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Statutes

(Miscellaneous Amendments) Bill

Bill No. 24/2022.

Read the first time on 12 September 2022.

A BILL

i n t i t u l e d

An Act to make miscellaneous amendments to certain Acts.

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 is the Statutes (Miscellaneous Amendments) Act 2022 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of Interpretation Act 1965

2. In the Interpretation Act 1965, in section 2 —

(a) in subsection (1), delete “and in every written law enacted before or after 28 December 1965, the following words and expressions shall, without prejudice to anything done before that date, have the meanings respectively assigned to them unless there is something in the subject or context inconsistent with such construction or unless it is therein otherwise expressly provided:” and substitute “and in every written law enacted before, on or after 28 December 1965 (but without affecting anything done before that date) —”;

(b) in subsection (1), in the definition of “repeal”, after “cancel”, insert “, delete”; and

(c) after subsection (2), insert —

“(2A) If a written law provides for a definition to apply, the definition applies unless the context otherwise requires.”.

Amendment of Air Navigation Act 1966

3. In the Air Navigation Act 1966, in section 9(1) —

(a) delete paragraph (s) and substitute —

“(s) prescribing, in relation to the owner or operator of an aircraft that is flying within, into or out of Singapore —

- (i) the type and amount of insurance coverage the owner or operator must have in respect of any liability that the owner or operator may incur in relation to the aircraft (for example, liability for any passenger, baggage, cargo or mail carried on the aircraft, for any flight delay relating to the aircraft, or for any death, injury or damage caused by the aircraft); 5
- (ii) the documents and information the owner or operator must give about the insurance the owner or operator has, and how those documents and information are to be given; and 10
- (iii) prohibitions against the aircraft flying within, landing in, or taking off from Singapore if the owner or operator does not have the required insurance;”; and 15

(b) in paragraph (t), delete “fees” and substitute “one-time or periodic fees”.

Amendment of Children and Young Persons Act 1993, etc.

4.—(1) In the Children and Young Persons Act 1993 —

(a) in section 39, after subsection (2), insert — 25

“(2A) Where a young person of 16 years of age or older but below 18 years of age is charged with an offence (called in this subsection the relevant offence) that —

(a) is specified in the Second Schedule; or 30

(b) is similar to another offence of which the young person had previously been found guilty on or after the date of commencement of section 4(1)(a) of the Statutes (Miscellaneous Amendments) Act 2022,

the young person is to be tried for the relevant offence by another court of appropriate jurisdiction instead of a Youth Court, if —

(c) the Youth Court transmits the case in accordance with subsection (2C); or

(d) the Youth Court, on its own motion, is of the opinion that the young person ought to be tried in that other court of appropriate jurisdiction.

(2B) Where the Public Prosecutor is of the opinion that the young person mentioned in subsection (2A) must or ought to be tried in another court of appropriate jurisdiction instead of a Youth Court, the Public Prosecutor must, by fiat in writing signed personally, designate that other court of appropriate jurisdiction to try the young person.

(2C) A Youth Court, on receipt of the fiat mentioned in subsection (2B) together with the charge, is to —

(a) cause the charge to be read and explained to the young person;

(b) transmit the case to the court of appropriate jurisdiction designated by the Public Prosecutor for the purpose of trial; and

(c) order that the young person be remanded in custody until and during the trial, unless the young person is released on bail.

(2D) To avoid doubt, a Youth Court can continue to exercise powers under section 36 in relation to a case that has been transmitted under subsection (2C) to the court of appropriate jurisdiction designated by the Public Prosecutor for the purpose of trial.”;

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(b) in section 39(3), (6) and (7), delete “16 years” and substitute “18 years”;

(c) in section 39(5), delete “subsections (1) and (2)” and substitute “subsections (1), (2), (2A) and (3)”;

(d) after section 117, insert —

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“Amendment of Second Schedule

117A.—(1) The Minister may, by order in the *Gazette*, amend, add to or vary the Second Schedule.

(2) An order made under subsection (1) must be presented to Parliament as soon as possible after publication in the *Gazette*.”;

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(e) after section 119, insert —

“FIRST SCHEDULE

Section 3(4A)

POWERS OF VOLUNTEER WELFARE OFFICER

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1. In this Schedule, “child or young person” means a child or young person who —

(a) is in need of care or protection; or

(b) is the subject of a voluntary care agreement or an order made under section 54(1) or 56(2), section 57 (read with section 56) or section 59.

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2. The powers of a volunteer welfare officer in respect of a child or young person include all of the following:

(a) to do any of the acts mentioned in paragraph 3 to ascertain —

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(i) the relationship between the child or young person, and his or her parent, guardian or care-giver;

(ii) the living conditions of, standard of care and supervision provided to, or progress made by, the child or young person; or

(iii) whether the child or young person has complied with the requirements imposed on him or her under a court order made under section 54(1) or 56(2), section 57 (read with section 56) or section 59, or the orders, rules or directions of the place of safety or place of temporary care and protection to which the child or young person is committed under any such order;

(b) to provide transport to, escort or otherwise accompany, the child or young person, or his or her parent, guardian or care-giver to enable the child or young person, or his or her parent, guardian or care-giver (as the case may be) to attend a mediation, counselling, psychotherapy, medical appointment or other assessment, programme or treatment;

(c) to supervise a meeting between the child or young person and his or her parent or guardian or any other person, where the care and custody of the child or young person has been committed to a care-giver who is not the parent or guardian;

(d) to provide training to the parent, guardian or care-giver of the child or young person on how to provide care, protection, supervision or rehabilitation to the child or young person;

(e) to communicate any information on the matters mentioned in sub-paragraph (a)(i), (ii) and (iii) to any protector or approved welfare officer to facilitate the protector or approved welfare officer to take such action as may be necessary in accordance with this Act to ensure that the child or young person receives the care, protection and supervision that he or she needs;

(f) to take charge of the child or young person for the duration when the parent, guardian or care-giver of the child or young person is attending a meeting with a protector or an approved welfare officer;

- (g) to impart prosocial life skills to the child or young person to facilitate his or her rehabilitation, and to promote the physical, social and emotional wellbeing of the child or young person.

