



REPUBLIC OF SINGAPORE
GOVERNMENT GAZETTE
ACTS SUPPLEMENT
Published by Authority

NO. 43]

FRIDAY, DECEMBER 13

[2019

First published in the *Government Gazette*, Electronic Edition, on 12 December 2019 at 5 pm.

The following Act was passed by Parliament on 4 November 2019 and assented to by the President on 5 December 2019:—

REPUBLIC OF SINGAPORE

No. 34 of 2019.

I assent.

HALIMAH YACOB,
President.
5 December 2019.

(LS)

An Act to amend the Air Navigation Act (Chapter 6 of the 2014 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 Air Navigation (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 3A

2. Section 3A of the Air Navigation Act (called in this Act the principal Act) is amended —

(a) by inserting, immediately after paragraph (o) of subsection (1), the following paragraph:

“(oa) prohibiting except in prescribed circumstances the disclosure or use of flight recorder information or other prescribed information, but without limiting disclosure or use for the purposes of an investigation under the Transport Safety Investigations Act 2018 (Act 36 of 2018) or reporting a known or suspected act of unlawful interference required by that Act;”; and

(b) by inserting, immediately after subsection (7), the following subsection:

“(7A) If a person is prohibited by any regulations under subsection (1)(oa) from disclosing or using any flight recorder information or other information, then —

(a) the person cannot be required by any court to disclose that information; and

(b) any information disclosed by the person in contravention of that prohibition is not admissible in any civil proceedings or other proceedings or any criminal proceedings other than proceedings against the person for an offence under those regulations.”.

Amendment of section 4**3. Section 4 of the principal Act is amended —**

- (a) by deleting the words “and shall be liable on conviction to a fine not exceeding \$50,000 and, in the case of a second or subsequent conviction for the like offence, to a fine not exceeding \$100,000” in subsection (3); and
- (b) by inserting, immediately after subsection (3), the following subsections:

“(3A) A person who is guilty of an offence under subsection (3) shall be liable on conviction —

- (a) to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both; but
- (b) where the person is a repeat offender, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

(3B) A person is a repeat offender in relation to an offence under subsection (3) relating to an aviation safety instrument which is required under any aviation safety subsidiary legislation if the person has been convicted or found guilty (whether before, on or after the date of commencement of section 3 of the Air Navigation (Amendment) Act 2019) on at least one other earlier occasion of —

- (a) an offence under subsection (3) relating to an activity or act in respect of any aircraft, aeronautical product or aviation-related service for which the same type of aviation safety instrument is required under any aviation safety subsidiary legislation; or

- (b) an offence under an order made under section 3 relating to an activity or act in respect of any aircraft, aeronautical product or aviation-related service for which the same type of aviation safety instrument is required under such an order.”.

Amendment of section 7

4. Section 7 of the principal Act is amended —

- (a) by deleting the words “and shall each be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both” in subsection (2); and
- (b) by inserting, immediately after subsection (2), the following subsections:

“(2A) A person who is guilty of an offence under subsection (2) shall be liable on conviction —

- (a) to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both; but
- (b) where the person is a repeat offender, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

(2B) A person is a repeat offender in relation to an offence under subsection (2) if the person has been convicted or found guilty (whether before, on or after the date of commencement of section 4 of the Air Navigation (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (2).”.

Amendment of section 7A**5. Section 7A of the principal Act is amended —**

- (a) by deleting the words “and shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both” in subsection (2); and
- (b) by inserting, immediately after subsection (2), the following subsections:

“(2A) A person who is guilty of an offence under subsection (2) shall be liable on conviction —

- (a) to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both; but
- (b) where the person is a repeat offender, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

(2B) A person is a repeat offender in relation to an offence under subsection (2) if the person has been convicted or found guilty (whether before, on or after the date of commencement of section 5 of the Air Navigation (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (2).”.

Amendment of section 7C**6. Section 7C of the principal Act is amended —**

- (a) by deleting the words “and shall be liable on conviction to a fine not exceeding \$20,000” in subsection (1); and
- (b) by inserting, immediately after subsection (1), the following subsections:

“(1A) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

(a) to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both; but

(b) where the person is a repeat offender, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

(1B) A person is a repeat offender in relation to an offence under subsection (1) if the person has been convicted or found guilty (whether before, on or after the date of commencement of section 6 of the Air Navigation (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1).”.

Amendment of section 8C

7. Section 8C of the principal Act is amended by inserting, immediately after subsection (4), the following subsections:

“(5) Despite subsection (4), where a person commits an offence under subsection (1) or (2) by doing any act, or causing or permitting any act —

(a) involving an unmanned aircraft; and

(b) knowing that or reckless as to whether, when so acting or causing or permitting the act, the life or property of another person could be endangered or the person could be endangered,

then the person who is guilty of the offence shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 10 years or to both.

(6) For the purposes of subsection (1) or (2), it is immaterial that the accused is the holder of an aviation safety instrument or is exempt from a requirement to hold an aviation safety instrument.”.

Amendment of section 17A

- 8.** Section 17A of the principal Act is amended —
- (a) by inserting, immediately after the words “any aviation security inspector” in subsection (5), the words “or public officer”; and
 - (b) by inserting, immediately after the words “an aviation security inspector” in subsection (6), the words “, a public officer”.

Amendment of section 29G

- 9.** Section 29G(4) of the principal Act is amended by deleting the words “12 months” and substituting the words “2 years”.
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