



REPUBLIC OF SINGAPORE  
**GOVERNMENT GAZETTE**  
**ACTS SUPPLEMENT**  
*Published by Authority*

---

---

NO. 46]

FRIDAY, DECEMBER 20

[2019

---

---

First published in the *Government Gazette*, Electronic Edition, on 20 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. 36 of 2019.**

I assent.

(LS)

HALIMAH YACOB,  
*President.*  
5 December 2019.

An Act to amend the Women's Charter (Chapter 353 of the 2009 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 Women's Charter (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of section 2**

2. Section 2 of the Women's Charter (called in this Act the principal Act) is amended —

(a) by deleting the definition of “brothel” and substituting the following definition:

““brothel” means any place —

(a) habitually used by any 2 or more women or girls (whether or not at the same time or at different times) for the purpose of prostitution;

(b) that has been used by any 2 or more women or girls (whether or not at the same time or at different times) for the purpose of prostitution and is likely to be used again for that purpose; or

(c) that —

(i) has been expressly or implicitly advertised (whether by advertisements in or on the place, newspapers, the Internet or by other means) or represented as being used for the purpose of prostitution; and

(ii) is likely to be used for the purpose of prostitution;” and

(b) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) In criminal proceedings for an offence under Part XI in relation to any place —

- (a) a court may rely on circumstantial evidence to find that the particular place is used as a brothel; and
- (b) a court may make such a finding without direct evidence that the particular place is used as a brothel.

*Examples of circumstantial evidence*

1. Evidence relating to persons entering and leaving premises (including number, gender and frequency) that is consistent with the use of the premises for prostitution.
2. Evidence of appointments with persons for the purpose of prostitution that are made through the use of telephone numbers or other contact details that are publicly advertised.
3. Evidence of the arrangement of, or other matters relating to, the place or the furniture, equipment or articles in the place, that is consistent with the use of the place for prostitution.”

**Amendment of section 140**

3. Section 140 of the principal Act is amended —

(a) by deleting paragraph (d) of subsection (1) and substituting the following paragraph:

“(d) brings into Singapore, receives or harbours any woman or girl knowing or having reason to believe that she seeks entry into, or has entered, Singapore or has been procured for the purpose —

- (i) of having carnal connection either within or without Singapore, except by way of marriage with any male person; or
  - (ii) of prostitution either within or without Singapore,and with intent to aid such purpose;”;
- (b) by deleting the words “section 142” in subsection (1)(f) and substituting the words “section 142(1)”;
- (c) by deleting the words “and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000” in subsection (1);
- (d) by inserting, immediately after subsection (1), the following subsections:
  - “(1A) A person who is guilty of an offence under subsection (1) —
    - (a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but
    - (b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.

(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 3 of the Women’s Charter (Amendment) Act 2019) on at

---

---

least one other earlier occasion of an offence under subsection (1).”; and

- (e) by deleting the words “convicted of a second or subsequent” in subsection (2) and substituting the words “a repeat offender in relation to an”.

#### **Amendment of section 141**

##### **4. Section 141 of the principal Act is amended —**

- (a) by deleting the words “and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000” 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) —

(a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but

(b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.

(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 4 of the Women’s Charter (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1).”.

**Amendment of section 142**

5. Section 142 of the principal Act is amended —

- (a) by deleting the words “and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000”; and
- (b) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsections:

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

(a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but

(b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.

(3) 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 5 of the Women’s Charter (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1).”.

**Amendment of section 143**

6. Section 143 of the principal Act is amended —

- (a) by deleting the words “and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 years or to both”; and

---

---

(b) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsections:

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

(a) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but

(b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.

(3) 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 Women’s Charter (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1).”.

#### **Amendment of section 144**

7. Section 144 of the principal Act is amended —

(a) by deleting the words “and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 years or to both” in subsection (1); and

(b) by inserting, immediately after subsection (2), the following subsections:

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

(a) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but

(b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to

imprisonment for a term not exceeding 7 years or to both.

(4) 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 7 of the Women’s Charter (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1).”.

### **Amendment of section 145**

**8.** Section 145 of the principal Act is amended —

- (a) by deleting the words “and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 years or to both” 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 \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but
- (b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 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 8 of the Women’s Charter (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1).”.



---

---

**Amendment of section 146****9. Section 146 of the principal Act is amended —**

(a) by deleting the words “and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000” in subsection (1);

(b) by inserting, immediately after subsection (1), the following subsection:

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

(a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but

(b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.”;

(c) by deleting the words “and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000” in subsection (1A);

(d) by inserting, immediately after subsection (1A), the following subsections:

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

(a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but

(b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.

(1C) A person is a repeat offender in relation to an offence under subsection (1) or (1A) if the person has been convicted or found guilty (whether before, on or after the date of commencement of section 9 of the Women’s Charter (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1) or (1A).”; and

(e) by deleting the words “convicted of a second or subsequent offence under this section” in subsection (2) and substituting the words “a repeat offender in relation to an offence under subsection (1) or (1A)”.

