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The following Act was passed by Parliament on 19 March 2018 and assented to by the President on 11 April 2018:—

REPUBLIC OF SINGAPORE

No. 20 of 2018.

I assent.

HALIMAH YACOB,
President.
11 April 2018.



An Act to amend the Evidence Act (Chapter 97 of the 1997 Revised Edition).

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 Evidence (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 3

2. Section 3 of the Evidence Act is amended —

(a) by inserting, immediately before the definition of “copy of a document” in subsection (1), the following definition:

““child abuse offence” means any offence specified in Part 1 of the First Schedule, and includes attempting to commit, abetting the commission of, or being a party to a criminal conspiracy to commit, such an offence;”;

(b) by deleting the full-stop immediately after the words “necessarily follows” in the definition of “fact in issue” in subsection (1) and substituting a semi-colon; and

(c) by inserting, immediately after the illustrations to the definition of “fact in issue” in subsection (1), the following definition:

““sexual offence” means any offence specified in Part 2 of the First Schedule, and includes attempting to commit, abetting the commission of, or being a party to a criminal conspiracy to commit, such an offence.”.

Amendment of section 80A

3. Section 80A of the Evidence Act is amended —

(a) by deleting the word “Schedule” in subsections (1) and (5) (definition of “specified statutory body”) and substituting in each case the words “Second Schedule”; and

(b) by deleting subsection (6).

Amendment of section 148

4. Section 148 of the Evidence Act is amended by deleting the word “When” and substituting the words “Subject to section 154A, when”.

New section 154A

5. The Evidence Act is amended by inserting, immediately after section 154, the following section:

“Restrictions on questions and evidence in criminal proceedings involving sexual offence or child abuse offence

154A.—(1) In criminal proceedings where the accused is charged with committing a sexual offence or child abuse offence, the following are subject to such restrictions as may be provided for in rules made under subsection (2):

- (a) the questions that may be asked of the alleged victim of the offence in cross-examination;
- (b) the evidence that may be adduced about the alleged victim.

(2) The Minister may make rules to provide for —

- (a) the restrictions mentioned in subsection (1);
- (b) any exceptions to those restrictions; and
- (c) any application concerning any such restriction or exception.”.

New Part V and First Schedule

6. The Evidence Act is amended by inserting, immediately after section 176, the following Part and Schedule:

“PART V

MISCELLANEOUS

Amendment of Schedules

177. The Minister may, by order in the *Gazette*, amend the First and Second Schedules.

FIRST SCHEDULE

Sections 3(1) and 177

CHILD ABUSE OFFENCES AND
SEXUAL OFFENCES

PART 1

CHILD ABUSE OFFENCES

1. Any offence under section 5(1), 6, 7, 11(2), 12 or 13 of the Children and Young Persons Act (Cap. 38).

PART 2

SEXUAL OFFENCES

1. Any offence under section 354, 354A, 355, 356, 357, 358, 372, 373, 373A, 375, 376, 376A, 376B, 376C, 376D, 376E, 376F, 376G, 377(3), 377A or 377B(3) of the Penal Code (Cap. 224).
2. Any offence under section 140, 141, 142, 143, 144, 145, 146, 146A, 147 or 148 of the Women's Charter (Cap. 353).

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Amendment and renaming of Schedule

7. The existing Schedule to the Evidence Act is amended —
 - (a) by deleting the Schedule reference and substituting the following Schedule reference:

“Sections 80A and 177”; and
 - (b) by renaming the Schedule as the Second Schedule.

Saving and transitional provision

8. Section 5 does not apply to any criminal proceedings the trial of which starts before the date of commencement of that section.
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