



THE STATUTES OF THE REPUBLIC OF SINGAPORE

PREVENTION OF CORRUPTION ACT

(CHAPTER 241)

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Prevention of Corruption Act

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An Act to provide for the more effectual prevention of corruption.

[17th June 1960]

PART I
PRELIMINARY

[29/2002 wef 30/01/2003]

Short title

1. This Act may be cited as the Prevention of Corruption Act.

Interpretation

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

“agent” means any person employed by or acting for another, and includes a trustee, administrator and executor, and a person serving the Government or under any corporation or public body, and for the purposes of section 8 includes a subcontractor and any person employed by or acting for such subcontractor;

“CPIB officer” means a public officer in the Corrupt Practices Investigation Service (Junior) Scheme of Service or in the Corrupt Practices Investigation Service (Senior) Scheme of Service;

[29/2002 wef 30/01/2003]

“Director” means the Director of the Corrupt Practices Investigation Bureau appointed under section 3;

“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 whatsoever, whether in whole or in part;
- (d) any other service, favour or advantage of any description whatsoever, including protection from any penalty or disability incurred or apprehended or

from any action or proceedings of a disciplinary or penal nature, whether or not already instituted, and including the exercise or the forbearance from the exercise of any right or any official power or duty; and

(e) any offer, undertaking or promise of any gratification within the meaning of paragraphs (a), (b), (c) and (d);

“INVEST Fund” means the INVEST Fund established under Part III of the Home Affairs Uniformed Services Superannuation Act (Cap. 126B);

[29/2002 wef 30/01/2003]

“member” means a member of the Scheme established under this Act;

[29/2002 wef 30/01/2003]

“principal” includes an employer, a beneficiary under a trust, and a trust estate as though it were a person and any person beneficially interested in the estate of a deceased person and the estate of a deceased person as though the estate were a person, and in the case of a person serving the Government or a public body includes the Government or the public body, as the case may be;

“public body” means any corporation, board, council, commissioners or other body which has power to act under and for the purposes of any written law relating to public health or to undertakings or public utility or otherwise to administer money levied or raised by rates or charges in pursuance of any written law;

“Scheme” means the Occupational Superannuation Scheme established by regulations made under section 4A;

[29/2002 wef 30/01/2003]

“service” means regular service (whether part-time or full-time) as a CPIB officer;

[29/2002 wef 30/01/2003]

“special investigator” means a special investigator of the Corrupt Practices Investigation Bureau.

[25/81]

PART II

APPOINTMENT OF STAFF AND PERSONNEL MATTERS

[29/2002 wef 30/01/2003]

Appointment of Director and officers

3.—(1) The President may appoint an officer to be the Director of the Corrupt Practices Investigation Bureau:

Provided that the President acting in his discretion may refuse to appoint or revoke the appointment of the Director if he does not concur with the advice or recommendation of the Cabinet or a Minister acting under the general authority of the Cabinet.

(2) The President may appoint such number of deputy directors, assistant directors and special investigators of the Corrupt Practices Investigation Bureau as he may think fit.

[Act 2 of 2012 wef 01/03/2012]

(3) Any powers conferred on and duties to be performed by the Director under this Act may, subject to the orders and directions of the Director, be exercised or performed by a deputy director or an assistant director of the Corrupt Practices Investigation Bureau.

[Act 2 of 2012 wef 01/03/2012]

(4) A deputy director and an assistant director of the Corrupt Practices Investigation Bureau may exercise the powers conferred by this Act on a special investigator.

[Act 2 of 2012 wef 01/03/2012]

(5) The President may create such different grades for deputy directors, assistant directors and special investigators as he may think fit.

[25/81]

[11/91]

[Act 2 of 2012 wef 01/03/2012]

Director and officers deemed to be public servants

4.—(1) The Director, deputy directors, assistant directors and special investigators of the Corrupt Practices Investigation Bureau shall be deemed to be public servants within the meaning of the Penal Code.

[Act 2 of 2012 wef 01/03/2012]

(2) A warrant card shall be issued to every officer of the Corrupt Practices Investigation Bureau referred to in subsection (1) and shall be evidence of his appointment under this Act.

[Act 2 of 2012 wef 01/03/2012]

Establishment of Occupational Superannuation Scheme

4A.—(1) The Minister shall, by regulations, establish an Occupational Superannuation Scheme for the benefit of all CPIB officers appointed on or after 1st November 2001, who will be the members of the Scheme.

[29/2002 wef 30/01/2003]

(2) The regulations made under subsection (1) shall provide for the payment of —

- (a) any gratuity, allowance, superannuation or other like benefit to members of the Scheme, or to their legal personal representatives or dependants, on the death of the members in the service or on the resignation, retirement or discharge of the members from the service;
- (b) any pension, gratuity, allowance, compensation or other benefit in respect of the death of or injuries received by any member of the Scheme in and which are attributable to service; and
- (c) any allowance, subsidy or other benefit to such former members of the Scheme as may be prescribed after their retirement from the service.

