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PUBLIC ENTERTAINMENTS ACT (CHAPTER 257)

PUBLIC ENTERTAINMENTS (SPEAKERS' CORNER — EXEMPTION) ORDER 2020

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In exercise of the powers conferred by section 16A of the Public Entertainments Act, the Minister for Home Affairs makes the following Order:

Citation and commencement

1. This Order is the Public Entertainments (Speakers' Corner — Exemption) Order 2020 and comes into operation on 14 July 2020.

Definitions

2.—(1) In this Order, unless the context otherwise requires —

“performance” includes —

- (a) a performance of gymnastics, acrobatics or legerdemain;

(b) a performance (including an improvisation) of a dramatic work or musical work, which may include singing or dancing; or

(c) a puppet-show, circus act or variety act or a similar presentation or show;

“real-time transmission”, in relation to any public entertainment, means the simultaneous audio or visual transmission, through the Internet or other form of communication network, from the place where the public entertainment is taking place to another place, including any reasonable period of delay, due to any technical or other reason, between any part of the public entertainment and the audio or visual transmission of it;

“recording” means any disc, magnetic tape or solid state recording device containing information by the use of which sound (whether or not accompanied by images) may be produced electronically;

“Singapore-controlled corporation” means a body corporate incorporated under any written law in Singapore —

(a) with a management body (whether called an executive or board of directors or otherwise), the majority of whose members (whether called directors, partners or otherwise) are citizens of Singapore; and

(b) with a majority of members who are citizens of Singapore or one or more Singapore entities or, in the case of a company having a share capital, the majority of whose shares are held by citizens of Singapore or one or more Singapore entities;

“Singapore-controlled partnership” means —

(a) a partnership registered under the Business Names Registration Act 2014 (Act 29 of 2014) in Singapore, the majority of whose partners are citizens of Singapore or one or more Singapore entities; or

(b) a limited partnership registered under the Limited Partnerships Act (Cap. 163B) in Singapore —

- (i) the majority of whose general partners as defined in that Act are citizens of Singapore or one or more Singapore entities; and
- (ii) the majority of whose limited partners as defined in that Act are citizens of Singapore or one or more Singapore entities;

“Singapore-controlled unincorporated association” means an unincorporated association formed in Singapore under any written law —

- (a) with a management body (whether called a committee or council or otherwise), the majority of whose officers are citizens of Singapore; and
- (b) the majority of whose members are citizens of Singapore or one or more Singapore entities;

“Singapore entity” means a Singapore-controlled corporation, a Singapore-controlled partnership or a Singapore-controlled unincorporated association;

“Speakers’ Corner area” means the public place known as Speakers’ Corner in Hong Lim Park and described in the Schedule.

(2) For the purposes of this Order, an individual is treated as providing public entertainment in the Speakers’ Corner area if —

- (a) the individual acts in or performs in the course of the public entertainment in person in the Speakers’ Corner area;
- (b) the individual acts in or performs in the course of the public entertainment in person elsewhere (whether in or outside Singapore and whether in a public or private place) and his or her acting or performance is, by real-time transmission, exhibited or played in a manner as to be capable of being seen or heard by any other individual in the Speakers’ Corner area;

- (c) a recording of the individual's acting or performance in the course of the public entertainment is exhibited or played in a manner as to be capable of being seen or heard by any other individual in the Speakers' Corner area; or
- (d) the individual does any combination of activities in sub-paragraph (a), (b) or (c).

Exemption for play-reading and recitals

3.—(1) Section 3 of the Act does not apply to or in relation to the provision of public entertainment in the Speakers' Corner area that —

- (a) consists only of —
 - (i) a play-reading or poetry reading; or
 - (ii) a reading, recitation or delivery of a literary work, or the recitation or delivery of an improvised literary work;
- (b) is provided by an individual who is a citizen of Singapore; and
- (c) is provided in compliance with all the conditions stated in sub-paragraph (2).

(2) For the purpose of sub-paragraph (1)(c), the conditions are as follows:

- (a) the individual must not, when providing a play-reading or recital, deal with —
 - (i) a matter that relates, directly or indirectly, to any religious belief or to religion generally; or
 - (ii) a matter, or a matter in a way, that may cause feelings of enmity, hatred, ill-will or hostility between different racial or religious groups in Singapore;
- (b) the individual must, when providing a play-reading or recital, use only an official language of Singapore or a related dialect;
- (c) the individual must not, at any time before, during or after providing a play-reading or recital, display or exhibit, or

cause to be displayed or exhibited, any banner, flag, poster, placard, photograph, film, sign, writing or other visual representation or paraphernalia, containing violent, lewd or obscene material.

Exemption for performances and exhibitions

4.—(1) Section 3 of the Act does not apply to or in relation to the provision of public entertainment in the Speakers' Corner area that —

(a) consists only of —

(i) a performance; or

(ii) an exhibition;

(b) is provided only by an individual who is a citizen of Singapore or a permanent resident of Singapore or a combination of such individuals; and

(c) is provided in compliance with all the conditions stated in sub-paragraph (2).

