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The following Act was passed by Parliament on 14th August 2003 and assented to by the President on 26th August 2003:—

REPUBLIC OF SINGAPORE

No. 12 of 2003.

I assent.

(LS)

S R NATHAN,
President.
26th August 2003.

An Act to amend the Police Force Act (Chapter 235 of the 1985 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Police Force (Amendment) Act 2003 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

New Part IVA

2. The Police Force Act is amended by inserting, immediately after section 48, the following Part:

“PART IVA

**SERVICE AS AIR MARSHALS ON BOARD
SINGAPORE AIRCRAFT**

Interpretation of this Part

48A.—(1) In this Part —

“air marshal” means any police officer who is appointed by the Commissioner under section 48B(1) to serve as an air marshal;

“commander”, in relation to an aircraft, means the member of the crew designated as commander of that aircraft by the operator thereof, or, failing such a person, the person who is for the time being the pilot in command of that aircraft;

“operator”, in relation to any aircraft at any time, means the person who at that time has the management of the aircraft;

“passenger flight” means any flight performed by an aircraft for the international carriage of persons for reward;

“pilot in command”, in relation to an aircraft, means a person who for the time being is in charge of the piloting of the aircraft without being under the direction of any other pilot in the aircraft;

“Singapore aircraft” means any aircraft that is registered in Singapore.

(2) For the purposes of this Part, the period during which an aircraft is in flight shall be deemed to include —

- (a) any period from the moment when power is applied for the purpose of the aircraft taking off on a flight until the moment when the landing run, if any, at the termination of that flight ends;
- (b) any further period from the moment when all external doors, if any, of the aircraft are closed following embarkation for a flight until the moment when any such door is opened for disembarkation after that flight; and
- (c) if the aircraft makes a forced landing, any period thereafter until the time when competent authorities of the country in which the forced landing takes place take over the responsibility for the aircraft and for the persons and property on board the aircraft,

and any reference in this Part to an aircraft in flight shall include a reference to an aircraft during any period when it is on the surface of the sea or land but not within the territorial limits of any country.

(3) For the purpose of subsection (2), the reference to a country or the territorial limits thereof shall be construed as including a reference to the territorial waters, if any, of that country.

Appointment and training of air marshals

48B.—(1) The Commissioner may appoint any police officer to serve as an air marshal on board any Singapore aircraft.

(2) The Commissioner shall provide for the appropriate training and supervision for all air marshals.

Commissioner may require deployment of air marshals on board Singapore aircraft

48C.—(1) Where the Commissioner has reason to believe that any passenger flight to be performed by a Singapore aircraft presents high security risks, he may, by order in writing served on the operator of that aircraft, require the operator to permit the deployment of one or more air marshals on that passenger flight.

(2) An order made under subsection (1) may require the operator of the Singapore aircraft to provide seating for the air marshals deployed on the passenger flight to which the order relates without regard to the

availability of seats on the flight and at no cost to the Government or the air marshals.

(3) Any person who fails to comply with an order made under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000.

Powers, rights, immunities and duties of air marshals on board Singapore aircraft outside Singapore

48D.—(1) Every police officer serving as an air marshal on board any Singapore aircraft during a passenger flight shall, while the aircraft is in flight elsewhere than in or over Singapore —

- (a) have the same powers, rights and immunities; and
- (b) so far as possible, perform the same duties,

as when on service in Singapore.

(2) If an air marshal arrests any person in exercise of his powers under subsection (1), he may —

- (a) if the aircraft ceases flight in any country outside Singapore, hand the person over to the commander of the Singapore aircraft, together with any weapon or article taken from him, to be dealt with in accordance with the provisions of the Tokyo Convention Act (Cap. 327); or
- (b) if the aircraft ceases flight in Singapore, hold the person in custody and deal with him and any weapon or article taken from him in accordance with the provisions of the Criminal Procedure Code (Cap. 68) as if he were arrested in Singapore.

(3) Where a female person is to be searched and a female air marshal is not available to conduct the search, the search may be conducted by any female person who is requested by an air marshal to conduct the search.”.