(3) The regulations made under subsection (1) may provide for —

- (a) the payment of contributions in respect of each member;
- (b) the age or ages at which a member may retire or be required to retire from the service;

- (c) the appointment of award officers to assess, award and pay pensions, gratuities and allowances and other like benefits under the Scheme and to otherwise administer the Scheme; and
- (d) the bringing of appeals against decisions of award officers and the appointment of one or more persons to hear such appeals and review the decisions of award officers.

(4) In making regulations under subsection (1), the Minister shall also provide for —

- (a) every CPIB officer who is appointed before 1st November 2001 and who, immediately before that date, is eligible (whether on retirement or in respect of death or injury in or attributable to service) for any pension, gratuity or other allowance under the Pensions Act (Cap. 225); and
- (b) every CPIB officer who is appointed before 1st November 2001 to the service on a contract for a term and who, immediately before that date, is eligible for any gratuity or other like benefit under the contract,

an option to join the Scheme as a member and for the terms and conditions of such an option.

(5) The regulations made in relation to CPIB officers referred to in subsection (4) shall provide —

- (a) in the case of an officer referred to in subsection (4)(a), that any such officer who opts to join the Scheme shall cease to be eligible to benefits under the Pensions Act but shall remain eligible under the Scheme to benefits not less in value than the amount of any pension, gratuity or other allowance for which he would have been granted under the Pensions Act if he retired from the service, or was injured or died in service, on the date immediately before his joining the Scheme; and
- (b) in the case of an officer referred to in subsection (4)(b), that any such officer who opts to join the Scheme shall remain eligible to benefits not less in value than the amount of any gratuity or other like benefit for which he would have been

granted under his contract if he had completed his term of service under the contract on the date immediately before his joining the Scheme.

(6) Any option exercised by any CPIB officer before 1st November 2001 to join or not to join the Scheme shall be deemed to be exercised in accordance with the regulations made under subsection (1) in relation to CPIB officers referred to in subsection (4).

[29/2002 wef 30/01/2003]

Benefits not as of right, etc.

4B.—(1) No member shall have an absolute right to compensation for past services or to any pension, gratuity, allowance or other benefit under the Scheme.

(2) Nothing in this Act shall limit the right of the Public Service Commission, or any of its delegates, to dismiss any CPIB officer who is a member from the service without compensation.

(3) Subject to Article 113 of the Constitution, where it is established to the satisfaction of an award officer that a member has been guilty of negligence, irregularity or misconduct, it shall be lawful for the award officer to reduce or altogether withhold the pension, gratuity, allowance or other benefit for which the member would but for this section have become eligible under the Scheme.

[29/2002 wef 30/01/2003]

Non-assignability or attachment of benefits, etc.

4C.—(1) No payments, allowance or other benefit payable under the Scheme (whether on death, retirement or resignation of a member or otherwise), and no contribution by the Government made under the Scheme, and no interest thereon shall be assignable or transferable, or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim, other than —

- (a) a debt due to the Government; or
- (b) an order of court for the payment of periodical sums of money towards the maintenance of the wife or former wife or minor child (whether legitimate or not) of the member to

whom the payment, allowance or other benefit has been granted.

(2) Subject to the provisions of any regulations made under section 4A, all moneys paid or payable under the Scheme on the death of a member thereof —

- (a) shall be deemed to be subject to a trust in favour of the persons entitled thereto under the will or intestacy of such deceased member;
- (b) shall not be deemed to form part of his estate or be subject to the payment of his debts; and
- (c) shall be deemed to be property passing on his death for the purposes of the Estate Duty Act (Cap. 96).

[29/2002 wef 30/01/2003]

Recovery of benefits granted in ignorance of disqualifying facts

4D. It shall be a condition of the grant of every pension, gratuity, allowance or other benefit under the Scheme that the Government may recover, cancel or reduce the grant if it is shown to have been obtained by the wilful suppression of material facts or to have been granted in ignorance of facts which, had they been known before the retirement or resignation of the member, would have justified his dismissal or a reduction of his salary.

[29/2002 wef 30/01/2003]

Effect of bankruptcy and conviction on Scheme benefits

4E.—(1) No contribution by the Government made under the Scheme and no interest thereon shall be subject to the debts of any member thereof, nor shall such contributions and interest pass to the Official Assignee on the bankruptcy of the member.

(2) If a member is adjudicated a bankrupt or is declared insolvent by a court of law, such contributions and interest shall be deemed to be excluded from the property of the bankrupt for the purposes of the Bankruptcy Act (Cap. 20).

