

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

**SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONS**

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(CHAPTER 295, SECTION 205)**

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REGULATIONS**

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[12th March 2003]

PART I

PRELIMINARY

Citation

- 1. These Regulations may be cited as the Singapore Armed Forces (Detention and Imprisonment) Regulations.

Definitions

- 2. In these Regulations, unless the context otherwise requires —
 - “close arrest” means the arrest and custody of a serviceman in any detention barrack or designated place pending investigation or trial;
 - “close arrestee” means a serviceman under close arrest;
 - “Commandant” means an officer appointed by the Director, Manpower to manage a detention barrack or military prison;
 - “Commanding Officer, Provost” means the commanding officer of the Provost Unit of the Singapore Armed Forces at the relevant time;
 - “detainee” means a serviceman under sentence and in custody in a detention barrack;

“detention barrack” means a place designated for the custody of —

- (a) servicemen sentenced to detention by disciplinary officers or a subordinate military court; and
- (b) servicemen under close arrest;

“military prison” means a place designated for the custody of servicemen sentenced to imprisonment by a subordinate military court;

“military prisoner” means a serviceman under any sentence of imprisonment imposed by a subordinate military court;

“serviceman under sentence” means a serviceman under a sentence of detention imposed by a disciplinary officer or a subordinate military court.

PART II

COMMANDING OFFICERS

Commanding Officer, Provost

3.—(1) The Commanding Officer, Provost shall be responsible for the overall control, supervision and management of detention barracks.

(2) The Commanding Officer, Provost shall visit every detention barrack at least once every 6 months, and shall report any matter relating to the management and operation of a detention barrack, as he considers necessary, to the Head, Joint Manpower Department.

Commandant

4.—(1) The Commandant shall be responsible for the proper management of the detention barrack or military prison under his charge and every detainee or military prisoner who is placed in his custody.

(2) The Commandant shall ensure —

- (a) the due compliance with every written law, order and directive relating to the detention barrack or military prison under his charge;

- (b) that all records, documents and correspondences are properly kept and maintained;
- (c) that every detainee and military prisoner under his charge is humanely and fairly treated; and
- (d) that regimental discipline is strictly enforced.

(3) Subject to the Act and these Regulations, the Commandant may issue general orders in respect of the management of the detention barrack or military prison under his charge.

Disciplinary powers

5.—(1) The Head, Joint Manpower Department shall be a superior commander for the purposes of discipline and shall have the powers of punishment of a superior commander.

(2) The Commanding Officer, Provost shall be a senior disciplinary officer for the purposes of discipline and shall have the powers of punishment of a senior disciplinary officer.

(3) The Commandant shall be a junior disciplinary officer for the purposes of discipline and shall have the powers of punishment of a junior disciplinary officer.

PART III

MEDICAL OFFICERS AND MEDICAL INSPECTIONS

Medical officer for detention barracks and military prisons

6.—(1) The Head, Joint Manpower Department shall appoint a medical officer for every detention barrack and military prison.

(2) Every medical officer appointed under paragraph (1) shall ensure that the health and fitness of every detainee and military prisoner is satisfactory.

(3) Without prejudice to the generality of paragraph (2), every medical officer shall —

- (a) conduct reporting sick parade for the detainees and military prisoners every day except Sundays and public holidays;

- (b) examine every detainee and military prisoner within 24 hours after admission, and as early as possible before release;
- (c) at least once every week, conduct hygiene inspections on such parts of the detention barrack or military prison as he considers necessary and inspect the preparation of food for the detainees or military prisoners, as the case may be; and
- (d) ensure that every detainee or military prisoner who is sick, or complains of being sick, is given adequate medical treatment and is placed under such medical observation as he considers necessary.

Medical inspections

7. A medical inspection of a detention barrack or military prison shall be conducted —

- (a) by not less than 2 medical officers appointed by Headquarters Medical Corp for that purpose; and
- (b) at least once every week on such day as the medical officers shall determine.

