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No. S 505

CRIMINAL PROCEDURE CODE 2010

CRIMINAL PROCEDURE CODE (CORRECTIVE TRAINING AND PREVENTIVE DETENTION) (AMENDMENT) REGULATIONS 2023

In exercise of the powers conferred by section 428(2)(a) of the Criminal Procedure Code 2010, 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 2023 and come into operation on 17 July 2023.

Amendment of regulation 29

2. In the Criminal Procedure Code (Corrective Training and Preventive Detention) Regulations 2010 (G.N. No. S 803/2010), in regulation 29 —

(a) replace paragraphs (3) and (4) with —

“(3) If the Commissioner has reason to suspect that a person released on licence under regulation 27 has failed to comply with any requirement for the time being specified in the licence, the Commissioner may make any inquiry that may be necessary to ascertain whether the person has failed to comply with the requirement.

(3A) Despite paragraphs (1) and (2) and subject to paragraphs (4) and (4B), for the purpose of the inquiry mentioned in paragraph (3), the Commissioner may by order temporarily recall the person to prison pending the completion of the inquiry, for a period of up to 7 days.

(3B) Where the Commissioner is satisfied after the inquiry mentioned in paragraph (3) that the person has failed to comply with any requirement specified in the licence, the Commissioner may —

- (a) make a report to the Minister for the purpose of making a recall order under paragraph (1); or
- (b) if the requirement is a minor requirement specified in the licence, extend the temporary recall order mentioned in paragraph (3A) for a period specified by the Commissioner, but subject to paragraphs (4A) and (4B).

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

- (a) after the expiry of the sentence of the person released on licence under regulation 27; or
- (b) for a period extending beyond the expiry of the sentence of that person.

(4A) The Commissioner must not extend the recall of a person under paragraph (3B)(b) —

- (a) for a period exceeding 10 days; or
- (b) for a period extending beyond the expiry of the sentence of that person.

(4B) Where there is more than one temporary recall order made under paragraph (3A) in respect of a person during the period of his release on licence under regulation 27, the aggregate of —

- (a) all periods of those temporary recall orders;
and

(b) all periods of extension of recall made under paragraph (3B)(b) in respect of those temporary recall orders,

must not exceed 30 days.”;

- (b) in paragraph (5), replace “paragraph (3)” with “paragraph (3B)(b)”;
- (c) in paragraph (6), after “temporarily recalled”, insert “under paragraph (3A)”;
- (d) in paragraph (6), after “duration of the temporary recall”, insert “(including any period of the recall as extended under paragraph (3B)(b))”;
- (e) in paragraphs (7), (9) and (11), replace “paragraph (3)” with “paragraph (3A)”;
- (f) in paragraph (8), replace “paragraph (3)” with “paragraph (3A) (including any period of the recall as extended under paragraph (3B)(b))”;
- (g) in paragraph (8), replace “the period of temporary recall” with “that period”; and
- (h) in paragraph (10), replace “issued a temporary recall order” with “extended a temporary recall order under paragraph (3B)(b)”.

[G.N. No. S 208/2021]

Made on 11 July 2023.

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