(b) or (e), shall be punished with imprisonment for a presumptive minimum term of not less than 6 months and not more than 2 years and shall also be liable to a fine not exceeding \$6,000;
- (d) in the case of an offence under subsection (1)(c), shall be punished with imprisonment for a term of not less than 2 years and not more than 5 years and shall also be punished, subject to sections 325(1) and 330(1) of the Criminal Procedure Code 2010, with caning with not less than 3 strokes;
- (e) in the case of an offence under subsection (1)(d)(i) or (ii), shall on conviction be punished with imprisonment for a presumptive minimum term of not less than 6 months and not more than 2 years and shall also be liable to a fine not exceeding \$6,000;
- (f) in the case of an offence under subsection (1)(d)(iii), shall be liable on conviction to a fine not exceeding \$6,000 or to imprisonment for a term not exceeding 12 months or to both;
- (g) in the case of an offence under subsection (1)(f), (g), (h), (i), (j), (k) or (l), shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 12 months or to both; and
- (h) in the case of an offence under subsection (1)(m) or (n), shall be liable on conviction to a fine not exceeding \$8,000

or to imprisonment for a term not exceeding 5 years or to both.

*[15/2010; 18/2012; 15/2019; S 22/89; S 227/95]*

(1A) Where, in the case of any offence under subsection (1)(e), it is proved to the satisfaction of the court that the defendant has at the same time employed more than 5 immigration offenders, the defendant shall be punished, subject to sections 325(1) and 330(1) of the Criminal Procedure Code 2010, with caning in addition to the punishment prescribed for that offence.

*[15/2010]*

(1B) Where, by virtue of sections 325(1) and 330(1) of the Criminal Procedure Code 2010, the defendant referred to in subsection (1A) is not punishable with caning, he shall, in lieu of caning, be punished with a fine not exceeding \$10,000.

*[15/2010]*

(2) Where a body corporate is guilty of an offence under subsection (1)(e) and that offence is proved to have been committed with the authority, consent or connivance of any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he or she, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2A) Where a body corporate is guilty of an offence under this Act for which a period of mandatory imprisonment or mandatory caning is prescribed, the body corporate shall, in lieu of imprisonment or caning, be liable on conviction to a fine of not less than \$100,000 and not more than \$200,000.

(3) Any person unlawfully entering or re-entering or attempting unlawfully to enter or re-enter Singapore or unlawfully remaining in Singapore shall, whether or not any proceedings are taken against him or her in respect of that offence, be liable to be removed from Singapore by order of the Controller.

(4) Where the master of any vessel is charged with an offence under this Act, the clearance of the vessel may be refused until the charge has been heard and the fine (if any) imposed has been paid.

(5) Where, in any proceedings under this Act or the regulations, it is proved that the defendant has failed to produce on demand by an immigration officer or a police officer —

- (a) any valid permit, pass or certificate issued to him or her under this Act or the regulations;
- (b) any other document accepted by the Controller as evidence that the defendant has entered or remained in Singapore lawfully; or
- (c) any other evidence showing to the satisfaction of the Controller that the defendant is exempted from section 6(1),

it is presumed, until the contrary is proved, that he or she has (as the case may be) entered or re-entered or remained in Singapore unlawfully.

(6) Where, in any proceedings for an offence under subsection (1)(c), it is proved that the defendant has conveyed any prohibited immigrant in any vehicle, vessel, aircraft or train, it is presumed, until the contrary is proved, that he or she is engaged in the business or trade of conveying to Singapore in or on that vehicle, vessel, aircraft or train that prohibited immigrant knowing him or her to be, or having reasonable grounds for believing him or her to be, a prohibited immigrant.

(7) Where, in any proceedings for an offence under subsection (1)(d)(ii) or (iii), it is proved that the defendant has given shelter to an immigration offender, it is presumed, until the contrary is proved, that the defendant has harboured him or her with reckless disregard as to whether he or she is an immigration offender or negligently failing to ascertain as to whether he or she is an immigration offender, as the case may be.

(7A) In any proceedings for an offence under subsection (1)(d)(ii) or (iii), it is not a defence for the defendant to prove that the immigration offender harboured was in possession of a permit or pass issued to the immigration offender under this Act or the regulations unless the defendant further proves that he or she had exercised due

diligence to ascertain that the permit or pass was at the material time valid under this Act or the regulations.

(7B) Where a defendant who is charged with an offence under subsection (1)(d)(ii) has rebutted the presumption that the defendant has harboured an immigration offender with reckless disregard as to whether he or she is such a person under subsection (7), the defendant shall be liable to be charged with an offence under subsection (1)(d)(iii).