(3) If, at the date of his retirement or resignation from the service, any member has been adjudged a bankrupt by judgment of a court of competent jurisdiction, whether in Singapore or elsewhere, and he

has not obtained his discharge from such adjudication or declaration, it shall be lawful for an award officer to refuse to grant any pension, gratuity or other allowance which would, if not for this subsection, be granted.

(4) If any person to whom a pension or other allowance has been granted under this Act —

- (a) is adjudicated a bankrupt by judgment of a court of competent jurisdiction, whether in Singapore or elsewhere; or
- (b) is sentenced to death or penal servitude or any term of imprisonment, by any court of competent jurisdiction, whether in Singapore or elsewhere, for any crime or offence,

the Minister may direct that such pension or allowance shall forthwith cease, and thereupon such pension or allowance shall cease accordingly.

(5) Where, by reason of bankruptcy of a member or former member, a pension, gratuity or allowance is not granted or where a pension or allowance ceases by virtue of a direction under subsection (4)(a), it shall be lawful for the Minister to cause all or any part of the moneys to which such person would have been entitled by way of pension, gratuity or allowance, had he not become a bankrupt or sentenced for any crime or offence, as the case may be, to be paid to, or applied for the maintenance and personal support or benefit of, all or any (to the exclusion of the others) of the following persons in such proportions and manner as the Minister thinks proper:

- (a) the member or former member himself; and
- (b) his spouse, child or children.

(6) The Minister may exercise his power under subsection (5), from time to time, during the remainder of the member's or former member's life, or during such shorter period or periods, either continuous or discontinuous, as the Minister thinks fit.

(7) When a person to whom a pension or allowance has not been granted or whose pension or allowance has ceased under this section

obtains a full and proper discharge from his bankruptcy, his pension or allowance shall be restored to him with effect from the date of such discharge.

(8) For the purposes of subsection (5), moneys applied for the discharge of the debts of the member or former member, as the case may be, shall be regarded as applied for his benefit.

(9) Notwithstanding subsection (4), any pension or allowance that has ceased by virtue of a direction under subsection (4)(b) shall be restored with retrospective effect in the case of a person who, after conviction, at any time receives a free pardon.

(10) Where a pension or allowance ceases by virtue of a direction under subsection (4)(b), it shall be lawful for the Minister to cause all or any part of moneys to which the person would have been entitled by way of pension or allowance to be paid to or applied for the benefit of his spouse, child or children, or after the expiration of his sentence, also for the benefit of himself, in the same manner precisely and subject to the same qualifications and restrictions as in the case of bankruptcy provided in subsection (5).

[29/2002 wef 30/01/2003]

Scheme to be met out of INVEST Fund

4F.—(1) There shall be paid into the INVEST Fund —

- (a) such sums appropriated from the Consolidated Fund and authorised to be paid into the INVEST Fund by or under any written law to enable that Fund to meet its liabilities under this Act; and
- (b) such sum from the Pension Fund established by the Pension Fund Act (Cap. 224A) as the Minister for Finance may determine as the value of that part of the Pension Fund relating to all those CPIB officers referred to in section 4A(4)(a) who exercise an option in favour of joining the Scheme in accordance with the regulations under section 4A.

(2) The INVEST Fund comprising moneys referred to in subsection (1) shall be applied to meet the following purposes only:

- (a) the payment of any pension, gratuity, allowance, compensation or other like benefit granted under the Scheme; and
 - (b) such other expenses relating to the granting of any pension, gratuity, allowance, compensation or other like benefit under the Scheme and expressly provided by regulations made under this Act to be met from the INVEST Fund.
- (3) The moneys referred to in subsection (1) shall be paid into the INVEST Fund as capital money, and shall not be used to make payment of any dividend under the Scheme.

[29/2002 wef 30/01/2003]

PART III

OFFENCES AND PENALTIES

[29/2002 wef 30/01/2003]

Punishment for corruption

5. Any person who shall by himself or by or in conjunction with any other person —

- (a) corruptly solicit or receive, or agree to receive for himself, or for any other person; or
- (b) corruptly give, promise or offer to any person whether for the benefit of that person or of another person,

any gratification as an inducement to or reward for, or otherwise on account of —

- (i) any person doing or forbearing to do anything in respect of any matter or transaction whatsoever, actual or proposed; or
- (ii) any member, officer or servant of a public body doing or forbearing to do anything in respect of any matter or transaction whatsoever, actual or proposed, in which such public body is concerned,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

[29/89]

Punishment for corrupt transactions with agents

6. If —

- (a) any agent corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gratification as an inducement or reward for doing or forbearing to do, or for having done or forborne to do, any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business;
- (b) any person corruptly gives or agrees to give or offers any gratification to any agent as an inducement or reward for doing or forbearing to do, or for having done or forborne to do any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business; or
- (c) any person knowingly gives to an agent, or if an agent knowingly uses with intent to deceive his principal, any receipt, account or other document in respect of which the principal is interested, and which contains any statement which is false or erroneous or defective in any material particular, and which to his knowledge is intended to mislead the principal,

he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

[29/89]

Increase of maximum penalty in certain cases

7. A person convicted of an offence under section 5 or 6 shall, where the matter or transaction in relation to which the offence was

committed was a contract or a proposal for a contract with the Government or any department thereof or with any public body or a subcontract to execute any work comprised in such a contract, be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 7 years or to both.