3. For the purposes of paragraph 2(a), the acts are —

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(a) to enter —

- (i) the home of any parent, or where the child or young person has one or more guardians, any guardian, or the care-giver, of the child or young person; or

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- (ii) the premises of the place of safety or place of temporary care and protection to which the child or young person is committed,

without having to give prior notice to the parent, guardian, care-giver or the person-in-charge of the place of safety or place of temporary care and protection;

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- (b) to interview any parent, or where the child or young person has one or more guardians, any guardian, or the care-giver, of the child or young person, whether at a meeting, by way of a telephone call or any other means, and take statements from the parent, guardian or care-giver, as the case may be; and

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- (c) to enter the early childhood development centre, school or student care centre attended by the child or young person for the purpose of —

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- (i) observing the child's or young person's behaviour when attending lessons and during recess periods; and

- (ii) interviewing the teachers of the child or young person on matters concerning the child or young person.”; and

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(f) after the last provision of the Act, insert —

“SECOND SCHEDULE

Sections 39(2A)(a) and 117A(1)

OFFENCES

<i>Offence</i>	<i>Description</i>
Arms Offences Act 1973	
1. Section 3(1)	Unlawful possession of any arm or ammunition
Misuse of Drugs Act 1973	
2. Section 5	Trafficking in controlled drugs
3. Section 6	Manufacture of controlled drugs
4. Section 7	Import and export of controlled drugs
5. Section 10	Cultivation of cannabis, opium and coca plants
6. Section 11A	Arranging or planning gatherings where controlled drugs are to be consumed or trafficked
7. Section 11C	Introducing drug trafficker to another person
8. Section 11D	Instructing person to cultivate cannabis, etc., or to manufacture or consume controlled drugs, etc.
Moneylenders Act 2008	
9. Section 19(1)	Unlicensed moneylending
10. Section 47(1) or (2)	Harassing borrower, etc.
Penal Code 1871	
11. Section 144	Joining an unlawful assembly armed with any deadly weapon

12. Section 145	Joining or continuing in an unlawful assembly, knowing that it has been commanded to disperse	
13. Section 146	Force used by one member in prosecution of common object	5
14. Section 147	Rioting	
15. Section 224	Resistance or obstruction by a person to his lawful apprehension	10
16. Section 304(b)	Culpable homicide not amounting to murder (but without any intention to cause death, etc.)	15
17. Section 304B	Causing death of child below 14 years of age, domestic worker or vulnerable person by sustained abuse	20
18. Section 304C	Causing or allowing death of child below 14 years of age, domestic worker or vulnerable person in same household	25
19. Section 305(1)(b) or (c)	Abetment of attempted suicide of minor or person who lacks mental capacity	
20. Section 308	Attempt to commit culpable homicide	30
21. Section 324	Voluntarily causing hurt by dangerous weapons or means	
22. Section 325	Voluntarily causing grievous hurt	35

	23. Section 326	Voluntarily causing grievous hurt by dangerous weapons or means
5	24. Section 333	Voluntarily causing grievous hurt to deter public servant from his duty
	25. Section 354(1) or (2)	Assault or use of criminal force to a person with intent to outrage modesty
10	26. Section 354A(1) or (2)	Outraging modesty in certain circumstances
	27. Section 363	Kidnapping
	28. Section 363A	Abduction
15	29. Section 365	Kidnapping or abducting with intent to secretly and wrongfully confine a person
	30. Section 366	Kidnapping or abducting a woman to compel her marriage, etc.
20	31. Section 367	Kidnapping or abducting in order to subject a person to grievous hurt, slavery, etc.
	32. Section 368	Wrongfully concealing or keeping in confinement a kidnapped person
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	33. Section 376A(2)(a)	Sexual penetration of minor below 16 years of age (offender in exploitative relationship with victim)
30	34. Section 376AA	Exploitative sexual penetration of minor of or above 16 but below 18 years of age
	35. Section 376F(1)	Procurement of sexual activity with person with mental disability
35	36. Section 376G(1)	Incest

37. Section 377(1)	Sexual penetration, etc., of a corpse	
38. Section 377B(1) or (3)	Sexual penetration with living animal	
39. Section 384	Extortion	5
40. Section 385	Putting person in fear of harm in order to commit extortion	
41. Section 387	Putting person in fear of death or of grievous hurt in order to commit extortion	10
42. Section 392	Robbery	
43. Section 394	Voluntarily causing hurt in committing robbery	
44. Section 402	Assembling for purpose of committing gang-robbery	15
45. Section 450	House-breaking in order to commit an offence punishable with imprisonment for life	20
Societies Act 1966		
46. Section 14(2) or (3)	Unlawful societies	
47. Section 15(1)	Persons allowing unlawful assembly in their premises	
48. Section 16(1) or (2)	Inciting, etc., person to become member of unlawful society	25
49. Section 17	Procuring subscription or aid for unlawful society	
50. Section 18	Publishing, etc., propaganda of unlawful society	30
51. Section 23(2)	Possession, etc., of books, etc., of triad society, etc.	„

(2) In the Children and Young Persons (Amendment) Act 2019 —

(a) delete section 27; and

(b) delete section 55.

Amendment of Civil Aviation Authority of Singapore Act 2009

5 **5.** In the Civil Aviation Authority of Singapore Act 2009, in section 63(1) —

(a) delete the definition of “company”; and

(b) delete the definition of “corporation”.

Amendment of Copyright Act 2021

10 **6.** In the Copyright Act 2021 —

(a) in section 193, delete subsections (1) and (2) and substitute —

“ (1) This section applies where —

(a) any of the following is used for the purpose of criticism or review:

(i) a sound recording;

(ii) a film;

(iii) a broadcast;

(iv) a cable programme;

(v) a protected performance (including a recording of the performance); and

(b) the use is fair.

(2) A work or a recording of a protected performance that is included in the sound recording, film, broadcast, cable programme, performance or recording mentioned in subsection (1)(a) is deemed to be fairly used (and section 191 does not apply).”;
25

(b) in section 285(2)(a), after “owner”, insert “in the prescribed manner”;

(c) in section 301(1)(a), after “a copy”, insert “(being a sound recording)”; and

(d) in section 377(2), delete paragraph (b) and substitute —

“(b) if another person is the first owner of the copyright in the work —

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(i) to any act done by that person; and

(ii) to any act that does not infringe that copyright by virtue of —

(A) an assignment of that copyright; or

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(B) a licence granted by that person or by a subsequent owner of that copyright.”.

Amendment of COVID-19 (Temporary Measures) Act 2020

7. In the COVID-19 (Temporary Measures) Act 2020 —

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(a) in section 1(4), after “Part 2”, insert “but subject to section 1B”;

(b) after section 1, insert —

“Applications for assessor’s determination between 20 April 2022 and 30 April 2022

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1A.—(1) This section applies in a case where an application (called in this section a validated application) was purportedly made at any time between 20 April 2022 and 30 April 2022 (both dates inclusive) for an assessor’s determination, and the making of it would have complied with the relevant Part 2 provisions had these remained in force at the material time.

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(2) Despite section 1(2A) but without affecting section 1(4), a validated application is treated as validly made, as if the relevant Part 2 provisions were in force at the material time.

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(3) Despite section 1(2A) but without affecting section 1(4), each of the following is treated as validly made, as if the relevant Part 2 provisions were in force at the material time, but only if its making would have complied with the relevant Part 2 provisions had these remained in force at the material time:

- (a) the appointment of an assessor pursuant to a validated application;
- (b) the rejection of a validated application under section 12(2B);
- (c) an assessor's determination made on a validated application;
- (d) an application for a subsequent determination under section 13A in connection with a determination mentioned in paragraph (c);
- (e) the appointment of an assessor pursuant to an application under paragraph (d);
- (f) a subsequent determination under section 13A in connection with a determination mentioned in paragraph (c), whether pursuant to an application under paragraph (d) or otherwise.