(7C) For the purpose of subsection (7A) —

- (a) a defendant who is charged with an offence under subsection (1)(d)(ii) is not to be deemed to have exercised due diligence unless the defendant has carried out any 2 of the acts specified in subsection (7D); and
- (b) a defendant who is charged with an offence under subsection (1)(d)(iii) is not to be deemed to have exercised due diligence unless the defendant has carried out all the acts specified in subsection (7D).

(7D) The acts referred to in subsection (7C), to be carried out by the defendant in relation to the immigration offender harboured, are —

- (a) inspecting the permit or pass issued to the immigration offender under this Act or the regulations;
- (b) checking the permit or pass to ascertain that the particulars on the passport of the immigration offender materially correspond with the particulars set out in the permit or pass;
- (c) checking with —
  - (i) the Controller of Immigration or the Controller of Work Passes (as the case may be) that the permit or pass was valid at the material time; or
  - (ii) the employer to verify that the immigration offender is employed by the employer and that the particulars of the immigration offender correspond with the records of the employer, where the name of the

employer of the immigration offender is specified in the permit or pass.

(8) Where an immigration offender is found at any premises or place, other than premises used solely for residential purposes, the occupier of the premises or place is presumed, until the contrary is proved, to have employed him or her knowing that he or she is an immigration offender.

(9) In any proceedings for an offence under subsection (1)(e), it is not a defence for the defendant to prove that the person employed by the defendant was in possession of a permit or pass issued to the person under this Act or the regulations unless the defendant further proves that the defendant had exercised due diligence to ascertain that the permit or pass was at the material time valid under this Act or the regulations.

(10) For the purpose of subsection (9), a defendant who is charged with an offence under subsection (1)(e) is not to be deemed to have exercised due diligence unless the defendant —

- (a) has inspected the permit or pass issued to the person employed by the defendant;
- (b) has checked the permit or pass to ascertain that the particulars on the passport of the person employed by the defendant materially correspond with the particulars set out in the permit or pass; and
- (c) where the person employed by the defendant is a holder of a visit pass, has reasonable grounds for believing that the person had, at the material time, in force a work pass issued under the Employment of Foreign Manpower Act 1990 or had obtained the written consent of the Controller of Immigration.

(11) A person, being the owner, tenant or occupier of any premises or place referred to in subsection (8), must not knowingly permit or suffer such premises or place or any part thereof to be kept or used as a place or premises in which any person is employed in contravention of subsection (1)(e).

(12) Any person who contravenes subsection (11) shall be guilty of an offence and shall on conviction be punished with imprisonment for a term of not less than 6 months and not more than 2 years and shall also be liable to a fine not exceeding \$6,000.

(12A) Where, in any proceedings for an offence under subsection (1)(m) of possession without lawful authority of any electronic template, stamp, seal, plate, paraphernalia or instrument, it is proved —

- (a) that the electronic template, stamp, seal, plate, paraphernalia or instrument was in the custody or under the control of the defendant when it was used for forging or unlawfully altering an endorsement mentioned in that subsection; or
- (b) that the defendant had in the defendant's possession the electronic template, stamp, seal, plate, paraphernalia or instrument which had been specially designed or adapted for forging or unlawfully altering an endorsement mentioned in that subsection,

it is presumed, until the contrary is proved, that the defendant knew that the electronic template, stamp, seal, plate, paraphernalia or instrument (as the case may be) was or would be used to forge or unlawfully alter an endorsement mentioned in that subsection.

*[18/2012]*

(12B) Where, in any proceedings for an offence under subsection (1)(n) of possession without lawful authority of any device, machine, paper, material or thing, it is proved —

- (a) that the device, machine, paper, material or thing was in the custody or under the control of the defendant when it was used to make the forged entry or re-entry permit, pass, Singapore visa or certificate or other document issued under this Act or the regulations; or

- (b) that the defendant had in the defendant's possession the device, machine, paper, material or thing which had been specially designed or adapted for making a forged entry or re-entry permit, pass, Singapore visa or certificate or other document issued under this Act or the regulations,

it is presumed, until the contrary is proved, that the defendant knew that the device, machine, paper, material or thing (as the case may be) was or had been specially designed or adapted for making a forged entry or re-entry permit, pass, Singapore visa or certificate or other document issued under this Act or the regulations.