[29/89]

Presumption of corruption in certain cases

8. Where in any proceedings against a person for an offence under section 5 or 6, it is proved that any gratification has been paid or given to or received by a person in the employment of the Government or any department thereof or of a public body by or from a person or agent of a person who has or seeks to have any dealing with the Government or any department thereof or any public body, that gratification shall be deemed to have been paid or given and received corruptly as an inducement or reward as hereinbefore mentioned unless the contrary is proved.

Acceptor of gratification to be guilty notwithstanding that purpose not carried out, etc.

9.—(1) Where in any proceedings against any agent for any offence under section 6(a), it is proved that he corruptly accepted, obtained or agreed to accept or attempted to obtain any gratification, having reason to believe or suspect that the gratification was offered as an inducement or reward for his doing of forbearing to do any act or for showing or forbearing to show any favour or disfavour to any person in relation to his principal's affairs or business, he shall be guilty of an offence under that section notwithstanding that he did not have the power, right or opportunity to do so, show or forbear or that he accepted the gratification without intending to do so, show or forbear or that he did not in fact do so, show or forbear or that the act, favour or disfavour was not in relation to his principal's affairs or business.

(2) Where, in any proceedings against any person for any offence under section 6(b), it is proved that he corruptly gave, agreed to give or offered any gratification to any agent as an inducement or reward for doing or forbearing to do any act or for showing or forbearing to show any favour or disfavour to any person having reason to believe or suspect that the agent had the power, right or opportunity to do so,

show or forbear and that the act, favour or disfavour was in relation to his principal's affairs or business, he shall be guilty of an offence under that section notwithstanding that the agent had no power, right or opportunity or that the act, favour or disfavour was not in relation to his principal's affairs or business.

Corruptly procuring withdrawal of tenders

10. A person —

- (a) who, with intent to obtain from the Government or any public body a contract for performing any work, providing any service, doing anything, or supplying any article, material or substance, offers any gratification to any person who has made a tender for the contract, as an inducement or a reward for his withdrawing that tender; or
- (b) who solicits or accepts any gratification as an inducement or a reward for his withdrawing a tender made by him for that contract,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 7 years or to both.

[29/89]

Bribery of Member of Parliament

11. Any person —

- (a) who offers any gratification to a Member of Parliament as an inducement or reward for such Member's doing or forbearing to do any act in his capacity as such Member; or
- (b) who being a Member of Parliament solicits or accepts any gratification as an inducement or a reward for his doing or forbearing to do any act in his capacity as such Member,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 7 years or to both.

[29/89]

Bribery of member of public body**12.** A person —

- (a) who offers any gratification to any member of a public body as an inducement or reward for —
 - (i) the member's voting or abstaining from voting at any meeting of the public body in favour of or against any measure, resolution or question submitted to that public body;
 - (ii) the member's performing, or abstaining from performing, or his aid in procuring, expediting, delaying, hindering or preventing the performance of, any official act; or
 - (iii) the member's aid in procuring or preventing the passing of any vote or the granting of any contract or advantage in favour of any person; or
- (b) who, being a member of a public body, solicits or accepts any gratification as an inducement or a reward for any such act, or any such abstaining, as is referred to in paragraph (a)(i), (ii) and (iii),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 7 years or to both.

[29/89]

When penalty to be imposed in addition to other punishment

13.—(1) Where a court convicts any person of an offence committed by the acceptance of any gratification in contravention of any provision of this Act, then, if that gratification is a sum of money or if the value of that gratification can be assessed, the court shall, in addition to imposing on that person any other punishment, order him to pay as a penalty, within such time as may be specified in the order, a sum which is equal to the amount of that gratification or is, in the opinion of the court, the value of that gratification, and any such penalty shall be recoverable as a fine.

(2) Where a person charged with two or more offences for the acceptance of gratification in contravention of this Act is convicted of one or some of those offences, and the other outstanding offences are taken into consideration by the court under section 148 of the Criminal Procedure Code 2010 for the purpose of passing sentence, the court may increase the penalty mentioned in subsection (1) by an amount not exceeding the total amount or value of the gratification specified in the charges for the offences so taken into consideration.

[25/81]

[15/2010 wef 02/01/2011]

Principal may recover amount of secret gift

14.—(1) Where any gratification has, in contravention of this Act, been given by any person to an agent, the principal may recover as a civil debt the amount or the money value thereof either from the agent or from the person who gave the gratification to the agent, and no conviction or acquittal of the defendant in respect of an offence under this Act shall operate as a bar to proceedings for the recovery of that amount or money value.

