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CRIMINAL PROCEDURE CODE  
(CHAPTER 68)

CRIMINAL PROCEDURE CODE  
(CORRECTIVE TRAINING AND PREVENTIVE DETENTION)  
(AMENDMENT) REGULATIONS 2021

In exercise of the powers conferred by section 428(2)(a) of the Criminal Procedure Code, the Minister for Law makes the following Regulations:

**Citation and commencement**

1. These Regulations are the Criminal Procedure Code (Corrective Training and Preventive Detention) (Amendment) Regulations 2021 and come into operation on 1 April 2021.

**Amendment of regulation 2**

2. Regulation 2 of the Criminal Procedure Code (Corrective Training and Preventive Detention) Regulations 2010 (G.N. No. S 803/2010) (called in these Regulations the principal Regulations) is amended —

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

““Commissioner” has the meaning given by section 2 of the Prisons Act (Cap. 247);”;

(b) by deleting the definition of “Superintendent” and substituting the following definitions:

““prison” has the meaning given by section 2 of the Prisons Act;

“Superintendent” has the meaning given by section 2 of the Prisons Act;”.

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**Deletion and substitution of regulation 3**

3. Regulation 3 of the principal Regulations is deleted and the following regulation substituted therefor:

**“Training in prison**

3. The purpose of training and treatment of convicted prisoners while serving any sentence of corrective training in a prison is to promote their reformation and help them to earn their living after release, and includes as far as is practicable —

- (a) the provision of vocational training and opportunity to work; and
- (b) the provision of educational opportunities.”.

**Amendment of regulation 8**

4. Regulation 8 of the principal Regulations is amended by deleting paragraph (zr).

**Deletion and substitution of regulation 17**

5. Regulation 17 of the principal Regulations is deleted and the following regulation substituted therefor:

**“Periodic reports**

17. The Superintendent must report to the Commissioner on the expiration of the first 12 months of the sentence, and thereafter at such intervals as the Commissioner may determine, on the suitability of the prisoner for removal to the second stage.”.

**Deletion of regulation 18**

6. Regulation 18 of the principal Regulations is deleted.

**Deletion and substitution of regulation 19**

7. Regulation 19 of the principal Regulations is deleted and the following regulation substituted therefor:

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**“Privileges during and after second stage**

19. A prisoner who has passed into the second stage may become eligible to earn privileges similar to those allowed to a prisoner serving a sentence of imprisonment.”.

**Amendment of regulation 20**

8. Regulation 20 of the principal Regulations is amended by deleting paragraph (1) and substituting the following paragraph:

“(1) Subject to paragraph (2), the question whether a prisoner in the second stage is to be admitted to the third stage, and the date of the prisoner’s admission, must be decided by the Commissioner on recommendations made by the Superintendent.”.

**Amendment of regulation 21**

9. Regulation 21 of the principal Regulations is amended by deleting the words “and shall not normally exceed 12 months”.

**Amendment of regulation 22**

10. Regulation 22 of the principal Regulations is amended by deleting paragraph (1) and substituting the following paragraph:

“(1) During the third stage, every effort must be made, as far as practicable, to prepare a prisoner for release into the community.”.

**Amendment of regulation 23**

11. Regulation 23(1) of the principal Regulations is amended —

- (a) by deleting the words “on a diet of bread and water or rice and water” in sub-paragraphs (a) and (b); and
- (b) by deleting the word “earnings” in sub-paragraphs (a), (b) and (c) and substituting in each case the words “allowances for work”.

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**Deletion and substitution of regulation 24**

12. Regulation 24 of the principal Regulations is deleted and the following regulation substituted therefor:

**“Report by Commissioner**

24. The Commissioner must report to the Minister on the advisability of release on licence of every prisoner serving a sentence of preventive detention, taking into account the following:

- (a) the interests of the protection of the public if that prisoner is released;
- (b) the character, conduct and prospects of that prisoner.”.

**Deletion and substitution of regulation 27**

13. Regulation 27 of the principal Regulations is deleted and the following regulation substituted therefor:

**“Release on licence by Minister**

27. After a person sentenced to corrective training or preventive detention has served such portion of his sentence as may be determined in accordance with these Regulations, the Minister may release that person on licence after considering the following:

- (a) the Commissioner’s report mentioned in regulation 24 in the case of a person sentenced to preventive detention;
- (b) the interests of the protection of the public if that person is released;
- (c) the character, conduct and prospects of that person, except that the President may require the Minister to release a person so sentenced at any time.”.

**Amendment of regulation 29**

14. Regulation 29 of the principal Regulations is amended by inserting, immediately after paragraph (2), the following paragraphs:

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“(3) Despite paragraphs (1) and (2) and subject to paragraph (4), the Commissioner may by order temporarily recall a person released on licence under regulation 27 to a prison for a specified period, where the Commissioner is satisfied after due inquiry that —

(a) that person has failed to comply with a minor requirement specified in the licence; and

(b) no recall order under paragraph (1) has been made.