(4) Subject to section 1B, the Part 2 provisions have effect and are always taken to have effect in relation to a validated application, an assessor's determination in subsection (3)(c) and a subsequent determination in subsection (3)(f).

(5) However, a person shall not be punished for an act or omission committed at any time between 20 April 2022 and the date immediately before section 7(b) of the Statutes (Miscellaneous Amendments) Act 2022 comes into force

(both dates inclusive) that, but for subsection (4), would not have been an offence.

(6) In this section, “Part 2 provisions” means the provisions of Division 4 of Part 2, including the regulations made under section 19 for that Division.

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Modification of Part 2 provisions for certain applications for determination by assessor

1B. For the purposes of sections 1(4)(a) and 1A(4), Division 4 of Part 2 has effect in relation to an application for an assessor’s determination mentioned in section 1(4)(a), and in relation to a validated application mentioned in section 1A, with the following modifications:

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(a) a reference in sections 12(4)(a) and 13(1A)(a) to the expiry of the prescribed period is a reference to the date prescribed by regulations made under section 1C;

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(b) no determination may be made pursuant to section 13A(1) after the date prescribed by regulations made under section 1C;

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(c) sections 12(4) and 13(1A) (as modified by this section) also apply to any description of scheduled contracts as may be prescribed by regulations made under section 1C.

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Regulations to give effect to sections 1A and 1B

1C. The Minister may make regulations for the purposes of giving effect to sections 1A and 1B.”; and

(c) in section 38A(1), after “another assessor may,”, insert “before the prescribed date,”.

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Amendment of Customs Act 1960, etc.

8.—(1) In the Customs Act 1960, after section 6, insert —

“Officers of customs to be armed

6A. Every officer of customs must be provided with such batons, arms, ammunition and other accoutrements as may be necessary for the effective discharge of his or her duties.”.

(2) In the Guns, Explosives and Weapons Control Act 2021, in section 97, delete subsection (5).

Amendment of Extradition Act 1968

9. In the Extradition Act 1968 —

(a) after section 15, insert —

“Magistrate to ascertain whether apprehended person consents to surrender, etc.

15A.—(1) A person who is apprehended under a warrant issued under section 12 must, unless he or she is sooner released, be brought as soon as practicable before a Magistrate.

(2) The Magistrate may remand a person brought before him or her under this section, either in custody or on bail, for a period or periods not exceeding 7 days at any one time.

(3) Where a Magistrate remands a person for the period in accordance with subsection (2), the person must, at the expiry of the period, be brought before the Magistrate or before any other Magistrate.

(4) Whenever a person is brought before a Magistrate under subsection (1) or (3), the Magistrate is to ascertain from the person whether he or she wishes to consent to his or her surrender to the foreign State or declared Commonwealth territory, and —

- (a) where the person indicates to the Magistrate that he or she wishes to consent to his or her surrender to the foreign State or declared Commonwealth territory — the procedure under section 21 applies; and 5
- (b) in every other case — the procedure under section 16 applies.

(5) If the person was apprehended under a warrant issued otherwise than in pursuance of an authority by the Minister in a notice under section 11(1)(a), the Magistrate is to remand the person in accordance with subsections (2) and (3) until the Magistrate receives a notice under section 11(1)(b) from the Minister informing the Magistrate that a request for the surrender of the person has been made to the Minister by a foreign State or declared Commonwealth territory. 10 15

(6) Where the Magistrate does not receive a notice under section 11(1)(b) mentioned in subsection (5) within such time as is reasonable having regard to all the circumstances, the Magistrate — 20

- (a) if the person apprehended is held in custody, is to order that he or she be released; or 25
- (b) if the person apprehended has been released on bail, is to make an order discharging the bonds upon which the person apprehended was released on bail.

(7) In subsections (5) and (6), “Magistrate”, in relation to a person who has been apprehended under a warrant issued under section 12, means the Magistrate before whom the person is brought after he or she was apprehended or at the expiry of a period for which he or she has been remanded under this section, as the case may be.”; 30 35

(b) in section 16, delete the section heading and substitute —

**“Order by Magistrate if apprehended person
does not consent to surrender”;**

(c) in section 16, delete subsections (1) to (7);

5 (d) in section 16(8), delete “If the person” and substitute “In a case where this section applies because of section 15A(4)(b), if the person brought before a Magistrate under section 15A(1) or (3)”;

(e) in section 16, delete subsection (11) and substitute —

10 “(11) In this section, “Magistrate”, in relation to a person who has been apprehended under a warrant issued under section 12, means the Magistrate before whom the person is brought after he or she was apprehended or at the expiry of a period for which he
15 or she has been remanded under section 15A, as the case may be.”;

(f) in section 19, delete subsection (10) and substitute —

20 “(10) This section does not apply to or in relation to a person who has informed a Magistrate that he or she consents to his or her surrender to the foreign State or declared Commonwealth territory.”;

(g) in section 21(3), delete “section 19(8)” and substitute “subsection (5A)”;

(h) in section 21, after subsection (5), insert —

25 “(5A) After the Minister receives a certificate under subsection (5) relating to a person, the Minister may, if the Minister is satisfied that the person is to be surrendered to the foreign State or declared Commonwealth territory, issue a warrant —

30 (a) in accordance with Form 6 of the Second Schedule; or

(b) where the person is held in custody otherwise than at a prison, in accordance

with that Form with any modification that is necessary to meet the circumstances of the case.

(5B) A warrant issued under subsection (5A) may order that the person —

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(a) be delivered into the custody of a person specified in the warrant;

(b) be conveyed by that person to a place in the foreign State or declared Commonwealth territory or within the jurisdiction of, or of a part of, that State or territory; and

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(c) be surrendered there to some person appointed by the foreign State or declared Commonwealth territory to receive him or her.”;

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(i) in section 21(8), delete paragraph (a);

(j) in section 35, delete subsection (10);

(k) after section 49, insert —

“Arrest of person committed in prison or held in custody under this Act, etc.

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49A. The following persons may be arrested in the same manner as a person accused of an arrestable offence against the law in force in Singapore may be arrested upon an escape from lawful custody:

(a) a person who escapes from the custody of the person executing a warrant of surrender against the firstmentioned person under this Act;

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(b) a person who escapes after being taken into custody, or committed to prison, under this Act.”; and

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(l) in the Second Schedule, in Form 6, in the Form reference, after “Sections 19”, insert “, 21”.

Amendment of Gas Act 2001

10.—(1) In the Gas Act 2001, in section 29(3), after “prescribe”, insert “by order in the *Gazette*”.

(2) In the Gas Act 2001, in section 29(4) (as amended by section 4(b) of the Energy (Resilience Measures and Miscellaneous Amendments) Act 2021) —

(a) in paragraph (a), delete “a person” and substitute “any other person”;

(b) in paragraph (b), after “subsection (3)”, insert “(other than the gas transporter)”; and

(c) in paragraph (c), delete “require the person to be responsible for ensuring” and substitute “notify the person prescribed under subsection (3) to be responsible for the maintenance, repair or renewal of that part of the gas installation or gas service pipe (if the person is not the gas transporter), of the person’s responsibility to ensure”.