(2) Nothing in this section shall be deemed to prejudice or affect any right which any principal may have under any written law or rule of law to recover from his agent any money or property.

PART IV

POWERS OF ARREST AND INVESTIGATION

[29/2002 wef 30/01/2003]

Powers of arrest

15.—(1) The Director or any special investigator may without a warrant arrest any person who has been concerned in any offence under this Act or against whom a reasonable complaint has been made or credible information has been received or a reasonable suspicion exists of his having been so concerned.

(2) The Director or a special investigator arresting a person under subsection (1) may search such person and take possession of all articles found upon him which there is reason to believe were the

fruits or other evidence of the crime, provided that no female shall be searched except by a female.

(3) Every person so arrested shall be taken to the Corrupt Practices Investigation Bureau or to a police station.

[27/72]

[25/81]

Director and officers to be armed

15A.—(1) Every relevant officer of the Corrupt Practices Investigation Bureau shall be provided with such staves, arms, ammunition and other accoutrements as may be necessary for the effective discharge of his duties.

(2) In subsection (1), “relevant officer of the Corrupt Practices Investigation Bureau” means the Director, a deputy director, an assistant director or a special investigator of the Corrupt Practices Investigation Bureau.

[Act 2 of 2012 wef 01/03/2012]

Provisions as to bail or bond

16.—(1) A person who has been arrested by the Director or any special investigator may be released on bail or on his own bond granted by the Director or any special investigator or any police officer.

(2) The provisions of Division 5 of Part VI of the Criminal Procedure Code 2010 shall apply to any bail or bond granted under this section; and for this purpose —

- (a) any reference to “officer”, “police officer” or “police officer not below the rank of sergeant” shall be read to include the Director or any special investigator;
- (b) the reference to the Commissioner of Police in section 92 of the Criminal Procedure Code 2010 shall be read to include the Director.

[15A

[29/89]

[15/2010 wef 02/01/2011]

Powers of investigation

17.—(1) In any case relating to the commission —

- (a) of an offence under section 165 or under sections 213 to 215 of the Penal Code [Cap. 224], or of any conspiracy to commit, or of any attempt to commit, or of any abetment of such an offence;
- (b) of an offence under this Act; or
- (c) of any seizable offence under any written law which may be disclosed in the course of an investigation under this Act,

the Director or a special investigator may, without the order of the Public Prosecutor, exercise all or any of the powers in relation to police investigations into any offence given by the Criminal Procedure Code:

Provided that an investigation into an offence under the Penal Code [Cap. 224] shall be deemed to be a police investigation to which sections 23 and 258 of the Criminal Procedure Code 2010 shall apply in the same manner and to the same extent as if the Director or the special investigator concerned were a police officer.

[27/72; 25/81; 29/89]

[15/2010 wef 02/01/2011]

(2) For the purpose of sections 20(1) and 258(2) of the Criminal Procedure Code 2010, the Director or a special investigator shall be deemed to be an officer not below the rank of inspector of police.

[16

[15/2010 wef 02/01/2011]

Special powers of investigation

18.—(1) Notwithstanding anything in any other law, the Public Prosecutor, if satisfied that there are reasonable grounds for suspecting that an offence under this Act has been committed, may, by order, authorise the Director or any police officer of or above the rank of assistant superintendent named in such order or a special investigator so named to make an investigation in the matter in such manner or mode as may be specified in that order. The order may

authorise the investigation of any bank account, share account, purchase account, expense account or any other account, or any safe deposit box in any bank, and shall be sufficient authority for the disclosure or production by any person of all or any information or accounts or documents or articles as may be required by the officer so authorised.

(2) Any person who fails to disclose such information or to produce such accounts or documents or articles to the person so authorised 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 one year or to both.

[17

[27/72; 25/81]

Powers of investigation authorised by Public Prosecutor

19. The Public Prosecutor may by order authorise the Director or a special investigator to exercise, in the case of any offence under any written law, all or any of the powers in relation to police investigations given by the Criminal Procedure Code.

[29/89]

[18

Public Prosecutor's power to order inspection of bankers' books

20.—(1) The Public Prosecutor may, if he considers that any evidence of the commission of an offence under this Act or under sections 161 to 165 or 213 to 215 of the Penal Code or of a conspiracy to commit, or an attempt to commit, or an abetment of any such offence by a person in the service of the Government or of any department thereof or of a public body is likely to be found in any banker's book relating to that person, his wife or child or to a person reasonably believed by the Public Prosecutor to be a trustee or agent for that person, by order authorise the Director or any special investigator named in the order or any police officer of or above the rank of assistant superintendent so named to inspect any book and the Director, special investigator or police officer so authorised may, at all reasonable times, enter the bank specified in the order and inspect

the books kept therein and may take copies of any relevant entry in any such book.