Inspection for bodily injuries

8. The medical officers appointed under regulation 7 shall, during the medical inspection under that regulation, inspect every detainee or military prisoner for any bodily injury as was not recorded upon their admission to the detention barrack or military prison, as the case may be.

Medical inspection report

9. Upon the completion of any medical inspection referred to in regulation 7, a report shall be submitted by the medical officers who had conducted the medical inspection to the Head, Joint Manpower Department and the Commanding Officer, Provost.

PART IV

BOARD OF VISITORS

Appointment, constitution and term of office of members of Board of Visitors

10.—(1) The Armed Forces Council shall appoint a panel known as the Board of Visitors.

(2) Every Board of Visitors shall consist of —

- (a) a senior military officer who shall hold office for a term of one year from the date of his appointment; and
- (b) 2 civilian members each of whom shall hold office for a term of 3 years from the date of his appointment.

(3) The Armed Forces Council may at any time revoke the appointment of any member of a Board of Visitors.

(4) A member of the Board of Visitors shall be eligible for reappointment on completion of his term of office unless —

- (a) he resigns during his term of office; or
- (b) his appointment is revoked by the Armed Forces Council under paragraph (3).

(5) Any member of a Board of Visitors may resign from his appointment at any time by giving notice in writing to the Armed Forces Council.

(6) If a member of a Board of Visitors dies, resigns, has his appointment revoked by the Armed Forces Council under paragraph (3) or otherwise vacates his office before the expiry of the term for which he was appointed, the Armed Forces Council may appoint —

- (a) in the case of a member who is a senior military officer, any other senior military officer; or
- (b) in the case of a member who is a civilian, any other civilian, to fill the vacancy for so long as the member in whose place that person is appointed would have held office.

Duties of members of Board of Visitors

11.—(1) The Board of Visitors shall, at least once every month, visit every detention barrack and military prison, at such time as the Joint Manpower Department shall determine.

(2) The Board of Visitors shall, during its visit to a detention barrack or military prison, perform the following:

- (a) inspect the wards, confinement cells and other cells, yards, places or divisions of the detention barrack and military prison to ascertain that the living conditions of the detainees and military prisoners are satisfactory;
- (b) inspect and determine that the hygiene, quality and quantity of food served to detainees and military prisoners are satisfactory;
- (c) hear, record and enquire as to any complaint that any detainee or military prisoner may wish to make;
- (d) ensure, so far as is possible, that the provisions of the general orders governing the detention barrack or military prison are adhered to;
- (e) ensure that the treatment of every detainee and military prisoner is fair and humane; and
- (f) call the attention of the Commandant of the detention barrack or military prison, as the case may be, to any irregularity as may be observed in the management or operation of the detention barrack or military prison, or the treatment of any detainee or military prisoner therein.

Board of Visitors' report

12.—(1) Upon the completion of every visit in accordance with regulation 11, the Board of Visitors shall —

- (a) verify every irregularity with the Commandant; and
- (b) submit a report of the visit to the Head, Joint Manpower Department.

(2) The Commandant shall take such action as may be necessary on any irregularity called to his attention by the Board of Visitors and report to the Head, Joint Manpower Department on any action that has been taken by him.

PART V

ADMISSION OF DETAINEES AND MILITARY PRISONERS

Admission procedures

13. The following procedures shall be carried out upon the admission of any detainee to a detention barrack or any military prisoner to a military prison:

- (a) the Commandant or a person acting under his authority shall examine whether there is lawful authority for keeping that detainee or military prisoner in custody;
- (b) the detainee or military prisoner shall, with due regard to decency, be searched and any article or document which he is not allowed to keep in his possession shall be taken from him and kept in safe custody;
- (c) a list of such articles or documents removed from the possession of the detainee or military prisoner, affixed with the signature of the person responsible for the removal of such items, shall be prepared and a copy thereof shall be delivered to the detainee or military prisoner on his request; and
- (d) within 24 hours of the detainee or military prisoner being admitted, the detainee or military prisoner shall be examined by a medical officer, and the detainee or military prisoner shall not undergo any form of work or training unless a medical officer certifies, in Form 1 in the Schedule, that he is fit for such work and training.