(2) For the purpose of sub-paragraph (1)(c), the individual —

(a) must not, when providing a performance or an exhibition, deal with —

(i) a matter that relates, directly or indirectly, to any religious belief or to religion generally; or

(ii) a matter, or a matter in a way, that may cause feelings of enmity, hatred, ill-will or hostility between different racial or religious groups in Singapore; and

(b) must not, at any time before, during or after providing a performance or an exhibition, display or exhibit, or cause to be displayed or exhibited, any banner, flag, poster, placard, photograph, film, sign, writing or other visual representation or paraphernalia, containing violent, lewd or obscene material.

Exemption for playing of recorded music

5.—(1) Section 3 of the Act does not apply to or in relation to the provision of public entertainment in the Speakers' Corner area that —

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- (a) consists of playing (from a broadcast or transmission or otherwise) a recording of music in a manner as to be capable of being seen or heard by any other individual in the Speakers' Corner area;
 - (b) is provided only by an individual who is a citizen of Singapore or a permanent resident of Singapore or a combination of such individuals; and
 - (c) is provided in compliance with all the conditions stated in sub-paragraph (2).
- (2) For the purpose of sub-paragraph (1)(c), the individual —
- (a) must ensure that the recording of music does not deal with —
 - (i) a matter that relates, directly or indirectly, to any religious belief or to religion generally; or
 - (ii) a matter, or a matter in a way, that may cause feelings of enmity, hatred, ill-will or hostility between different racial or religious groups in Singapore; and
 - (b) must not, at any time before, during or after playing (from a broadcast or transmission or otherwise) the recording, display or exhibit, or cause to be displayed or exhibited, any banner, flag, poster, placard, photograph, film, sign, writing or other visual representation or paraphernalia, containing violent, lewd or obscene material.

Exemption for organising provision of public entertainment

6.—(1) Section 3 of the Act does not apply to or in relation to public entertainment provided in the Speakers' Corner area that —

- (a) consists only of public entertainment described in paragraph 3, 4 or 5;
- (b) is organised by a citizen of Singapore or a Singapore entity (called in this paragraph the organiser); and
- (c) is provided in compliance with all the conditions stated in sub-paragraph (2).

(2) For the purpose of sub-paragraph (1)(c), the conditions are as follows:

- (a) the organiser, or an authorised agent of the organiser, must be present at all times during the public entertainment;
- (b) the organiser, or an authorised agent of the organiser, must ensure that only citizens of Singapore or permanent residents of Singapore participate in, or attend as an audience of, the public entertainment;
- (c) the organiser, or an authorised agent of the organiser, must ensure that no banner, flag, poster, placard, photograph, film, sign, writing or other visual representation or paraphernalia, containing violent, lewd or obscene material is displayed or exhibited, or caused to be displayed or exhibited, at any time before, during or after the public entertainment.

Saving

7. Nothing in this Order limits or affects the operation of any other written law.

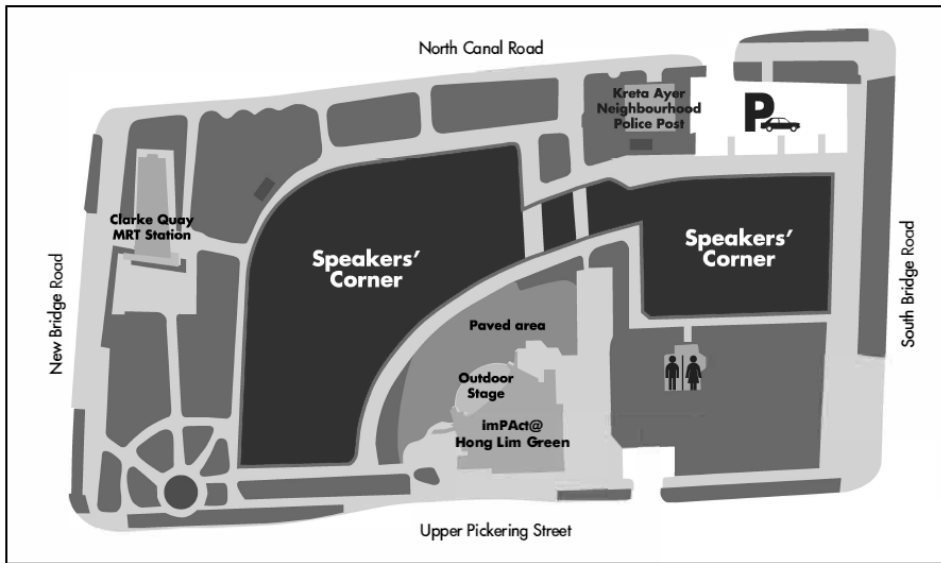
THE SCHEDULE

Paragraph 2(1)

SPEAKERS' CORNER IN HONG LIM PARK

All that land within the boundaries commencing from the junction of New Bridge Road and North Canal Road to the junction of North Canal Road and South Bridge Road to the junction of South Bridge Road and Upper Pickering Street to the junction of Upper Pickering Street and New Bridge Road, and which is more particularly delineated in the Plan below.

THE SCHEDULE — *continued*



Made on 14 July 2020.

[MHA 112/2/0108; AG/LEGIS/SL/257/2015/4 Vol. 1]