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## No. S 720

### PRISONS ACT 1933

#### PRISONS (AMENDMENT NO. 2) REGULATIONS 2022

In exercise of the powers conferred by section 84 of the Prisons Act 1933, the Minister for Home Affairs makes the following Regulations:

#### **Citation and commencement**

1. These Regulations are the Prisons (Amendment No. 2) Regulations 2022 and come into operation on 2 September 2022.

#### **Amendment of regulation 36**

2. In regulation 36 of the Prisons Regulations (Rg 2), after paragraph (3), insert —

“(4) If, from information received or otherwise, a prison officer has reason to suspect that an offence under section 81A(4) of the Act has been committed, it is the duty of the prison officer to investigate the offence.”.

#### **Amendment of regulation 75**

3. In regulation 75 of the Prisons Regulations, delete paragraph (6).

#### **New regulation 151HA**

4. In Part VIIIA of the Prisons Regulations, in Division 3, after regulation 151H, insert —

**“Service of notice of variation of mandatory aftercare conditions, etc.**

**151HA.**—(1) For the purposes of section 50V(5)(b) of the Act, a written notice under section 50V(4) of the Act may also be served by any of the following means:

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- (a) by addressing it to that person and delivering it at that person's last known residential address to an adult person who is a member of that person's family;
  - (b) by sending it by prepaid registered post addressed to that person at that person's last known residential address;
  - (c) by addressing it to that person and sending it by fax to that person's last known fax number;
  - (d) by addressing it to that person, and sending it to an email address or a digital mobile telephone number specified by that person in accordance with paragraph (2);
  - (e) by leaving it at that person's last known residential address if service cannot be effected under sub-paragraph (a), (b), (c) or (d).

(2) The notice may be served in a manner specified in paragraph (1)(d) only if both of the following conditions are satisfied:

- (a) the person to whom the notice is to be served gives that person's prior written consent for the notice to be served in that manner;
- (b) that person specifies, in that written consent, the email address or digital mobile telephone number to which the notice is to be sent."

### **New regulations 151KA and 151KB**

5. In Part VIII B of the Prisons Regulations, after regulation 151K, insert —

#### **“Service of order of variation of conditions for home detention, etc.**

**151KA.**—(1) For the purposes of section 54(3)(b) of the Act, a written order under section 54(2) of the Act may also be served by any of the following means:

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- (a) by addressing it to that person and delivering it at that person's last known residential address to an adult person who is a member of that person's family;
  - (b) by sending it by prepaid registered post addressed to that person at that person's last known residential address;
  - (c) by addressing it to that person and sending it by fax to that person's last known fax number;
  - (d) by addressing it to that person, and sending it to an email address or a digital mobile telephone number specified by that person in accordance with paragraph (2);
  - (e) by leaving it at that person's last known residential address if service cannot be effected under sub-paragraph (a), (b), (c) or (d).

(2) The order may be served in a manner specified in paragraph (1)(d) only if both of the following conditions are satisfied:

- (a) the person to whom the order is to be served gives that person's prior written consent for the order to be served in that manner;
- (b) that person specifies, in that written consent, the email address or digital mobile telephone number to which the order is to be sent.

**Prisoner to bear costs of prescribed expenses incurred when released on home detention order**

**151KB.** A prisoner released on a home detention order for home detention is to bear the costs of the following expenses incurred by the prisoner when released on such order:

- (a) the costs of the prisoner's meals incurred outside the limits of any prison for the duration of the home detention order;

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- (b) the costs of the prisoner’s medical expenses incurred outside the limits of any prison for the duration of the home detention order;
  - (c) the costs of any educational or occupational training programme, or any other activity for the purpose of facilitating the prisoner’s rehabilitation and reintegration into society (each called in this regulation the specified activity) that the prisoner is required to attend as specified in the home detention order;
  - (d) the costs of the prisoner’s transport between any of the following places:
    - (i) the prison from which the prisoner is released for home detention;
    - (ii) the place (as specified in the home detention order) where the prisoner is required to attend the specified activity;
    - (iii) the prisoner’s place of residence;
    - (iv) any other place specified in the home detention order;
  - (e) any other costs of the prisoner’s daily living expenses incurred outside the limits of any prison for the duration of the home detention order.”.

### **New regulations 151LA and 151LB and new Part VIID**

6. After regulation 151L of the Prisons Regulations, insert —

**“Service of notice of variation of conditions for external placement, etc.**

**151LA.**—(1) For the purposes of section 59D(4)(b) of the Act, a written notice under section 59D(3) of the Act may also be served by any of the following means:

- (a) by addressing it to that person and delivering it at that person’s last known residential address to an adult person who is a member of that person’s family;

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- (b) by sending it by prepaid registered post addressed to that person at that person's last known residential address;
  - (c) by addressing it to that person and sending it by fax to that person's last known fax number;
  - (d) by addressing it to that person, and sending it to an email address or a digital mobile telephone number specified by that person in accordance with paragraph (2);
  - (e) by leaving it at that person's last known residential address if service cannot be effected under sub-paragraph (a), (b), (c) or (d).