[18/2012]

(12C) In subsection (1)(m) and (n), "traffic", in relation to any thing, means —

- (a) to sell, deliver or distribute that thing; or  
(b) to offer to do or to cause to be done any act mentioned in paragraph (a) in relation to that thing.

[18/2012]

(13) In this section and sections 57A and 57B, "immigration offender" means a person who has acted in contravention of section 6(1), 15 or 36 or the regulations.

(14) A reference to a permit or pass in subsections (7D) and (10) in relation to a person is to be read as a reference to the original copy of the permit or pass issued to that person under this Act or the regulations.

### **Prohibition of immigration offender entering or remaining at work place**

**57A.—**(1) An occupier of a work place who has control of access to the work place must not permit any immigration offender to enter or remain at the work place.

(2) Where an immigration offender is found at a work place, it is presumed, until the contrary is proved, that the occupier of the work place —

- (a) had control of access to the work place;

(b) had permitted the immigration offender to enter or remain at the work place; and

(c) had knowledge that he or she is an immigration offender.

(3) The presumptions provided for in subsection (2)(b) and (c) are not rebutted unless the defendant proves that the defendant had exercised due diligence to prevent the immigration offender from entering or remaining at the work place.

(4) For the purposes of subsection (3), a defendant is not presumed to have exercised due diligence unless the defendant had taken all reasonable measures to prevent any immigration offender from entering or remaining at the work place, including all the measures prescribed under subsection (5) in respect of the work place.

(5) For the purposes of subsection (4), the Minister may, by notification in the *Gazette*, prescribe the measures that are required to be taken by the occupier of the work place.

(6) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine of not less than \$15,000 and not more than \$30,000 or to imprisonment for a term not exceeding 12 months or to both for each immigration offender found at the work place and, in the case of a second or subsequent conviction, to a fine of not less than \$30,000 and not more than \$60,000 or to imprisonment for a term not exceeding 2 years or to both for each immigration offender found at the work place.

(7) In this section —

“construction works” means the construction, extension, installation, carrying out, repair, maintenance, renewal, removal, alteration, dismantling or demolition of —

(a) any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level;

(b) any road, motorway, harbour works, railway, cableway, canal or aerodrome;

(c) any drainage, irrigation or river control work;



- (d) any electrical, water, gas or telecommunication works;
- (e) any bridge, viaduct, dam, reservoir, earthworks, pipeline, sewer, aqueduct, culvert, drive, shaft, tunnel or reclamation,

and includes any works which form an integral part of, or are preparatory to, the works described in paragraphs (a) to (e), including site clearance, earth-moving, excavation, laying of foundation, site restoration and landscaping, and such other works or activities as the Minister may, by notification in the *Gazette*, specify to be construction works;

“occupier”, in relation to a work place, means the principal contractor who undertakes any construction works at the work place and includes such other person as the Minister may, by notification in the *Gazette*, specify to be the occupier of the work place;

“principal contractor” means a person who has entered into a contract with an owner, a developer or a lessee of a property or an agent of one of those persons for the purpose of carrying out any construction works on the property;

“work place” means any place or premises where any construction works are being carried out and includes —

- (a) all the land within the vicinity of the work place which are owned by the person for whom the construction works are being carried out and to which the principal contractor has control of access;
- (b) any canteen, sleeping quarters, office and other structures or buildings erected on the work place; and
- (c) such other place or premises as the Minister may, by notification in the *Gazette*, specify to be a work place.

**Assisting, encouraging or inducing giving of shelter to immigration offenders**

**57B.**—(1) Any person who, for or in expectation of any fee, gain or reward, assists, encourages or induces any other person to give shelter to any immigration offender shall, if the second-mentioned person gives shelter to the immigration offender in consequence of such assistance, encouragement or inducement, be guilty of an offence and shall on conviction be punished with imprisonment for a presumptive minimum term of not less than 6 months and not more than 2 years and shall also be liable to a fine not exceeding \$6,000.

[15/2019]

(2) In any proceedings for an offence under subsection (1), it is not a defence for the defendant to prove that the immigration offender was in possession of a permit or pass issued to the immigration offender under this Act or the regulations unless the defendant further proves that he or she had exercised due diligence to ascertain that the permit or pass was at the material time valid under this Act or the regulations.

(3) For the purpose of subsection (2), a defendant who is charged with an offence under subsection (1) is not to be deemed to have exercised due diligence unless the defendant —

- (a) has inspected the permit or pass issued to the person harboured;
- (b) has checked the permit or pass to ascertain that the particulars on the passport of the person harboured materially correspond with the particulars set out in the permit or pass; and
- (c) has checked with —
  - (i) the Controller of Immigration or the Controller of Work Passes (as the case may be) that the permit or pass was valid at the material time; or
  - (ii) the employer to verify that the person is employed by the employer and that the person's particulars correspond with the employer's records, where the

name of the employer of the person harboured is specified in the permit or pass.