(2) For the purpose of this section —

“bank” means any company carrying on the business of bankers in Singapore incorporated or licensed under any written law;

[37/1998 wef 16/11/1998]

“banker’s book” includes any ledger, day book, cash book, account book or other book or document used in the ordinary course of the business of a bank.

[19

[27/72]

[25/81]

Public Prosecutor’s powers to obtain information

21.—(1) In the course of any investigation or proceedings into or relating to an offence by any person in the service of the Government or of any department thereof or of any public body under this Act or under sections 161 to 165 or 213 to 215 of the Penal Code [Cap. 224] or a conspiracy to commit, or an attempt to commit, or an abetment of any such offence, the Public Prosecutor may, notwithstanding anything in any other written law to the contrary, by written notice —

- (a) require that person to furnish a sworn statement in writing enumerating all movable or immovable property belonging to or possessed by that person and by the spouse, sons and daughters of that person, and specifying the date on which each of the properties enumerated was acquired whether by way of purchase, gift, bequest, inheritance or otherwise;
- (b) require that person to furnish a sworn statement in writing of any money or other property sent out of Singapore by him, his spouse, sons and daughters during such period as may be specified in the notice;
- (c) require any other person to furnish a sworn statement in writing enumerating all movable or immovable property belonging to or possessed by that person where the Public

Prosecutor has reasonable grounds to believe that the information can assist the investigation;

- (d) require the Comptroller of Income Tax to furnish, as specified in the notice, all information available to the Comptroller relating to the affairs of that person or of the spouse or a son or daughter of that person, and to produce or furnish, as specified in the notice, any document or a certified copy of any document relating to that person, spouse, son or daughter which is in the possession or under the control of the Comptroller;
- (e) require the person in charge of any department, office or establishment of the Government, or the president, chairman, manager or chief executive officer of any public body to produce or furnish, as specified in the notice, any document or a certified copy of any document which is in his possession or under his control;
- (f) require the manager of any bank to give copies of the accounts of that person or of the spouse or a son or daughter of that person at the bank.

[29/89]

(2) Every person to whom a notice is sent by the Public Prosecutor under subsection (1) shall, notwithstanding the provisions of any written law or any oath of secrecy to the contrary, comply with the terms of that notice within such time as may be specified therein and any person who wilfully neglects or fails so to comply 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 one year or to both.

[20

Powers of search and seizure

22.—(1) Whenever it appears to any Magistrate or to the Director upon information and after such inquiry as he thinks necessary that there is reasonable cause to believe that in any place there is any document containing any evidence of, or any article or property relating to —

- (a) the commission of an offence under this Act, or under sections 161 to 165, or 213 to 215, of the Penal Code [Cap. 224]; or
- (b) a conspiracy to commit, or any attempt to commit, or an abetment of any such offence,

the Magistrate or the Director may, by warrant directed to any special investigator or police officer not below the rank of inspector empower the special investigator or police officer to enter that place by force if necessary and to search, seize and detain any such document, article or property.

(2) Whenever it appears to any special investigator or any police officer not below the rank of inspector that there is reasonable cause to believe that in any place there is concealed or deposited any document containing any evidence of, or any article or property relating to —

- (a) the commission of an offence under this Act, or under sections 161 to 165, or 213 to 215, of the Penal Code; or
- (b) a conspiracy to commit, or an attempt to commit, or an abetment of any such offence,

and the special investigator or police officer has reasonable grounds for believing that by reason of the delay in obtaining a search warrant the object of the search is likely to be frustrated, he may exercise in and in respect of that place all the powers mentioned in subsection (1) in as full and ample a manner as if he were empowered to do so by warrant issued under that subsection.

[21
[25/81]

PART V EVIDENCE

[29/2002 wef 30/01/2003]

Evidence of custom inadmissible

23. In any civil or criminal proceeding under this Act evidence shall not be admissible to show that any such gratification as is mentioned in this Act is customary in any profession, trade, vocation or calling.

[22]

Evidence of pecuniary resources or property

24.—(1) In any trial or inquiry by a court into an offence under this Act or under sections 161 to 165 or 213 to 215 of the Penal Code or into a conspiracy to commit, or attempt to commit, or an abetment of any such offence the fact that an accused person is in possession, for which he cannot satisfactorily account, of pecuniary resources or property disproportionate to his known sources of income, or that he had, at or about the time of the alleged offence, obtained an accretion to his pecuniary resources or property for which he cannot satisfactorily account, may be proved and may be taken into consideration by the court as corroborating the testimony of any witness in the trial or inquiry that the accused person accepted or obtained or agreed to accept or attempted to obtain any gratification and as showing that the gratification was accepted or obtained or agreed to be accepted or attempted to be obtained corruptly as an inducement or reward.