Amendment of Land Transport Authority of Singapore Act 1995, etc.

11.—(1) In the Land Transport Authority of Singapore Act 1995, in the Second Schedule —

(a) delete paragraph 1 and substitute —

“1. The following fees imposed under the Parking Places Act 1974:

(a) a fee for the grant or renewal of a licence to maintain or operate a private parking place;

(b) a fee for the issue of a vehicle parking certificate.”; and

(b) after paragraph 25, insert —

“26. All fees and charges prescribed under the Small Motorised Vehicles (Safety) Act 2020.”.

(2) In the Small Motorised Vehicles (Safety) Act 2020 —

(a) in section 1(2), delete “and section 29(e)”; and

(b) delete section 29.

Amendment of Medicines Act 1975, etc.

12.—(1) In the Medicines Act 1975 —

(a) delete section 12A;

(b) in section 16, delete subsection (3);

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(c) in section 16, delete subsection (6);

(d) delete section 19A;

(e) delete section 19B;

(f) delete section 19C;

(g) delete section 19D;

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(h) in section 20(3), delete “or a declaration under section 12A(2)”;

(i) in section 20, delete subsection (4);

(j) in section 20(6), delete “subsection (1), (2), (3) or (4)” and substitute “subsection (1), (2) or (3)”; and

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(k) in section 76, delete subsection (1).

(2) Repeal the Medicines (Advertisement and Sale) Act 1955.

(3) Repeal the Sale of Drugs Act 1914.

(4) In the Pharmacists Registration Act 2007, in section 39(1)(b), delete “the Medicines (Advertisement and Sale) Act 1955,”.

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(5) In the Public Defenders Act 2022, in the Schedule, in paragraph 1(1)(c) —

(a) delete sub-paragraph (xix); and

(b) delete sub-paragraph (xxx).

(6) In the Weights and Measures Act 1975 —

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(a) in section 2(1), delete the definition of “drug”;

(b) in section 6(5), delete “drugs” wherever it appears and substitute “health or medicinal products”; and

(c) in section 6, after subsection (5), insert —

“(5A) In subsection (5), “health or medicinal product” means —

(a) a health product as defined in section 2(1) of the Health Products Act 2007; or

(b) a medicinal product as defined in section 3 of the Medicines Act 1975.”.

Amendment of Mutual Assistance in Criminal Matters Act 2000

13. In the Mutual Assistance in Criminal Matters Act 2000, in section 41(5), after the definition of “foreign request”, insert —

““Minister” includes a public officer authorised by the Minister for the purposes of this section;”.

Amendment of Pioneer Generation and Merdeka Generation Funds Act 2014, etc.

14.—(1) In the Pioneer Generation and Merdeka Generation Funds Act 2014 (called in this section the principal Act), in section 16(1)(a), delete “during” and substitute “in respect of”.

(2) Where, before the date of commencement of this section, a crediting or purported crediting of a cash grant to a Pioneer’s or Merdeka Generation Senior’s Medisave account or other account in the Central Provident Fund was made outside the prescribed period mentioned in section 16(1)(a) of the principal Act, following a determination by the Appeals Panel under section 13(6) or 14(4) of the principal Act that the recipient is a Pioneer or Merdeka Generation Senior (as the case may be), the crediting or purported crediting is taken to have been validly made as if section 16(1)(a) of the principal Act as amended by subsection (1) were in force at the material time.

Amendment of Police Force Act 2004, etc.

15.—(1) In the Police Force Act 2004, in section 69, delete subsections (1) and (2) and substitute —

“(1) The Minister may do the following:

(a) appoint or promote a special police officer to the rank of superintendent or above; 5

(b) reduce the rank of, dismiss or discharge a special police officer of the rank of superintendent or above.

(2) The Commissioner or a Deputy Commissioner may do the following: 10

(a) appoint or promote a special police officer to the rank of deputy superintendent or below;

(b) reduce the rank of, dismiss or discharge a special police officer of the rank of deputy superintendent or below.”. 15

(2) If, before the date of commencement of this section, a special police officer of the rank of inspector was promoted or purportedly promoted by the Minister or the Permanent Secretary to the Ministry of Home Affairs to the rank of assistant superintendent, the promotion or purported promotion is deemed to have been validly made under the Police Force Act 2004. 20

Amendment of Protection from Harassment Act 2014

16. In the Protection from Harassment Act 2014 —

(a) in section 2(1), delete the definition of “court” and substitute — 25

““court” means a court of competent jurisdiction;”;

(b) in section 6(5) (definition of “public service worker”) and (6), delete “employees or workers” and substitute “employees, workers or other persons”; 30

(c) in section 13(5), delete “District Court” and substitute “court”; and

(d) in section 16I, after subsection (5), insert —

“(6) In this section, proceedings are related to Part 3 proceedings if —

(a) both of those proceedings involve any common issue of law or fact; or

(b) the rights to relief claimed in both of those proceedings are in respect of the same conduct or course of conduct.”.

Amendment of Public Utilities Act 2001

17. In the Public Utilities Act 2001, in section 5(1)(b), delete “10” and substitute “13”.

Amendment of Registered Designs Act 2000

18. In the Registered Designs Act 2000, in section 30A —

(a) after subsection (2), insert —

“(2A) Where an applicant for registration of a design, or the registered owner of a registered design, disclaimed any right in relation to a specified feature of the design —

(a) at any time before 26 May 2022; and

(b) in any application, request or other document that otherwise complied with the requirements of this Act and the rules made under this Act,

then —

(c) subsection (1) applies in relation to that disclaimer as if that subsection were in force on the date of the making of the disclaimer; and

(d) subsection (2) applies in relation to the registration of that design and (if the disclaimer was to apply beginning on a date before 26 May 2022) is taken to have always applied in relation to the registration beginning on the date the disclaimer was to begin to apply.

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(2B) However, nothing in subsection (2A) applies to, or may be construed to affect —

(a) any decision or judgment issued by any court given before 12 September 2022 in relation to that design; or

10

(b) any proceedings before any court commenced before 12 September 2022 in relation to that design.”; and

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(b) in subsection (3), delete “register” and substitute “Register”.

Amendment of Sentosa Development Corporation Act 1972

19. In the Sentosa Development Corporation Act 1972 —

(a) renumber section 2 as subsection (1) of that section;

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(b) in section 2, after subsection (1), insert —

“(2) To avoid doubt, it is declared that, for the purposes of the definition of “Sentosa” in subsection (1), “land reclaimed from the foreshore of Sentosa” includes land that —

25

(a) is formerly an island separate from the island of Sentosa; and

(b) becomes contiguous with the island of Sentosa because of land reclamation.”; and

(c) in section 6(2), delete “or employee” and substitute “, employee or other person”.