(4) No prosecution for an offence under subsection (1) or for an attempt to commit that offence is to be instituted unless the person whom the defendant is alleged to have assisted, encouraged or induced in fact gave shelter to the immigration offender in consequence of such assistance, encouragement or inducement.

(5) A reference to a permit or pass in subsection (3) in relation to a person is to be read as a reference to the original copy of the permit or pass issued to that person under this Act or the regulations.

### **Marriage of convenience**

**57C.**—(1) Any person who contracts or otherwise enters into a marriage —

- (a) knowing or having reason to believe that the purpose of the marriage is to assist one of the parties to the marriage to obtain an immigration advantage; and
- (b) where any gratification, whether from a party to the marriage or another person, is offered, given or received as an inducement or reward to any party to the marriage for entering into the marriage,

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

*[18/2012]*

(2) Any person who arranges or otherwise assists in arranging a marriage between 2 other persons, with the intention of assisting one of the parties to the marriage to obtain an immigration advantage, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 10 years or to both.

*[18/2012]*

(3) This section applies to a marriage entered into whether in Singapore or outside Singapore.

*[18/2012]*

(4) In any proceedings for an offence under subsection (1) or (2), it is a defence for the person charged with the offence to prove that, although one purpose of the marriage was to assist a party to the marriage to obtain an immigration advantage, the defendant believed on reasonable grounds, when contracting or entering into the marriage, that the marriage would result in a genuine marital relationship.

[18/2012; 7/2016]

(5) For the purposes of subsection (4), what constitutes a genuine marital relationship is a question of fact and the court is to have regard to all the circumstances of the case in determining the question.

[18/2012]

(6) In this section —

“gratification” includes —

- (a) money or any gift, loan, fee, reward, commission, valuable security or other property or interest in property of any description, whether movable or immovable;
- (b) any office, employment or contract;
- (c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part; and
- (d) any other service, favour or advantage of any description;

“immigration advantage”, in relation to a party to a marriage, means the grant or extension of the validity of any visa, pass, permit or re-entry permit under this Act or the regulations or any order made under this Act for that party or for a child or parent of that party.

[18/2012]

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

**57D.**—(1) A person who, when the person is not an immigration officer —

- (a) wears or possesses any immigration officer uniform, or uses any immigration officer insignia —
  - (i) for the purpose of personating or representing himself or herself as an immigration officer; or
  - (ii) knowing that it is likely to cause any member of the public to believe that he or she is an immigration officer;
- (b) uses the designation or a rank of an immigration officer, in connection with any business, occupation or employment —
  - (i) for the purpose of personating or representing himself or herself as an immigration officer; or
  - (ii) knowing that it is likely to cause any member of the public to believe that he or she is an immigration officer;
- (c) represents himself or herself, by word or conduct, to be an immigration officer for the purpose of personating or representing himself or herself as an immigration officer; or
- (d) wears or possesses any immigration officer uniform, or uses any immigration officer 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 Controller;
  - (ii) that the Controller 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 Controller; or

- (iii) that the person has the sponsorship or approval of the Controller 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) An immigration officer who wears any immigration officer uniform or uses any immigration officer insignia otherwise than —

- (a) in the course of, and for the purpose of, exercising the functions of an immigration officer; or
- (b) for such other purpose authorised in writing by the Controller,

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 Controller to wear or possess the immigration officer uniform or use the immigration officer insignia, as the case may be; or
- (b) the accused wore or possessed the immigration officer uniform or used the immigration officer 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 an immigration officer) who —

- (a) manufactures any immigration officer uniform or immigration officer insignia otherwise than under an agreement with the Government;

- (b) sells any immigration officer uniform or immigration officer insignia to a person who is neither an immigration officer nor otherwise authorised or permitted under subsection (3) to wear or possess the immigration officer uniform or use the immigration officer insignia; or
- (c) gives or provides, whether or not for a consideration, any immigration officer uniform or immigration officer insignia to a person who is neither an immigration officer nor otherwise authorised or permitted under subsection (3) to wear or possess the immigration officer uniform or use the immigration officer 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 immigration officer uniform or immigration officer insignia was sold, given or provided was —
  - (i) an immigration officer; or
  - (ii) a person otherwise authorised or permitted under subsection (3) to wear or possess the immigration officer uniform or use the immigration officer insignia; or
- (b) the accused had received from the person to whom the immigration officer uniform or immigration officer insignia was sold, given or provided, evidence purporting to show that —
  - (i) that person was an immigration officer or was otherwise authorised or permitted under subsection (3) to wear or possess the immigration

officer uniform or use the immigration officer 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 —

