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## No. S 248

### EMPLOYMENT ACT (CHAPTER 91)

#### EMPLOYMENT (BAIL AND PERSONAL BOND) REGULATIONS 2014

##### ARRANGEMENT OF REGULATIONS

###### Regulation

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In exercise of the powers conferred by section 139 of the Employment Act, Mr Tan Chuan-Jin, Senior Minister of State, charged with the responsibility of the Minister for Manpower, hereby makes the following Regulations:

#### **Citation and commencement**

1. These Regulations may be cited as the Employment (Bail and Personal Bond) Regulations 2014 and shall come into operation on 1st April 2014.

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**When person may be released on bail or personal bond**

2.—(1) When any person is arrested by an inspecting officer and is prepared at any time to give bail while in the custody of the inspecting officer, the person shall be released on bail by any inspecting officer in accordance with regulation 4.

(2) Instead of taking bail from a person referred to in paragraph (1), the person may be released by an inspecting officer if the person signs a personal bond without sureties in accordance with regulation 4.

**Person released on bail or personal bond to give address for service**

3.—(1) A person who is released on bail or on personal bond shall give to the inspecting officer releasing him an address where he can be served all notices under the Act.

(2) A surety of a person released on bail shall give to the inspecting officer an address where the surety can be served all notices under the Act.

**Bond to be executed**

4.—(1) Before any person is released on bail, a bond for such sum of money as the inspecting officer thinks sufficient shall be signed by the person and every surety required by the inspecting officer to execute the bond.

(2) Before any person is released on personal bond, a bond for such sum of money as the inspecting officer thinks sufficient shall be signed by the person.

(3) The inspecting officer may impose such conditions as he thinks necessary before releasing a person on bail or on personal bond.

(4) Without prejudice to paragraph (3), it shall be a condition of the bond executed under paragraph (1) or (2) that the person released on bail or on personal bond —

- (a) shall surrender any travel documents in his possession;
- (b) shall surrender to custody on the day and at the time and place appointed for him to do so;

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- (c) shall attend on the day and at the time and place mentioned in the bond, or on such other day or at such other time and place as may be required by an inspecting officer, and continue so to attend until otherwise directed by an inspecting officer;
  - (d) shall, if so required by an inspecting officer, appear when called upon by any court to answer the charge;
  - (e) shall not, as long as the bond remains in force, proceed beyond the limits of Singapore without the permission of an inspecting officer;
  - (f) shall not commit any offence while released on bail or on personal bond; and
  - (g) shall not interfere with any witness or otherwise obstruct the course of justice whether in relation to himself or any other person.

(5) Any permission granted under paragraph (4)(e) shall be evidenced by an endorsement on the bond specifying the period of time and the place to which the permission extends.

(6) No such permission shall be granted except on the personal application of the person so released on bail or on personal bond and in the presence of his surety or sureties, if any.

### **Duties of surety**

5.—(1) Every surety must —

- (a) ensure that the person who is released on bail (referred to in this regulation as the released person) surrenders to custody, or makes himself available for investigations or attends court on the day and at the time and place appointed for him to do so;
- (b) keep in daily communication with the released person, and lodge a police report within 24 hours of losing contact with him; and
- (c) ensure that the released person is within Singapore unless the released person has been permitted by an inspecting officer

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referred to in regulation 4(4)(e) or by the court to leave Singapore.

(2) If the surety is in breach of any of his duties, the court may, having regard to all the circumstances of the case, forfeit the whole or any part of the amount of the bond.

(3) The court may order that any amount forfeited under paragraph (2) be paid by instalments.

### **Security instead of sureties**

6. When any inspecting officer requires a person to sign a bond with one or more sureties before releasing him on bail, the inspecting officer may permit the person to enter into a personal bond and provide security acceptable to the inspecting officer.

### **Amount of bond**

7. The amount of every bond executed under regulation 4 shall be fixed with due regard to the circumstances of the case as being sufficient to secure the attendance of the person to be released on bail or on personal bond.

### **Person to be released**

8.—(1) An arrested person shall be released by an inspecting officer as soon as the bond has been signed —

- (a) in the case where the person is released on bail, by that person and every surety required by the inspecting officer to execute the bond; or
- (b) in the case where the person is released on personal bond, by that person.

(2) Nothing in these Regulations shall be deemed to require the release of any person liable to be arrested for some matter other than that in respect of which the bond was executed.

### **Arrest on breach of bond for appearance in court**

9. When any person who is bound by any bond taken under regulation 4 to appear before a court does not so appear, the court shall

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issue a warrant directing that that person shall be arrested and produced before it.

### **Procedure on forfeiture of bond**

**10.**—(1) If it is proved to the satisfaction of a court that any bond taken under regulation 4 has been forfeited, the court —

- (a) shall record the grounds of such proof;
- (b) may summon before it any person bound by the bond; and
- (c) may call upon the person to pay the bond amount or to show cause why he should not pay it.

(2) If sufficient cause is not shown and the bond amount is not paid, the court may proceed to recover the bond amount by issuing a warrant for the attachment and sale of the property belonging to the person.

(3) If the bond amount is not paid and cannot be recovered by such attachment and sale, the person shall be liable, by order of the court which issued the warrant, to imprisonment for a term which may extend to 6 months.

(4) The court may remit any portion of the bond amount mentioned and enforce payment in part only.

### **Appeal from order**

**11.** Any order made by a Magistrate's Court or a District Court under regulation 10 shall be subject to appeal.

### **Power to direct Magistrate's Court to exercise powers under regulation 10**

**12.** A District Court may direct any Magistrate's Court to exercise the court's powers under regulation 10 in respect of a bond to appear before the District Court.

Made this 31st day of March 2014.

LOH KHUM YEAN  
*Permanent Secretary,  
Ministry of Manpower,  
Singapore.*

[HQ/PlnPol/Legis/EA; AG/LLRD/SL/91/2010/7 Vol. 1]

(To be presented to Parliament under section 139(3) of the  
Employment Act).