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Amendment of certain Acts to abolish show cause proceedings for failing to attend court

20.—(1) In the Active Mobility Act 2017, in section 54, delete subsections (6) and (7) and substitute —

5 “(6) Upon a person arrested pursuant to a warrant issued under subsection (5) being produced before a court, the court is to proceed as though the person were produced before it pursuant to section 153 of the Criminal Procedure Code 2010.”.

(2) In the Adoption of Children Act 2022, in section 66, delete
10 subsection (5) and substitute —

 “(5) Upon a person arrested pursuant to a warrant issued under subsection (4) being produced before a court, the court is to proceed as though the person were produced under section 153 of the Criminal Procedure Code 2010.”.

15 (3) In the Central Provident Fund Act 1953, in section 62, delete subsection (6) and substitute —

 “(6) Upon a person arrested pursuant to a warrant issued under subsection (5) being produced before a court, the court is to proceed as though the person were produced pursuant to
20 section 153 of the Criminal Procedure Code 2010.”.

(4) In the Control of Vectors and Pesticides Act 1998, in section 46, delete subsection (5) and substitute —

 “(5) When a person who is arrested pursuant to a warrant issued under subsection (4) is brought before a court, the court is to proceed as though the person were brought under section 153 of the Criminal Procedure Code 2010.”.

(5) In the Customs Act 1960, in section 125A, delete subsections (6) and (7) and substitute —

30 “(6) Upon a person arrested pursuant to a warrant issued under subsection (5) being produced before a court, the court is to proceed as though the person were produced before it in pursuance of section 153 of the Criminal Procedure Code 2010.”.

(6) In the Environmental Public Health Act 1987 —

(a) in section 21, delete subsection (7) and substitute —

“(7) Upon a person arrested pursuant to a warrant of arrest issued under subsection (6) being produced before a Court, the Court is to proceed as though the person were produced before it under subsection (1).”; and

5

(b) in section 42, delete subsection (7) and substitute —

“(7) Upon a person arrested pursuant to a warrant issued under subsection (6) being produced before it, a Magistrate’s Court is to proceed as though the person were produced before it under subsection (1).”.

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(7) In the National Registration Act 1965, in section 25, delete subsection (6) and substitute —

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“(6) Where the alleged offender is arrested under a warrant issued under subsection (5) —

(a) the alleged offender must be produced before a court; and

(b) the court is to proceed as though the alleged offender were produced before the court under a summons issued under section 153 of the Criminal Procedure Code 2010.”.

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(8) In the Road Traffic Act 1961, in section 133, delete subsection (6) and substitute —

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“(6) Upon a person arrested pursuant to a warrant issued under subsection (5) being produced before it, a court is to proceed as though he or she were produced before it under section 153 of the Criminal Procedure Code 2010.”.

(9) In the Sale of Food Act 1973, in section 24, delete subsection (7) and substitute —

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“(7) Where a person is arrested under subsection (6), a Magistrate’s Court is to proceed as though the person were produced before it under subsection (1).”.

5 (10) In the Singapore Tourism Board Act 1963, in section 34, delete subsection (6) and substitute —

10 “(6) Upon a person arrested pursuant to a warrant issued under subsection (5) being produced before a court, the court is to proceed as though the person were produced before it pursuant to a summons issued under section 153 of the Criminal Procedure Code 2010.”.

(11) In the Smoking (Prohibition in Certain Places) Act 1992, in section 4, delete subsection (7) and substitute —

15 “(7) Where a person arrested under a warrant issued under subsection (6) is produced before a District Court or a Magistrate’s Court, the Court is to proceed as though the person were produced before it under subsection (1).”.

(12) In the Tobacco (Control of Advertisements and Sale) Act 1993, in section 23, delete subsections (7) and (8) and substitute —

20 “(7) Where a person arrested pursuant to a warrant issued under subsection (6) is produced before a Court, the Court is to proceed as though the person were produced before it under subsection (2).”.

25 (13) In the Transboundary Haze Pollution Act 2014, in section 17, delete subsection (5) and substitute —

“ (5) Upon a person arrested pursuant to a warrant issued under subsection (4) being produced before a court, the court is to proceed as though the person were produced under section 153 of the Criminal Procedure Code 2010.”.

30 (14) In the Vulnerable Adults Act 2018, in section 33, delete subsection (5) and substitute —

“(5) Upon a person arrested pursuant to a warrant issued under subsection (4) being produced before a court, the court must

proceed as though the person were produced under section 153 of the Criminal Procedure Code 2010.”.

(15) In the Workplace Safety and Health Act 2006, in section 49, delete subsections (7) and (8) and substitute —

“(7) Where a person arrested pursuant to a warrant issued under subsection (6) is produced before a court, the court is to proceed as though the person were produced before the court under subsection (1).”.

Amendment of certain Acts to refer to Part 9 of Insolvency, Restructuring and Dissolution Act 2018

21.—(1) In the Bus Services Industry Act 2015, in section 33(1), delete “Part 7” and substitute “Parts 7 and 9”.

(2) In the Civil Aviation Authority of Singapore Act 2009, in section 73(3), delete “Part 7” and substitute “Parts 7 and 9”.

(3) In the Consumer Protection (Fair Trading) Act 2003, in section 9(4)(d) —

(a) in sub-paragraph (vii), delete “Part 7” and substitute “Parts 7 and 9”; and

(b) in sub-paragraph (viii), delete “Part 8” and substitute “Parts 8 and 9”.

(4) In the Environmental Public Health Act 1987, in section 31B(3), delete “Part 7” and substitute “Parts 7 and 9”.

(5) In the Insurance Act 1966, in section 120(9), delete “Part 8” and substitute “Parts 8 and 9”.

(6) In the Maritime and Port Authority of Singapore Act 1996, in section 87(3), delete “Part 7” and substitute “Parts 7 and 9”.

(7) In the Telecommunications Act 1999, in section 46(3)(b), delete “Part 7” and substitute “Parts 7 and 9”.

Amendment of certain Acts in consequence of Rules of Court 2021

22.—(1) In the Arbitration Act 2001 —

(a) in section 28(2)(b), delete “interrogatories” and substitute
“discovery of facts”;

(b) in section 30, delete the section heading and substitute —

“Order to attend and order to produce documents”;

(c) in section 30(1), delete “take out a subpoena to testify or a subpoena to produce documents” and substitute “request for the issue of an order to attend or an order to produce documents”;

(d) in section 30, delete subsection (2) and substitute —

“(2) If a witness is in Singapore, the Court may order that —

(a) an order to attend be issued to compel the witness to attend before an arbitral tribunal and give evidence; or

(b) an order to produce documents be issued to compel the witness to attend before an arbitral tribunal and produce specified documents.”; and

(e) in section 30(4), delete “any such subpoena” and substitute “an order mentioned in subsection (1) or (2)(a) or (b)”.