“immigration officer insignia” means —

- (a) any item (being any insignia, emblem, logo, symbol, representation, device, badge of rank or other thing) that is generally recognised as being used by an immigration officer;
- (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;

“immigration officer uniform” means the uniform of an immigration officer, and includes —

- (a) any part of such a uniform or any accoutrement of an immigration officer that is generally recognised as a part of the uniform or accoutrement of an immigration officer; 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 immigration officer insignia, includes —

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

but does not include wearing an immigration officer uniform.

[53/2018]

### **General penalty**

**58.** Any person guilty of an offence under this Act for which no special penalty is provided shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

### **Composition of offences**

**59.** The Controller or any immigration officer authorised by name or by office in that behalf by the Minister by notification in the *Gazette* may compound such offence under this Act or the regulations as may be prescribed as being an offence that may be compounded by collecting from the person reasonably suspected of having committed the offence a sum not exceeding \$500.

### **Jurisdiction of Courts**

**60.**—(1) All offences under this Act or the regulations shall be cognizable by a District Court or a Magistrate’s Court.

(2) Any District Court or Magistrate’s Court may, despite anything in the Criminal Procedure Code 2010, impose the full punishment prescribed for any offence except that a Magistrate’s Court shall not impose a sentence of imprisonment for a term exceeding 12 months.

### **Disposal of fees, rates, fines and forfeitures**

**61.** All fees levied, all rates and fines imposed and recovered, all moneys forfeited and all costs and charges recovered under this Act must be paid into the Consolidated Fund.

[18/2012]

### **Amendment of Schedule**

**61A.** The Minister may, by order in the *Gazette*, amend the Schedule, except that any other personal identifier so prescribed in the order must —

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

### **Saving**

**62.—**(1) Any person in Singapore whose presence is unlawful under the provisions of any previous written law for the time being in force in Singapore or any regulations or orders made thereunder is deemed to be unlawfully in Singapore for the purposes of this Act.

(2) Any authority to enter Singapore granted under the provisions of any law in force immediately before 16 April 1963 and valid on that date is deemed to be a valid permit issued under the provisions of this Act but subject to any limitations imposed by that law.

## THE SCHEDULE

Sections 2(1) and 61A

### PERSONAL IDENTIFIERS

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

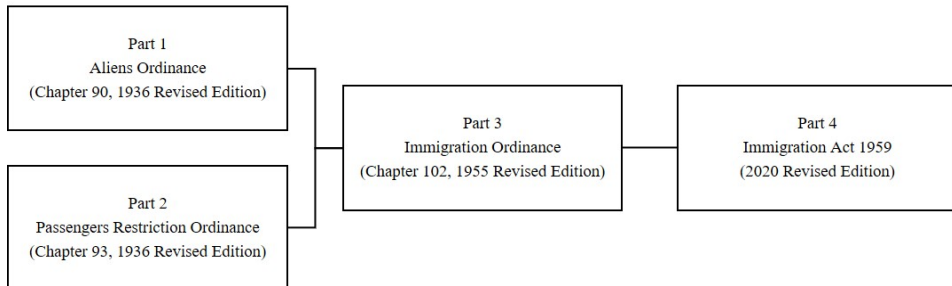
[S 703/2016]

# LEGISLATIVE HISTORY

## IMMIGRATION ACT 1959

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

#### ALIENS ORDINANCE

#### (CHAPTER 90, 1936 REVISED EDITION)

##### **1. Ordinance 18 of 1932 — Aliens Ordinance, 1932**

Bill	:	G.N. No. 1311/1932
First Reading	:	8 August 1932
Second Reading	:	19 October 1932
Notice of Amendments	:	19 October 1932
Third Reading	:	5 December 1932
Commencement	:	1 January 1933

##### **2. Ordinance 5 of 1934 — Aliens (Amendment) Ordinance, 1934**

Bill	:	G.N. No. 2212/1933
First Reading	:	4 December 1933
Second Reading	:	12 February 1934
Notice of Amendments	:	12 February 1934
Third Reading	:	12 February 1934
Commencement	:	23 February 1934

