



REPUBLIC OF SINGAPORE
GOVERNMENT GAZETTE
ACTS SUPPLEMENT
Published by Authority

NO. 14]

FRIDAY, APRIL 6

[2018

First published in the *Government Gazette*, Electronic Edition, on 4 April 2018 at 5 pm.

The following Act was passed by Parliament on 6 February 2018 and assented to by the President on 5 March 2018:—

REPUBLIC OF SINGAPORE

No. 12 of 2018.

I assent.

HALIMAH YACOB,
President.
5 March 2018.



An Act to amend the Criminal Law (Temporary Provisions) Act (Chapter 67 of the 2000 Revised Edition) and to make consequential amendments to certain other Acts.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Criminal Law (Temporary Provisions) (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 1

2. Section 1 of the Criminal Law (Temporary Provisions) Act (called in this Act the principal Act) is amended by deleting subsection (2) and substituting the following subsection:

“(2) This Act continues in force for a period of 5 years beginning on 21 October 2019.”.

Amendment of section 30

3. The principal Act is amended by renumbering section 30 as subsection (1) of that section, and by inserting immediately thereafter the following subsections:

“(2) Every decision of the Minister on a matter in subsection (1) is final.

(3) In this section, “activities of a criminal nature” means any activity specified in the Fourth Schedule.”.

Repeal of sections 33 and 34 and re-enactment of section 33

4. Sections 33 and 34 of the principal Act are repealed and the following section substituted therefor:

“Obligations on person subject to supervision

33.—(1) The Minister may, by order in writing served on a person directed to be subject to the supervision of the police under section 30(1) or 32 (called in this Act a person subject to supervision), direct the person to comply with all or any of the obligations prescribed by rules made under section 49 for the purposes of this section.

(2) The Minister may, from time to time, by order in writing served on the person subject to supervision —

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- (a) cancel any of the obligations imposed on that person by an order under subsection (1) or this subsection; or
 - (b) direct that person to comply with any obligation prescribed by rules made under section 49 for the purposes of this section.

(3) A person subject to supervision who contravenes or fails to comply with any obligation imposed on that person by an order under subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to imprisonment for a term of not less than one year and not more than 3 years.

(4) A person subject to supervision is not required to comply with any obligation imposed on that person by an order under subsection (1) or (2) —

- (a) while that person is imprisoned or otherwise in custody, or detained, under any other written law; or
- (b) if, and only to the extent that, the obligation is inconsistent with any order or direction made by a court in respect of that person, such as an order or a direction to attend any court proceeding despite the obligation.”.

Repeal of section 36

5. Section 36 of the principal Act is repealed.

New section 38A

6. The principal Act is amended by inserting, immediately after section 38, the following section:

“Revocation of orders

38A. The Minister may, at any time, revoke an order made under section 30(1) or 32, whether or not the order has been confirmed under section 31(3) or extended under section 38.”.

Amendment of section 47

7. Section 47 of the principal Act is amended —

(a) by deleting the words “an Assistant Director” in subsection (2) and substituting the words “a Divisional Director”;

(b) by deleting subsection (6) and substituting the following subsections:

“(5A) In any case relating to the commission of an offence under section 33(3), an officer of the Central Narcotics Bureau —

(a) has all the powers of a police officer under the Criminal Procedure Code (Cap. 68) in relation to an investigation into an arrestable offence; and

(b) for the purposes of exercising such powers, is deemed to be a police officer not below the rank of inspector of police.

(6) In this section —

“Director”, “Deputy Director” and “Divisional Director”, in relation to the Central Narcotics Bureau, mean the Director, a Deputy Director and a Divisional Director, respectively, of the Central Narcotics Bureau appointed under section 3 of the Misuse of Drugs Act (Cap. 185);

“officer of the Central Narcotics Bureau” means the Director, a Deputy Director, a Divisional Director or any other officer of the Central Narcotics Bureau appointed under section 3 of the Misuse of Drugs Act.”; and

(c) by inserting, immediately after the words “sections 44, 45 and 46” in the section heading, the word “, etc.”.

New Fourth Schedule

8. The principal Act is amended by inserting, immediately after the Third Schedule, the following Schedule:

“FOURTH SCHEDULE

Section 30(3)

ACTIVITIES OF A CRIMINAL NATURE

1. Unlicensed moneylending
2. Drug trafficking
3. Involvement in a secret society, or as a gangster
4. Human trafficking
5. Robbery with firearms
6. Murder
7. Gang rape
8. Kidnapping
9. Participating in, or facilitating, any organised crime activity as defined in section 48(1) of the Organised Crime Act 2015 (Act 26 of 2015)
10. Attempting to carry out, abetting, or being a party to a criminal conspiracy to carry out, any activity listed in items 1 to 9.”

Miscellaneous amendments

9. The principal Act is amended —

(a) by deleting the words “section 30” in the following provisions and substituting in each case the words “section 30(1)”:

Sections 27(1) (definition of “registrable particulars”), 27A(2)(b), 31(1), 32(1) and (2), 42(1), (2) and (3), 43(9), 44(1) and 45(1); and

(b) by deleting the words “under this Act” in sections 35 and 49(2)(a).

Consequential amendments to other Acts

10.—(1) The Criminal Procedure Code (Cap. 68, 2012 Ed.) is amended —

- (a) by deleting the words “section 30” in paragraph (d) of the definition of “criminal record” in section 2(1) and substituting the words “section 30(1)”; and
 - (b) by deleting the words “section 30” in section 337(1)(f) and substituting the words “section 30(1)”.
- (2) The Moneylenders Act (Cap. 188, 2010 Ed.) is amended —
 - (a) by deleting the words “section 30(a)” in section 15C(1)(a) and substituting the words “section 30(1)(a)”; and
 - (b) by deleting the words “section 30” in section 15D(6) and substituting the words “section 30(1)”.
- (3) Section 83 of the Parliamentary Elections Act (Cap. 218, 2011 Ed.) is amended by deleting the words “section 30(b)” in subsections (1)(b), (4) and (6) and substituting in each case the words “section 30(1)(b)”.
- (4) Section 65 of the Presidential Elections Act (Cap. 240A, 2011 Ed.) is amended by deleting the words “section 30(b)” in subsections (1)(b), (4) and (6) and substituting in each case the words “section 30(1)(b)”.
- (5) The Registration of Criminals Act (Cap. 268, 1985 Ed.) is amended —
 - (a) by deleting the words “section 30” in paragraph (c) of the definition of “crime-free period” in section 7B(4) and substituting the words “section 30(1)”; and
 - (b) by deleting the words “section 30” in section 7C(d) and substituting the words “section 30(1)”.

Saving and transitional provisions

11.—(1) Despite section 3, section 30 of the principal Act as in force immediately before the date of commencement of section 3 continues to apply to a person in relation to any activities of a criminal nature that occurred before that date.

(2) Section 8 does not apply to any activities of a criminal nature that occurred before the date of commencement of that section.