### **Amendment of section 146A**

**10.** Section 146A of the principal Act is amended —

- (a) by deleting the words “person in Singapore” in subsection (1) and substituting the words “person in or outside Singapore”;
- (b) by deleting the words “operates or maintains in Singapore a remote communication service that” in subsection (1) and substituting the words “uses a remote communication service with a Singapore link to”;
- (c) by deleting the words “offers or facilitates the provision by a woman or girl to another person of sexual services” in subsection (1)(a) and substituting the words “offer or facilitate the provision by a woman or girl to another person of sexual services in Singapore”;
- (d) by deleting the words “organises, manages or supervises” in subsection (1)(b) and substituting the words “organise, manage or supervise”;

---

---

(e) by deleting paragraphs (i) and (ii) of subsection (1) and substituting the following paragraphs:

“(i) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but

(ii) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.”;

(f) by inserting, immediately after subsection (1), the following subsections:

“(1A) 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 10 of the Women’s Charter (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1).

(1B) However, where a person is charged with an offence under subsection (1), it is a defence for the person charged to prove, on a balance of probabilities, that the person did not know, and could not with reasonable diligence have ascertained, that the remote communication service in question had a Singapore link.”;

(g) by inserting, immediately after subsection (3), the following subsections:

“(4) For the purposes of this section, a remote communication service has a Singapore link if any person physically present in Singapore is capable of having access to any matter communicated using the remote communication service; and in determining whether a person who is physically present in Singapore is capable of having such access, it is to

be assumed that the person will not falsify or conceal the person's identity or location.

(5) For the purposes of subsection (4), access includes —

- (a) access that is subject to a pre-condition, such as the use of a password;
- (b) access by way of push technology; and
- (c) access by way of a standing request.

(6) Where an offence under this section is committed by a person outside Singapore, the person may be dealt with in respect of that offence as if it had been committed in Singapore.”; and

(h) by deleting the words “operated or maintained” in the section heading and substituting the word “used”.

### **Amendment of section 147**

**11.** Section 147 of the principal Act is amended —

(a) by deleting the words “and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 5 years or to both” in subsection (1);

(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 \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but
- (b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to

---

---

imprisonment for a term not exceeding 7 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 11 of the Women's Charter (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1).”;

- (c) by deleting the words “and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 5 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$15,000 or to imprisonment for a term not exceeding 10 years or to both” in subsection (2); and
- (d) by inserting, immediately after subsection (2), the following subsections:

“(3) A person who is guilty of an offence under subsection (2) —

(a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but

(b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable to a fine not exceeding \$150,000.

(4) 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 11 of the Women's Charter (Amendment) Act 2019) on at least

one other earlier occasion of an offence under subsection (2).”.

### **Amendment of section 148**

**12.** Section 148 of the principal Act is amended —

- (a) by deleting the words “under this section” in subsections (1) and (2);
- (b) by inserting, immediately after the words “he has no knowledge” in subsection (2), the words “and that he could not, with reasonable diligence, have ascertained”;
- (c) by deleting the words “under subsection (2) if the place or any part thereof is used as a brothel, unless he proves that he has no knowledge that the place or any part thereof is used as a brothel” in subsection (3) and substituting the words “if the place or any part thereof is used as a brothel, unless he proves that, when entering into the letting of that place or part thereof, he had no knowledge and he could not with reasonable diligence have ascertained that the place or part thereof is to be used as a brothel”; and
- (d) by deleting subsections (4) and (5) and substituting the following subsections:

“(4) Any person who, being the owner of a place or the agent of an owner of a place, lets the place or any part thereof shall, despite such letting, be guilty of an offence if the place or part thereof is used as a brothel, unless the person proves that, when entering into the letting of that place or part thereof, he had no knowledge and he could not with reasonable diligence have ascertained that the place or part thereof is to be used as a brothel.

---

---

*Examples of reasonable diligence*

1. An owner of an apartment or an agent of the owner verifies the identity of a prospective tenant and purpose of the tenancy through personal inspection of the prospective tenant's documents of identity (such as the NRIC, passport or work permit) and has a face-to-face interview with the prospective tenant, before entering into the tenancy agreement or allowing the prospective tenant to start occupying the apartment.
2. A flat-owner who is not resident in Singapore engages an agent to verify the identity of a prospective tenant of the flat and purpose of the tenancy through personal inspection of the prospective tenant's documents of identity (such as the NRIC, passport or work permit) and a face-to-face interview with the prospective tenant, and then verifies with the agent that those steps were carried out, before the flat-owner authorises the entry into the tenancy agreement for the flat or the occupation of the flat by the prospective tenant.

(5) A person who is guilty of an offence under this section shall be liable on conviction —

- (a) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but
- (b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.

(5A) A person is a repeat offender in relation to an offence under subsection (1), (2), (3) or (4) if the person has been convicted or found guilty (whether before, on or after the date of commencement of section 12 of the Women's Charter (Amendment) Act 2019) on at least one other earlier occasion of an offence under subsection (1), (2), (3) or (4), regardless of the subsection.”.

**Amendment of section 150**

**13.** Section 150(1) of the principal Act is amended by deleting the words “section 147 or 148” and substituting the words “section 147(1) or (2) or 148(1), (2) or (3)”.

**Amendment of section 151**

**14.** Section 151 of the principal Act is amended by deleting the words “section 147 or 148” and substituting the words “section 147(1) or (2) or 148(1), (2), (3) or (4)”.

**Amendment of section 174**

**15.** Section 174(1) of the principal Act is amended by deleting the words “section 140, 141, 142, 143, 144, 145, 146, 147 or 148” and substituting the words “section 140(1), 141(1), 142(1), 143(1), 144(1), 145(1), 146(1) or (1A), 146A(1), 147(1) or (2) or 148(1), (2), (3) or (4)”.

---