**3. Ordinance 26 of 1935 — The Aliens (Amendment) Ordinance, 1935**

Bill	:	G.N. No. 1070/1935
First Reading	:	17 June 1935
Second and Third Readings	:	26 August 1935
Commencement	:	6 September 1935

**4. 1936 Revised Edition — Aliens Ordinance (Chapter 90)**

Operation	:	1 September 1936
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**5. Ordinance 3 of 1938 — Aliens (Amendment) Ordinance, 1938**

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

**6. Ordinance 32 of 1939 — Aliens (Amendment) Ordinance, 1939**

Bill	:	G.N. No. 1618/1939
First Reading	:	12 June 1939
Second Reading	:	28 August 1939
Notice of Amendments	:	28 August 1939
Third Reading	:	28 August 1939
Commencement	:	16 September 1939

## PART 2

PASSENGERS RESTRICTION ORDINANCE  
(CHAPTER 93, 1936 REVISED EDITION)**7. Ordinance IX of 1906 — The Exclusion Ordinance 1906**

Bill	:	G.N. No. 1542/1905
First Reading	:	22 December 1905
Second Reading	:	19 January 1906
Notice of Amendments	:	2 March 1906
Third Reading	:	16 March 1906

Commencement : 16 March 1906

*Note: This Ordinance was read and construed as one with the Indian Act XLI of 1850.*

**8. Ordinance 14 of 1919 — Passengers Restriction Ordinance, 1919**

Bill : G.N. No. 223/1919

First Reading : 17 February 1919

Second Reading : 10 March 1919

Notice of Amendments : 31 March 1919

Third Reading : 31 March 1919

Commencement : 4 April 1919

*Note: This Ordinance repealed the Indian Act XLI of 1850, the Exclusion Ordinance 1906 (Ordinance IX of 1906) and sections 3, 4 and 13 of the Registration of Aliens Ordinance 1917 (Ordinance 2 of 1917).*

**9. 1920 Revised Edition — Ordinance No. 169 (Passengers Restriction)**

Operation : 28 November 1921

**10. 1926 Revised Edition — Ordinance No. 169 (Passengers Restriction)**

Operation : 1 August 1926

**11. Ordinance 1 of 1930 — Passengers Restriction (Amendment) Ordinance, 1930**

Bill : G.N. No. 2337/1929

First Reading : 9 December 1929

Second Reading : 27 January 1930

Third Reading : 24 March 1930

Commencement : 15 April 1930

**12. Ordinance 1 of 1932 — Passengers Restriction (Amendment) Ordinance, 1932**

Bill : G.N. No. 2258/1931

First Reading : 7 December 1931

Second and Third Readings : 26 January 1932

Commencement : 17 February 1932

**13. Ordinance 13 of 1934 — The Passengers Restriction (Amendment) Ordinance, 1934**

Bill	:	G.N. No. 245/1934
First Reading	:	12 February 1934
Second and Third Readings	:	16 April 1934
Commencement	:	12 May 1934

**14. 1936 Revised Edition — Passengers Restriction Ordinance (Chapter 93)**

Operation	:	1 September 1936
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**15. Ordinance 18 of 1937 — Passengers Restriction (Amendment) Ordinance, 1937**

Bill	:	G.N. No. 2066/1937
First and Second Readings	:	30 August 1937
Notice of Amendments	:	30 August 1937
Third Reading	:	30 August 1937
Commencement	:	4 September 1937

PART 3  
IMMIGRATION ORDINANCE  
(CHAPTER 102, 1955 REVISED EDITION)

**16. Ordinance 5 of 1952 — Immigration Ordinance, 1952**

Bill	:	G.N. No. S 113/1951
First Reading	:	24 April 1951
Select Committee Report	:	Council Paper No. 114 of 1951
Second Reading	:	20 February 1952
Notice of Amendments	:	20 February 1952
Third Reading	:	20 February 1952
Commencement	:	1 August 1953

**17. 1955 Revised Edition — Immigration Ordinance (Chapter 102)**

Operation	:	1 July 1956
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**18. 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)

**19. Ordinance 22 of 1959 — Immigration (Amendment) Ordinance, 1959**

Bill	:	202/1959
First Reading	:	11 February 1959
Second and Third Readings	:	3 March 1959
Commencement	:	1 May 1959

**20. G.N. No. S 223/1959 — Singapore Constitution (Modification of Laws) Order, 1959**

Commencement	:	3 June 1959
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**21. Ordinance 62 of 1959 — State Advocate-General (Transfer of Powers) Ordinance, 1959**

(Amendments made by section 5 read with the Schedule to the above Ordinance)