(2) In the Deposit Insurance and Policy Owners’ Protection Schemes Act 2011, in section 22(7), delete paragraph (b) and substitute —

“(b) in the case where, before the quantification date —

(i) an enforcement order for attachment of a debt was made under the Rules of Court in respect of the insured deposit; and

- (ii) pursuant to the enforcement order, a notice of attachment with respect to the insured deposit was served on the failed DI Scheme member, the Agency —
 - (iii) must, subject to any order of the court in determining any objection to the enforcement order, pay the whole or part (as the case may be) of the compensation to the enforcement applicant; but
 - (iv) is not required to pay the compensation if the insured deposit is released from attachment (whether by the consent of the enforcement applicant or otherwise); and”.
- (3) In the Insolvency, Restructuring and Dissolution Act 2018 —
 - (a) in section 14, delete “or by interrogatories”;
 - (b) in section 244(4), delete “, either orally or by interrogatories,”; and
 - (c) in section 335(2), delete “, whether orally or by interrogatories”.
- (4) In the International Arbitration Act 1994 —
 - (a) in section 12(1)(b), delete “interrogatories” and substitute “discovery of facts”;
 - (b) in section 13, delete the section heading and substitute —
 - “Order to attend and order to produce documents”;**
 - (c) in section 13(1), delete “take out a subpoena to testify or a subpoena to produce documents” and substitute “request for the issue of an order to attend or an order to produce documents”;
 - (d) in section 13, delete subsection (2) and substitute —
 - “(2) If a witness is in Singapore, the General Division of the High Court may order that —

(a) an order to attend be issued to compel the witness to attend before an arbitral tribunal and give evidence; or

(b) an order to produce documents be issued to compel the witness to attend before an arbitral tribunal and produce specified documents.”; and

(e) in section 13(4), delete “any such subpoena” and substitute “an order mentioned in subsection (1) or (2)(a) or (b)”.

(5) In the Limited Liability Partnerships Act 2005, in the Fifth Schedule, in paragraph 31(2), delete “either by word of mouth or on written interrogatories”.

(6) In the Motor Vehicles (Third-Party Risks and Compensation) Act 1960, in section 9(14), in the definition of “judgment”, delete “Order 76, Rule 10 or 11 of the Rules of Court” and substitute “Order 44, Rule 9 or 10 of the Rules of Court 2021 (approval of compromise, settlement, etc., relating to claim by person under disability)”.

(7) In the Mutual Assistance in Criminal Matters Act 2000, in the Third Schedule, in paragraph 17(5)(c), delete “Order 11 of the Rules of Court” and substitute “Order 8 of the Rules of Court 2021 (service out of Singapore)”.

(8) In the Parliamentary Elections Act 1954 —

(a) in section 92(3), delete “subpoenaed and sworn” and substitute “ordered to attend court or ordered to produce documents, and sworn,”;

(b) in the Fourth Schedule, in the following provisions, delete “leave” wherever it appears and substitute “permission”:

Rule 2 (definition of “application for withdrawal”)

Rule 22(1)

Rule 24;

(c) in the Fourth Schedule, in rule 2, after the definition of “application under section 90”, insert —

““claimant” means a person making an application under section 90;”;

- (d) in the Fourth Schedule, in rule 2, delete the definition of “plaintiff”;
- (e) in the Fourth Schedule, in the following provisions, delete “originating summons” and substitute “originating application”: 5
 - Rule 4(1)
 - Rule 6 and rule heading;
 - (f) in the Fourth Schedule, in the following provisions, delete “plaintiff” wherever it appears and substitute “claimant”: 10
 - Rule 4(2)(a)
 - Rule 5(1) and (3)
 - Rule 8(1)
 - Rule 9(1) 15
 - Rule 10(1) and rule heading
 - Rule 13(1) and (4) and rule heading
 - Rule 16(1)
 - Rule 19
 - Rule 21A 20
 - Rule 24
 - Rule 25 and rule heading
 - Rule 26(2)
 - Rule 27(1) to (5) and rule heading
 - Rule 28(1) and (2) 25
 - Rule 29(1), (2) and (3) and rule heading
 - Rule 30(4)
 - Rule 32A(2)
 - Rule 33(a);
 - (g) in the Fourth Schedule, in rule 4(3), delete “*plaintiff*” and substitute “*claimant*”; 30

(*h*) in the Fourth Schedule, in the following provisions, delete “plaintiffs” wherever it appears and substitute “claimants”:

Rule 5(1)(*a*) and (3)

Rule 8(1)

5 Rule 10(1)

Rule 18(2)(*a*) and (*b*)

Rule 22(3)

Rule 28(1);

10 (*i*) in the Fourth Schedule, in the following provisions, delete “by leave” and substitute “with permission”:

Rule 8(3)

Rule 9(3);

(*j*) in the Fourth Schedule, in rule 32(1), delete “plaintiff’s” and substitute “claimant’s”;

15 (*k*) in the Fourth Schedule, in rule 34, in the rule heading, delete “Taxation” and substitute “Assessment”;

(*l*) in the Fourth Schedule, in rule 34(1) and (2), delete “taxed” wherever it appears and substitute “assessed”; and

20 (*m*) in the Fourth Schedule, in rule 34(3), delete “Order 91 of the Rules of Court” and substitute “Order 25 of the Rules of Court 2021 (court fees)”.

(9) In the Patents Act 1994, in section 51(2), delete “by the claimant or with the plaintiff’s consent” and substitute “by or with the consent of the claimant”.

25 (10) In the Presidential Elections Act 1991, in section 72(2), delete “subpoenaed and sworn” and substitute “ordered to attend or ordered to produce documents, and sworn,”.

(11) In the Property Tax Act 1960 —

30 (*a*) in section 33(2), delete “taxed” and substitute “assessed”; and

(*b*) in section 72(1)(*e*), delete “taxed” and substitute “assessed”.

(12) In the Public Trustee Act 1915, in section 5(6) —

(a) delete “a suit” and substitute “an action”; and

(b) delete “Order 80 of the Rules of Court” and substitute “Order 32 of the Rules of Court 2021 (administration and similar actions)”. 5

(13) In the Registered Designs Act 2000, in section 41(2)(a), delete “plaintiff’s” and substitute “claimant’s”.

(14) In the Trade Marks Act 1998, in section 31(5), delete “plaintiff’s” wherever it appears and substitute “claimant’s”.

Deletion of obsolete powers to make transitional provisions or consequential amendments 10

23.—(1) In the Broadcasting Act 1994, delete section 38.

(2) In the Intellectual Property Office of Singapore Act 2001, delete section 38.

(3) In the Newspaper and Printing Presses Act 1974, delete section 14. 15

(4) In the Trade Marks Act 1998, in section 109, delete subsection (2).

Deletion of superseded amendments

24.—(1) In the Healthcare Services Act 2020, in section 59, delete subsection (8). 20

(2) In the Housing and Development (Amendment) Act 2020, delete section 7.

(3) In the Personal Data Protection (Amendment) Act 2020 —

(a) delete section 42; 25

(b) delete section 44; and

(c) delete section 45.