(4) The Commissioner must not recall a person under paragraph (3) —

(a) for a period exceeding 10 days at a time;

(b) for a cumulative period of more than 30 days;

(c) after the expiry of the sentence of the person released on licence under regulation 27; or

(d) for a period extending beyond the expiry of the sentence of that person.

(5) For the purposes of paragraph (3), a requirement specified in a licence is a minor requirement only if it is —

(a) a requirement to attend any counselling, therapy, test, assessment or other activity for the purposes of facilitating the person’s rehabilitation and reintegration into society;

(b) a requirement not to be absent, without good cause, from any employment, educational course or occupational training that the person has elected to undertake for the purposes of facilitating the person’s rehabilitation and reintegration into society;

(c) a requirement for the person to present himself to provide a specimen of urine or hair for testing at any such time or place as specified;

(d) a requirement to remain indoors at the person’s place of residence or any other specified place during specified times;

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- (e) a requirement to allow any authorised person to enter the person's place of residence or any other place the person is required to remain at, for the purposes of determining the person's compliance with a licence requirement or for any purpose relating to the person's rehabilitation;
  - (f) a requirement to allow any authorised person to enter the person's place of residence or any other place the person is required to remain at, for the purposes of installing, maintaining, repairing or retrieving any electronic monitoring device;
  - (g) a requirement to comply with all requirements to ensure the proper functioning of any electronic monitoring device issued to the person or installed at the person's place of residence or any other place the person is required to remain at;
  - (h) a requirement to comply with all reporting requirements imposed on the person; or
  - (i) a requirement to comply with any other condition for the purpose of facilitating the person's rehabilitation and reintegration into society, that is described in the licence as a minor requirement.
- (6) A person who has been temporarily recalled must, on the person's return to prison in consequence to such temporary recall, remain in a prison and for the duration of the temporary recall be treated as a prisoner serving a sentence of imprisonment.
- (7) A temporary recall ordered under paragraph (3) is not to be treated as a recall for the purposes of regulation 14 or 26.
- (8) The licence is temporarily suspended during the period of a temporary recall under paragraph (3), and the person is to be released on the same licence after the end of the period of temporary recall.
- (9) A person who has been served a temporary recall order issued under paragraph (3) and fails to report within the time

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stipulated in the temporary recall order is deemed to be unlawfully at large.

(10) Nothing in this regulation prevents the Minister from issuing a recall order under paragraph (1) in respect of a person, being a person in respect of whom the Commissioner has earlier issued a temporary recall order for failing to comply with a minor requirement specified in the person's licence, if the Minister is satisfied that the person has failed to comply with any other requirement for the time being specified in the person's licence.

(11) If a recall order under paragraph (1) or a temporary recall order under paragraph (3) is issued in relation to a person, and the person fails to report to a prison under the recall order or temporary recall order, the recall order or temporary recall order (as the case may be) ceases to have effect at the expiration of the person's sentence.”.

### **Miscellaneous amendments**

#### **15. The principal Regulations are amended —**

(a) by deleting the word “Director” wherever it appears in the following provisions and substituting in each case the word “Commissioner”:

Regulations 7(2), (3), (4) and (5), 20(3) and (4), 22(3), 23(2) and (3), 25(3), (4) and (5) and 26(1);

(b) by deleting the words “Changi Prison” in the following provisions and substituting in each case the words “a prison”:

Regulations 14, 15, 23(1) and 26(2); and

(c) by deleting the word “President” wherever it appears in the following provisions and substituting in each case the word “Minister”:

Regulations 28(1) and (2), 29(1) and 30.

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### **Saving and transitional provisions**

**16.**—(1) Despite regulation 8, regulation 20(1) of the principal Regulations as in force immediately before 1 April 2021 continues to apply to or in relation to any recommendation made before that date on whether a prisoner is to be admitted to the third stage.

(2) Despite regulation 9, regulations 20(3) and (4) and 21 of the principal Regulations as in force immediately before 1 April 2021 continue to apply to or in relation to any recommendation made before that date on whether a prisoner in the third stage is to be released on licence under regulation 27 of the principal Regulations.

(3) Despite regulations 12, 13 and 15(c), regulations 24, 27, 28, 29(1) and 30 of the principal Regulations as in force immediately before 1 April 2021 continue to apply to or in relation to any person released on licence before that date under regulation 27 of the principal Regulations.

(4) If a recall order was issued under regulation 29(1) of the principal Regulations as in force immediately before 1 April 2021, in relation to a person, then —

- (a) if the person failed before 1 April 2021 to report to a prison under the recall order, the recall order ceased or ceases (as the case may be) to have effect at the expiration of the person's sentence; or
- (b) if the person fails on or after 1 April 2021 to report to a prison under the recall order, the recall order ceases to have effect at the expiration of the person's sentence.

Made on 29 March 2021.

LAI WEI LIN  
*Permanent Secretary,  
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Singapore.*

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