Bill	:	22/1959
First Reading	:	13 August 1959
Second and Third Readings	:	2 September 1959
Commencement	:	11 September 1959 (section 5 read with the Schedule)

**22. 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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**23. Ordinance 73 of 1960 — Immigration (Amendment) Ordinance, 1960**

Bill	:	113/1960
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First Reading	:	29 November 1960
Second and Third Readings	:	29 December 1960
Commencement	:	1 April 1961

PART 4  
IMMIGRATION ACT 1959  
(2020 REVISED EDITION)

**24. M. Ordinance 12 of 1959 — Immigration Ordinance, 1959**

Commencement	:	1 May 1959
Application	:	16 September 1963

*Note: This Ordinance was extended to Singapore with amendments by the Immigration Act, 1963 (M. Act 27 of 1963) on 16 September 1963.*

**25. M. Act 27 of 1963 — Immigration Act, 1963**

Commencement	:	16 September 1963
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*Note: This Act repealed the Immigration Ordinance (Chapter 102, 1955 Revised Edition) and extended the Federation of Malaya Immigration Ordinance, 1959 (Ordinance 12 of 1959) with amendments to Singapore.*

**26. Act 1 of 1966 — Immigration (Amendment) Act, 1966**

Bill	:	70/1966
First Reading	:	31 December 1965
Second and Third Readings	:	23 February 1966
Commencement	:	4 March 1966

**27. G.N. No. S 145/1966 — Modification of Laws (Immigration) Order, 1966**

Commencement	:	22 July 1966
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**28. 1966 Reprint — Immigration Ordinance, 1959**

Reprint	:	27 July 1966
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**29. Act 12 of 1970 — Immigration (Amendment) Act, 1970**

Bill	:	26/1969
First Reading	:	22 December 1969
Second and Third Readings	:	27 January 1970
Commencement	:	19 June 1970



**30. 1970 Revised Edition — Immigration Act (Chapter 81)**

Operation : 1 April 1971

**31. Act 21 of 1973 — Statutes of the Republic of Singapore (Miscellaneous Amendments) Act, 1973**

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

Bill : 16/1973

First Reading : 7 March 1973

Second and Third Readings : 20 March 1973

Commencement : 6 April 1973 (section 2 read with the Schedule)

**32. Act 60 of 1973 — Immigration (Amendment) Act, 1973**

Bill : 52/1973

First Reading : 28 August 1973

Second Reading : 30 November 1973

Notice of Amendments : 30 November 1973

Third Reading : 30 November 1973

Commencement : 1 March 1974

**33. G.N. No. S 353/1975 — Metrication (Immigration Act) Order, 1975**

Commencement : 1 January 1976

**34. G.N. No. S 68/1976 — The Metrication (Immigration Act) Order, 1975**

Commencement : 1 January 1976

**35. Act 13 of 1977 — Immigration (Amendment) Act, 1977**

Bill : 15/1977

First Reading : 2 September 1977

Second and Third Readings : 9 November 1977

Commencement : 16 December 1977

**36. Act 35 of 1984 — Immigration (Amendment) Act 1984**

Bill : 30/1984

First Reading : 19 October 1984

Second and Third Readings : 20 November 1984

Commencement : 7 December 1984

**37. 1985 Revised Edition — Immigration Act (Chapter 133)**

Operation : 30 March 1987

**38. G.N. No. S 22/1989 — Revised Edition of the Laws (Rectification)  
Order 1989**

Operation : 30 March 1987

**39. Act 6 of 1989 — Immigration (Amendment) Act 1989**

Bill : 8/1989

First Reading : 16 January 1989

Second and Third Readings : 26 January 1989

Commencement : 31 March 1989

**40. Act 34 of 1989 — Immigration (Amendment No. 2) Act 1989**

Bill : 36/1989

First Reading : 4 August 1989

Second and Third Readings : 31 August 1989

Commencement : 13 October 1989

**41. Act 38 of 1993 — Immigration (Amendment) Act 1993**

Bill : 32/1993

First Reading : 12 October 1993

Second and Third Readings : 10 November 1993

Commencement : 22 April 1994

**42. 1995 Revised Edition — Immigration Act (Chapter 133)**

Operation : 15 March 1995

**43. G.N. No. S 227/1995 — Revised Edition of the Laws (Rectification)  
Order 1995**

Operation : 15 March 1995

**44. Act 41 of 1995 — Immigration (Amendment) Act 1995**

Bill : 33/1995

First Reading : 27 September 1995

Second and Third Readings : 1 November 1995

Commencement : 1 March 1996

**45. 1997 Revised Edition — Immigration Act (Chapter 133)**

Operation : 20 December 1997

**46. Act 34 of 1998 — Immigration (Amendment) Act 1998**

Bill : 35/1998

First Reading : 31 July 1998

Second Reading : 4 September 1998

Notice of Amendments : 4 September 1998

Third Reading : 4 September 1998

Commencement : 5 October 1998

**47. Act 4 of 2003 — Customs (Amendment) Act 2003**

(Amendments made by section 26 read with item (12) of the Schedule to the above Act)