(4) In the Road Traffic (Amendment) Act 2017, delete section 41.

(5) In the Supreme Court of Judicature (Amendment) Act 2019, in section 29(9) — 30

- (a) delete paragraph (a);
 - (b) delete paragraph (b); and
 - (c) delete paragraph (d).
-

EXPLANATORY STATEMENT

This Bill seeks to make miscellaneous amendments to certain Acts.

The Bill uses a new amending language that is intended to be more succinct and intuitive.

Clause 1 relates to the short title and commencement.

Clause 2 amends section 2 of the Interpretation Act 1965, which provides for the interpretation of certain words and expressions in written laws.

- (a) The definition of “repeal” in subsection (1) is amended to expressly include “delete”. This will make clear that the provisions in sections 11 to 16 of the Interpretation Act 1965 that relate to repeals also apply to deletions of legislative provisions.
- (b) A new subsection (2A) is inserted and provides that definitions in written laws apply unless the context otherwise requires. The new subsection (2A) applies to all legislative definitions, including referential definitions (e.g. “A reference to *X* includes a reference to *Y*”). With this general provision, it will not be necessary to specifically use the expression “unless the context otherwise requires” or other similar expressions in definition provisions. A consequential amendment is made to subsection (1) to remove such an expression.

Clause 3 amends section 9(1) of the Air Navigation Act 1966 (power to make regulations for aviation safety, etc.) to expressly enable the Civil Aviation Authority of Singapore to make regulations to —

- (a) prescribe the insurance that aircraft owners and operators must have, and prohibit an aircraft from flying within, landing in or taking off from Singapore if its owner or operator is not insured as required; and
- (b) prescribe one-time or periodic fees.

Clause 4 amends the Children and Young Persons Act 1993 to make substantively the same amendments as sections 27 and 55 of the Children and Young Persons (Amendment) Act 2019 (which made amendments relating to the trial of young persons between 16 and 18 years of age for certain offences, as well as the powers of volunteer welfare officers). This is necessary because the

2019 amendments were drafted in a way that did not allow for staged commencement, and referred to provisions that have since been renumbered in the 2020 Revised Edition. The new amendments will supersede the 2019 amendments, which are deleted.

Clause 5 amends section 63(1) of the Civil Aviation Authority of Singapore Act 2009, which sets out definitions for Part 5 of the Act. The definition of “company” in section 63(1) is deleted because the definition of “company” in section 2(1) is sufficient. The definition of “corporation” in section 63(1) is deleted because the word is not used in Part 5.

Clause 6 amends the Copyright Act 2021.

- (a) Section 193 (deemed fair use where work or recording is fairly used) is amended to provide that, if a protected performance (including a recording of the performance) is fairly used, the inclusion of a work or a recording of another protected performance in the firstmentioned performance (or in the recording of the firstmentioned performance) is also a fair use.
- (b) Section 285 (public act is permitted use) is amended to make clear that, when the Government informs a rights owner about a public act, the Government must do so in the prescribed manner.
- (c) Section 301 (notation of copies) is amended to make clear that subsection (1)(a) applies to the notation of copies in the form of sound recordings.
- (d) The transitional provision in section 377(2) is extended so that, if the copyright in an authorial work made before 21 November 2021 was first owned by a person other than the author, the author’s moral right to be identified does not apply to an act done by that person, by a subsequent owner of that copyright, or under a licence granted by an owner of that copyright.

Clause 7 amends the COVID-19 (Temporary Measures) Act 2020 in relation to certain applications for a determination by an assessor under Parts 2 and 8 of the Act.

- (a) A new section 1A is inserted to validate applications for an assessor’s determination under Part 2 that were made after 19 April 2022 (the date on which Part 2 expired) and before 1 May 2022. Acts done in relation to those validated applications are also validated, as if the relevant provisions of Part 2 were in force at the material time. The validation does not make anyone retrospectively liable for offences under Division 4 of Part 2 or under the Penal Code 1871.
- (b) A new section 1B modifies the application of Division 4 of Part 2 in relation to certain applications pending on 19 April 2022 and

applications validated under the new section 1A. The effect of the modifications is to enable the Minister charged with the responsibility for law to prescribe a date on which pending applications are deemed withdrawn, and on and after which no appointment of an assessor or determination may be made in relation to those applications.

- (c) To give effect to these purposes, a new section 1C is inserted to empower the Minister charged with the responsibility for law to make regulations.

Clause 8 inserts a new section 6A in the Customs Act 1960 to provide for officers of customs to be armed, etc. The arms, etc., provided need not be prescribed. Consequently, the amendment made by section 97(5) of the Guns, Explosives and Weapons Control Act 2021 is superseded and deleted.

Clause 9 amends the Extradition Act 1968.

- (a) Section 16 (proceedings after apprehension of person) is amended, mainly by deleting certain provisions, so that the remaining provisions apply only to cases where an apprehended person has not consented to his or her surrender to the relevant foreign State or declared Commonwealth territory. Most of the deleted provisions of section 16 are moved to a new section 15A, with some modifications. The new section 15A will apply to apprehended persons in general.
- (b) Section 19 (surrender of fugitive) is amended to make clear that it does not apply to a case where an apprehended person has consented to his or her surrender.
- (c) Section 21 (surrender by consent) is amended to insert supplementary provisions relating to a warrant of surrender by the Minister under section 21(3).
- (d) A new section 49A is inserted and provides for the arrest of a person who escapes from custody or prison. The specific provisions in sections 16(11), 19(10) and 35(10) are deleted as a consequence.

Clause 10 amends section 29 of the Gas Act 2001, which provides for the maintenance, etc., of gas service pipes and gas installations.

- (a) Section 29(3) is amended to clarify that the prescription under that provision of persons to be responsible for the maintenance, etc., of a gas installation, etc., is to be in the form of an order in the *Gazette*.
- (b) Section 29(4) (as amended by section 4(b) of the Energy (Resilience Measures and Miscellaneous Amendments) Act 2021) is amended to —

- (i) make technical changes to section 29(4)(a) and (b) in light of the fact that the gas transporter could also be a person prescribed under section 29(3); and
- (ii) clarify in section 29(4) that the person whom the gas transporter may notify to ensure the carrying out of the maintenance, etc., that is the subject of the provision, is the person prescribed under section 29(3) (other than the gas transporter) as having such responsibility.

Clause 11 amends the Second Schedule to the Land Transport Authority of Singapore Act 1995, which sets out taxes, fees and charges that are to be paid into the Land Transport Revenue Account.

- (a) Paragraph 1, which relates to fees under the Parking Places Act 1974, is replaced because (i) with the repeal of Part 3 of the Parking Places Act 1974, the only licence under that Act is a licence to maintain or operate a parking place; and (ii) subsidiary legislation under that Act no longer provides for the renewal or replacement of a vehicle parking certificate.
- (b) A new paragraph 26, relating to fees and charges prescribed under the Small Motorised Vehicles (Safety) Act 2020, is inserted. Section 29 of that Act provided for the insertion of a similar item as paragraph 23A, but the insertion could not be brought into force as there is already a paragraph 23A. With the new paragraph 26, section 29 of that Act is superseded and is deleted.