(2) An accused person shall, for the purposes of subsection (1), be deemed to be in possession of resources or property or to have obtained an accretion thereto where those resources or property are held or the accretion is obtained by any other person whom, having regard to his relationship to the accused person or to any other circumstances, there is reason to believe to be holding those resources or property or to have obtained the accretion in trust for or on behalf of the accused person or as a gift from the accused person.

[23]

Evidence of accomplice

25. Notwithstanding any rule of law or written law to the contrary, no witness shall, in any such trial or inquiry as is referred to in section 24, be presumed to be unworthy of credit by reason only of

any payment or delivery by him or on his behalf of any gratification to an agent or member of a public body.

[24]

PART VI
MISCELLANEOUS

[29/2002 wef 30/01/2003]

Obstruction of search

26. Any person who —

- (a) refuses the Director or any officer authorised to enter or search, access to any place;
- (b) assaults, obstructs, hinders or delays him in effecting any entrance which he is entitled to effect under this Act, or in the execution of any duty imposed or power conferred by this Act;
- (c) fails to comply with any lawful demands of the Director or any officer in the execution of his duty under this Act; or
- (d) refuses or neglects to give any information which may reasonably be required of him and which he has it in his power to give,

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 one year or to both.

[25]

[25/81; 29/89]

Legal obligation to give information

27. Every person required by the Director or any officer to give any information on any subject which it is the duty of the Director or that officer to inquire into under this Act and which it is in his power to give, shall be legally bound to give that information.

[25/81]

[26]

False statements, information, etc.

28. Any person who knowingly —

- (a) gives or causes to be given any false or misleading information relating to the commission of any offence under this Act or under section 165, 213, 214, or 215 of the Penal Code [Cap. 224];
- (b) gives or causes to be given to the Director or a special investigator any other false or misleading information,

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 one year or to both.

[26A
[29/89]

Abetment of offences

29. Whoever abets, within the meaning of the Penal Code —

- (a) the commission of an offence under this Act; or
- (b) the commission outside Singapore of any act, in relation to the affairs or business or on behalf of a principal residing in Singapore, which if committed in Singapore would be an offence under this Act,

shall be deemed to have committed the offence and shall be liable on conviction to be punished with the punishment provided for that offence.

[27

Attempts

30. Whoever attempts to commit an offence punishable under this Act shall be deemed to have committed the offence and shall be liable on conviction to be punished with the punishment provided for that offence.

[28

Conspiracy

31. Whoever is a party to a criminal conspiracy, within the meaning of the Penal Code [Cap. 224], to commit an offence under this Act shall be deemed to have committed the offence and shall be liable on conviction to be punished with the punishment provided for that offence.

[29]

Offences to be seizable

32.—(1) Every offence under this Act shall be deemed to be a seizable offence for the purposes of the Criminal Procedure Code [Cap. 68].

(2) A public officer to whom any gratification is corruptly given or offered shall arrest the person who gives or offers the gratification to him and make over the person so arrested to the nearest police station and if he fails to do so without reasonable excuse he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

[30
[29/89]**Prosecutions to be instituted with consent of Public Prosecutor**

33. A prosecution under this Act shall not be instituted except by or with the consent of the Public Prosecutor.

[31]

District Court to have jurisdiction to try offences under this Act

34. Notwithstanding the provisions of any written law to the contrary, a District Court shall have jurisdiction to try any offence under this Act and to award the full punishment for that offence.

[32]

Examination of offenders

35.—(1) Whenever two or more persons are charged with any offence under this Act or under sections 161 to 165 or 213 to 215 of

the Penal Code or with a conspiracy to commit, or an attempt to commit, or an abetment of any such offence, the court may require one or more of them to give evidence as a witness or witnesses for the prosecution.

(2) Any such person who refuses to be sworn or to answer any lawful question shall be dealt with in the same manner as witnesses so refusing may by law be dealt with by a Magistrate's Court or District Court, as the case may be.

(3) Every person so required to give evidence, who in the opinion of the court makes true and full discovery of all things as to which he is lawfully examined, shall be entitled to receive a certificate of indemnity under the hand of the Magistrate or Judge, as the case may be, stating that he has made a true and full discovery of all things as to which he was examined, and that certificate shall be a bar to all legal proceedings against him in respect of all those things.

[33

Protection of informers

36.—(1) Except as hereinafter provided, no complaints as to an offence under this Act shall be admitted in evidence in any civil or criminal proceeding whatsoever, and no witness shall be obliged or permitted to disclose the name or address of any informer, or state any matter which might lead to his discovery.

(2) If any books, documents or papers which are in evidence or liable to inspection in any civil or criminal proceeding whatsoever contain any entry in which any informer is named or described or which might lead to his discovery, the court before which the proceeding is had shall cause all such passages to be concealed from view or to be obliterated so far as is necessary to protect the informer from discovery, but no further.