Bill : 6/2003

First Reading : 10 March 2003

Second and Third Readings : 21 March 2003

Commencement : 1 April 2003 (section 26 read with item (12) of the Schedule)

**48. Act 53 of 2004 — Immigration (Amendment) Act 2004**

Bill : 51/2004

First Reading : 19 October 2004

Second and Third Readings : 16 November 2004

Commencement : 15 January 2005

**49. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005**

(Amendments made by section 6 read with item (7) of the Fourth Schedule to the above Act)

Bill : 30/2005

First Reading : 17 October 2005

Second and Third Readings : 21 November 2005

Commencement : 1 January 2006 (section 6 read with item (7) of the Fourth Schedule)

**50. Act 2 of 2007 — Statutes (Miscellaneous Amendments) Act 2007**

(Amendments made by section 10 of the above Act)

Bill	:	14/2006
First Reading	:	8 November 2006
Second and Third Readings	:	22 January 2007
Commencement	:	1 March 2007 (section 10)

**51. Act 30 of 2007 — Employment of Foreign Workers (Amendment) Act 2007**

(Amendments made by section 28 read with item (3) of the Schedule to the above Act)

Bill	:	17/2007
First Reading	:	9 April 2007
Second and Third Readings	:	22 May 2007
Commencement	:	1 July 2007 (section 28 read with item (3) of the Schedule)

**52. Act 33 of 2007 — Passports Act 2007**

(Amendments made by section 62 read with the Second Schedule to the above Act)

Bill	:	21/2007
First Reading	:	21 May 2007
Second and Third Readings	:	16 July 2007
Commencement	:	1 December 2007 (section 62 read with the Second Schedule)

**53. 2008 Revised Edition — Immigration Act (Chapter 133)**

Operation	:	1 January 2008
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**54. Act 5 of 2010 — Moneylenders (Amendment) Act 2010**

(Amendments made by section 13 of the above Act)

Bill	:	23/2009
First Reading	:	23 November 2009
Second and Third Readings	:	12 January 2010
Commencement	:	11 February 2010 (section 13)

**55. Act 15 of 2010 — Criminal Procedure Code 2010**

(Amendments made by section 430 read with item 47 of the Sixth Schedule to the above Act)

Bill	:	11/2010
First Reading	:	26 April 2010
Second Reading	:	18 May 2010
Commencement	:	2 January 2011 (section 430 read with item 47 of the Sixth Schedule)

**56. Act 18 of 2012 — Immigration (Amendment) Act 2012**

Bill	:	16/2012
First Reading	:	9 July 2012
Second and Third Readings	:	13 August 2012
Commencement	:	19 December 2012

**57. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016**

(Amendments made by section 10 of the above Act)

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

**58. Act 7 of 2016 — Women's Charter (Amendment) Act 2016**

(Amendments made by section 47 of the above Act)

Bill	:	6/2016
First Reading	:	26 January 2016
Second and Third Readings	:	29 February 2016
Commencement	:	1 October 2016 (section 47)

**59. G.N. No. S 703/2016 — Immigration Act (Amendment of Schedule) Order 2016**

Commencement	:	1 January 2017
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**60. Act 6 of 2018 — Immigration (Amendment) Act 2018**

Bill	:	46/2017
First Reading	:	6 November 2017
Second and Third Readings	:	8 January 2018

Commencement : 1 April 2018

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

(Amendments made by Part 2 of the above Act)

Bill : 44/2018

First Reading : 1 October 2018

Second and Third Readings : 20 November 2018

Commencement : 1 February 2019 (section 25)  
13 May 2019 (section 26)

**62. Act 15 of 2019 — Criminal Law Reform Act 2019**

(Amendments made by section 176 of the above Act)

Bill : 6/2019

First Reading : 11 February 2019

Second Reading : 6 May 2019

Notice of Amendments : 6 May 2019

Third Reading : 6 May 2019

Commencement : 1 January 2020 (section 176)

Abbreviations

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