Clause 12 makes amendments relating to the Medicines Act 1975.

- (a) Sections 12A, 16(3) and (6), 19A, 19B, 19C, 19D and 20(4) are deleted with consequential amendments. The deleted provisions relate to medicinal products that are subject to patents, for which provision is now made by the Health Products Act 2007 and the Health Products (Therapeutic Products) Regulations 2016 made under that Act.
- (b) The Medicines (Advertisement and Sale) Act 1955 and the Sale of Drugs Act 1914 are repealed, with consequential amendments to certain other Acts. Section 76(1) of the Medicines Act 1975 provided for these repeals but not in a way that allows the repeals to take effect on different dates; it is now superseded and is deleted.

Clause 13 amends section 41 of the Mutual Assistance in Criminal Matters Act 2000 (Attorney-General to give notice to Minister) to make clear that the Minister's functions under that section may be exercised by a public officer authorised by the Minister.

Clause 14 amends section 16(1)(a) of the Pioneer Generation and Merdeka Generation Funds Act 2014 to allow cash grants to be credited to a Pioneer's or

Merdeka Generation Senior's Medisave account or other account in the Central Provident Fund in respect of a prescribed period, whether the crediting is made during or after that period. The clause also validates previous crediting or purported crediting of cash grants to a Pioneer's or Merdeka Generation Senior's Medisave account or other account in the Central Provident Fund under section 16(1)(a) outside the prescribed period mentioned in that provision, following a determination by the Appeals Panel under section 13(6) or 14(4) that the recipient is a Pioneer or Merdeka Generation Senior, as the case may be.

Clause 15 amends section 69 of the Police Force Act 2004 to provide that the Minister (instead of the Commissioner of Police or a Deputy Commissioner of Police) is responsible for promotions of special police officers to the rank of superintendent or above. The clause also validates previous promotions made by the Minister for Home Affairs or the Permanent Secretary to the Ministry of Home Affairs.

Clause 16 amends the Protection from Harassment Act 2014.

- (a) The definition of "court" in section 2(1) (interpretation) is replaced so that it simply refers to a court of competent jurisdiction. Whether a court has jurisdiction will depend on the legislation governing the general jurisdiction of the court, as well as any specific provision in the Act.
- (b) Section 6(5) and (6) (offences in relation to public servant or public service worker) is amended so that all persons who provide any service that is essential to the wellbeing of the public or the proper functioning of Singapore may be prescribed as public service workers, whether or not they are employees or workers.
- (c) Section 13 (expedited protection order) is amended to provide that there is no appeal against a decision of any court under that section.
- (d) Section 16I (commencement of Part 3 proceedings) is amended to include a definition, for the purposes of that section, of when proceedings are related to Part 3 proceedings. The definition is similar to the definition in section 16J(6)(b).

Clause 17 amends section 5(1)(b) of the Public Utilities Act 2001 to increase the maximum membership of the Public Utilities Board (excluding the Chairperson) from 10 to 13 members.

Clause 18 amends section 30A of the Registered Designs Act 2000 (registration subject to disclaimer).

- (a) A new subsection (2A) is inserted to provide that, where any right in relation to a specified feature of a design was disclaimed before 26 May 2022 (which is the date on which section 33 of the Intellectual Property (Amendment) Act 2022 came into force) in any application,

request or other document that otherwise complied with the requirements of the Act and the rules made under the Act (as in force at the time the disclaimer was made), then —

- (i) section 30A(1) applies in relation to that disclaimer as if section 30A(1) were in force on the date the disclaimer was made; and
 - (ii) section 30A(2) applies in relation to the registration of that design and (in a case where the disclaimer was to apply on a date before 26 May 2022) is taken to have always applied, in relation to the registration of that design, beginning on the date that the disclaimer was to begin to apply.
- (b) However, under the new subsection (2B), the new subsection (2A) does not affect —
- (i) any decision or judgment issued by any court given before 12 September 2022 in relation to that design; and
 - (ii) any proceedings before any court commenced before 12 September 2022 in relation to that design.
- (c) Section 30A(3) (which relates to the publication and entry in the register of a disclaimer) is amended to correct a typographical error. The term “Register”, as defined in section 2(1), should be used instead of the term “register”.

Clause 19 amends the Sentosa Development Corporation Act 1972.

- (a) Section 2 (interpretation) is amended to declare that, if an island becomes contiguous with the island of Sentosa because of land reclamation, the land comprising the island is considered to be land reclaimed from the foreshore of Sentosa. The land could therefore come within the definition of “Sentosa”.
- (b) Section 6(2) is amended so that a person acting under the direction of the Sentosa Development Corporation must be repaid out of the Corporation’s funds for any expense incurred.

Clause 20 amends certain Acts to abolish show cause proceedings for failing to attend court, and punishments for persons who fail to show cause.

Clause 21 amends provisions in certain Acts that refer to Part 7 (judicial management) or Part 8 (winding up) of the Insolvency, Restructuring and Dissolution Act 2018. The relevant provisions are amended to also refer to Part 9 of that Act, which contains further provisions about judicial management and winding up.

Clause 22 amends certain Acts in consequence of the Rules of Court 2021 (G.N. No. S 914/2021), which replaced the Rules of Court (Cap. 322, R 5 of the 2014 Revised Edition) (the old Rules of Court).

- (a) Certain terms are replaced to follow the new terminology in the Rules of Court 2021. These changes in terminology are not, in themselves, intended to change the meaning of the amended provisions. In particular —
 - (i) “subpoena” is replaced with “order to attend” or “order to produce documents”, as appropriate;
 - (ii) “leave” is replaced with “permission”;
 - (iii) “plaintiff” is replaced with “claimant”;
 - (iv) “originating summons” is replaced with “originating application”; and
 - (v) “tax”, in relation to the costs of proceedings, is replaced with “assess”.
- (b) References to provisions in the old Rules of Court are generally updated.
- (c) References to interrogatories are deleted or replaced with “discovery of facts”.
- (d) Section 22(7) of the Deposit Insurance and Policy Owners’ Protection Schemes Act 2011 is amended to reflect the different terminology and procedure for an enforcement order for attachment of a debt under Order 22 of the Rules of Court 2021, which replaced garnishee proceedings under Order 49 of the old Rules of Court.
- (e) The opportunity is also taken to delete obsolete wording in some of the amended provisions. In particular —
 - (i) in sections 14, 244 and 335 of the Insolvency, Restructuring and Dissolution Act 2018, references to “orally” are deleted; and
 - (ii) in the Fifth Schedule to the Limited Liability Partnerships Act 2005, a reference to “word of mouth” is deleted.

Clause 23 amends certain Acts to delete obsolete powers to make transitional provisions or consequential amendments.

Clause 24 deletes superseded amendments to various Acts.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