(2) The notice may be served in a manner specified in paragraph (1)(d) only if both of the following conditions are satisfied:

- (a) the person to whom the notice is to be served gives that person's prior written consent for the notice to be served in that manner;
- (b) that person specifies, in that written consent, the email address or digital mobile telephone number to which the notice is to be sent.

**Prisoner to bear costs of prescribed expenses incurred when released on external placement order**

**151LB.** A prisoner released on an external placement order for external placement is to bear the costs of the following expenses incurred by the prisoner when released on such order:

- (a) the cost of the prisoner's meals incurred outside the limits of any prison for the duration of the external placement order;
- (b) the costs of the prisoner's medical expenses incurred outside the limits of any prison for the duration of the external placement order;

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- (c) the cost of the prisoner's transport between any of the following places:
    - (i) the prison from which the prisoner is released for external placement;
    - (ii) the prisoner's place of residence;
    - (iii) any other place specified in the prisoner's external placement order;
  - (d) any other costs of the prisoner's daily living expenses incurred outside the limits of any prison for the duration of the external placement order.

## PART VIIID

### EMPLOYMENT PREPARATION SCHEME

#### **Referral to Employment Preparation Advisory Committee**

**151LC.**—(1) There is to be an Employment Preparation Advisory Committee for one or more prisons, or more than one Employment Preparation Advisory Committee for one prison, to make a recommendation, in respect of a prisoner of that prison or any one of those prisons, on any one or more of the following matters referred to the Committee by the Commissioner, or by the Superintendent subject to the direction of the Commissioner:

- (a) whether the Commissioner should make an employment preparation order under section 59K of the Act in respect of a prisoner who is eligible to be released for employment preparation under section 59L(1) of the Act;
  - (b) any other matter relating to the employment preparation scheme established under Part 6B of the Act.
- (2) The Committee must consider the matters referred to it and must make a recommendation for the Commissioner's decision.

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**Service of order of variation of conditions for employment preparation, etc.**

**151LD.**—(1) For the purposes of section 59M(4)(b) of the Act, an order under section 59M(3) of the Act may also be served by any of the following means:

- (a) by addressing it to that person and delivering it at that person's last known residential address to an adult person who is a member of that person's family;
- (b) by sending it by prepaid registered post addressed to that person at that person's last known residential address;
- (c) by addressing it to that person and sending it by fax to that person's last known fax number;
- (d) by addressing it to that person, and sending it to an email address or a digital mobile telephone number specified by that person in accordance with paragraph (2);
- (e) by leaving it at that person's last known residential address if service cannot be effected under sub-paragraph (a), (b), (c) or (d).

(2) The order may be served in a manner specified in paragraph (1)(d) only if both of the following conditions are satisfied:

- (a) the person to whom the order is to be served gives that person's prior written consent for the order to be served in that manner;
- (b) that person specifies, in that written consent, the email address or digital mobile telephone number to which the order is to be sent.

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**Prisoner to bear cost of prescribed expenses incurred when released on employment preparation order**

**151LE.** A prisoner released on an employment preparation order for employment preparation is to bear the costs of the following expenses incurred by the prisoner when released on such order:

- (a) the cost of the prisoner's meals incurred outside the limits of any prison for the duration of the employment preparation order;
- (b) the costs of the prisoner's medical expenses incurred outside the limits of any prison for the duration of the employment preparation order;
- (c) the costs of any educational or occupational training programme, or any other activity for the purpose of facilitating the prisoner to be gainfully employed (each called in this regulation the specified activity) that the prisoner is required to participate in as specified in the employment preparation order;
- (d) the cost of the prisoner's transport between any of the following places:
  - (i) the prison from which the prisoner is released for employment preparation;
  - (ii) the prisoner's place of employment specified in the employment preparation order;
  - (iii) the place (as specified in the employment preparation order) where the prisoner is required to participate in the specified activity;
  - (iv) the prisoner's place of residence;
  - (v) any other place specified in the prisoner's employment preparation order;
- (e) any other costs of the prisoner's daily living expenses incurred outside the limits of any prison for the duration of the employment preparation order.



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**Compulsory savings**

**151LF.** A prisoner released on an employment preparation order to be employed (in any place outside the limits of the prison in which the prisoner is detained) by any employer specified in the order —

- (a) must deposit a proportion (as specified by the Commissioner) of the wages earned by the prisoner during the prisoner's employment as compulsory savings in an account with the Singapore Prison Service, to be opened in the name of the prisoner; and
- (b) must not withdraw any amount of those compulsory savings without the prior approval of the Superintendent.”

*[G.N. Nos. S 408/2003; S 7/2004; S 609/2004; S 455/2008; S 447/2014; S 533/2018; S 1065/2020; S 35/2022]*

Made on 24 August 2022.

PANG KIN KEONG  
*Permanent Secretary,  
Ministry of Home Affairs,  
Singapore.*

[MHA 112/2/044; AG/LEGIS/SL/247/2020/1 Vol. 2]

(To be presented to Parliament under section 84(3) of the Prisons Act 1933).