(3) If on a trial for any offence under this Act the court, after full inquiry into the case, is of the opinion that the informer wilfully made in his complaint a material statement which he knew or believed to be false or did not believe to be true, or if in any other proceeding the court is of the opinion that justice cannot be fully done between the parties thereto without the discovery of the informer, the court may

require the production of the original complaint, if in writing, and permit inquiry and require full disclosure concerning the informer.

[34

Liability of citizens of Singapore for offences committed outside Singapore

37.—(1) The provisions of this Act have effect, in relation to citizens of Singapore, outside as well as within Singapore; and where an offence under this Act is committed by a citizen of Singapore in any place outside Singapore, he may be dealt with in respect of that offence as if it had been committed within Singapore.

(2) Any proceedings against any person under this section which would be a bar to subsequent proceedings against that person for the same offence, if the offence had been committed in Singapore, shall be a bar to further proceedings against him, under any written law for the time being in force relating to the extradition of persons, in respect of the same offence outside Singapore.

[35

LEGISLATIVE HISTORY
PREVENTION OF CORRUPTION ACT
(CHAPTER 241)

This Legislative History is provided for the convenience of users of the Prevention of Corruption Act. It is not part of the Act.

1. Ordinance 39 of 1960 — Prevention of Corruption Ordinance, 1960

Date of First Reading	:	13 January 1960 (Bill No. 63/1960)
Date of Second Reading	:	13 February 1960
Date of Third Reading	:	16 May 1960
Date of commencement	:	17 June 1960

2. Ordinance 6 of 1963 — Prevention of Corruption (Amendment) Ordinance, 1963

Date of First Reading	:	9 April 1963 (Bill No. 203/1963)
Date of Second and Third Readings	:	15 June 1963
Date of commencement	:	28 June 1963

3. Act 10 of 1966 — Prevention of Corruption (Amendment) Act, 1966

Date of First Reading	:	23 February 1966 (Bill No. 5/1966)
Date of Second and Third Readings	:	21 April 1966
Date of commencement	:	6 May 1966

4. 1966 Reprint — Prevention of Corruption Ordinance, 1960

Date of operation	:	14 September 1966
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5. 1970 Revised Edition — Prevention of Corruption Act (Cap. 104)

Date of operation	:	15 April 1971
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6. Act 27 of 1972 — Prevention of Corruption (Amendment) Act 1972

Date of First Reading	:	24 October 1972 (Bill No. 32/1972 published on 25 October 1972)
Date of Second and Third Readings	:	3 November 1972
Date of commencement	:	8 December 1972

7. Act 25 of 1981 — Prevention of Corruption (Amendment) Act 1981

Date of First Reading : 23 October 1981
(Bill No. 25/1981 published on
30 October 1981)

Date of Second and Third Readings : 22 December 1981

Date of commencement : 29 January 1982

8. 1985 Revised Edition — Prevention of Corruption Act

Date of operation : 30 March 1987

9. Act 29 of 1989 — Prevention of Corruption (Amendment) Act 1989

Date of First Reading : 29 May 1989
(Bill No. 30/1989 published on
31 May 1989)

Date of Second and Third Readings : 11 July 1989

Date of commencement : 14 August 1989

10. Act 11 of 1991 — Statutes (Miscellaneous Amendments) Act 1991

Date of First Reading : 3 January 1991
(Bill No. 4/1991 published on
4 January 1991)

Date of Second and Third Readings : 14 January 1991

Date of commencement : 30 November 1991

11. 1993 Revised Edition — Prevention of Corruption Act

Date of operation : 15 March 1993

12. Act 37 of 1998 — Post Office Savings Bank of Singapore (Transfer of Undertakings and Dissolution) Act 1998

(Consequential amendments made by)

Date of First Reading : 31 July 1998
(Bill No. 34/1998 published on
1 August 1998)

Date of Second and Third Readings : 12 October 1998

Dates of commencement : 16 November 1998
(item (9) in the Schedule)

13. Act 29 of 2002 — Prevention of Corruption (Amendment) Act 2002

- Date of First Reading : 1 October 2002
(Bill No. 29/2002 published on
2 October 2002)
- Date of Second and Third Readings : 31 October 2002
- Date of commencement : 30 January 2003

14. Act 15 of 2010 — Criminal Procedure Code 2010

(Consequential amendments made by)

- Date of First Reading : 26 April 2010
(Bill No. 11/2011 published on
26 April 2010)
- Date of Second and Third Readings : 19 May 2010
- Date of commencement : 2 January 2011

15. Act 2 of 2012 — Statutes (Miscellaneous Amendments) Act 2012

- Date of First Reading : 21 November 2011
(Bill No. 22/2011 published on
21 November 2011)
- Date of Second and Third Readings : 18 January 2012
- Date of commencement : 1 March 2012 (section 31 —
Amendment of Prevention of
Corruption Act)