Form of committal

14.—(1) An order for the committal of a serviceman sentenced to detention in a detention barrack shall be in Form 2 in the Schedule.

(2) An order for the committal of a serviceman sentenced to imprisonment in a military prison or civil prison shall be in Form 9 in the Schedule.

Observation of new detainees and military prisoners

15.—(1) Upon admission, every detainee and military prisoner shall be detained in a cell or ward according to his rank and classification for observation for a period not exceeding 48 hours.

(2) No detainee or military prisoner shall be detained in isolation unless directed by the Commandant or medical officer and for disciplinary or medical reasons.

Place of custody

16.—(1) A serviceman sentenced to detention shall serve his sentence in a detention barrack.

(2) A serviceman sentenced to imprisonment shall serve his sentence in either a military prison or civil prison.

Place of custody of female detainees and military prisoners

17. Any female detainee or military prisoner shall be kept in custody in such places and under such conditions as the Director, Manpower may direct, with due regard to decency and the special position of such detainee or military prisoner.

Temporary place of custody

18.—(1) Any detainee who cannot be immediately delivered to a detention barrack to serve his sentence of detention, or to be placed under close arrest, as the case may be, by reason of the fact that the detainee is —

- (a) in a unit that is engaged in operations;
- (b) in a vessel at sea; or
- (c) outside Singapore,

may be kept in custody in such place as his unit commander may direct.

(2) Any detainee to whom paragraph (1) applies shall be kept under conditions which are not detrimental to his health and shall be delivered to a detention barrack as soon as possible.

Temporary detention in prison

19.—(1) A serviceman sentenced to detention may be temporarily detained in a military prison or civil prison for any period not exceeding 7 days if —

- (a) it is impracticable for that serviceman to be detained in a detention barrack; or
- (b) it is desirable for that serviceman to be detained in a military prison or civil prison.

(2) A committal order for any serviceman sentenced to detention but who is to be temporarily detained in a military prison or civil prison shall be in Form 3 in the Schedule.

(3) The authority committing a serviceman under sentence to detention to a military prison or civil prison, as the case may be, under paragraph (1) shall order the return of that serviceman to a detention barrack upon the expiry of the period specified in the committal order and such person shall be returned upon the issue of such order.

(4) An order for the return of a serviceman under sentence to a detention barrack shall be in Form 4 in the Schedule.

PART VI

DETENTION AND IMPRISONMENT ADMINISTRATION

Accommodation in cell

20. Every cell in a detention barrack or military prison shall accommodate either one or 3 or more (but not 2) detainees or military prisoners, as the case may be, at any one time.

Examination for infectious diseases

21.—(1) The Commandant may, at any time, require any detainee or military prisoner to undergo a medical examination by the medical officer for the purposes of ascertaining whether the detainee or military prisoner is suffering from, or is a carrier of, any infectious disease.

(2) Any detainee or military prisoner who, without reasonable excuse, refuses to submit to the medical examination under paragraph (1) shall be guilty of an offence under the Act and shall be liable on conviction to the penalties prescribed therein.

(3) The Commandant may, in the case of any detainee or military prisoner who refuses to undergo the medical examination under paragraph (1), direct that the detainee or military prisoner be detained separately from other detainees or military prisoners until such time when the detainee or military prisoner undergoes the required medical examination.

(4) Where a detainee or military prisoner has been ascertained to be suffering from, or is a carrier of, any infectious disease under this regulation, the medical officer shall immediately give a written report to the Commandant.

(5) The Commandant may, upon receipt of the written report by the medical officer under paragraph (4), direct that the detainee or military prisoner be detained separately from other persons until the medical officer certifies that the detainee or military prisoner is free from infection or the risk of spreading the infectious disease to other persons is eliminated.

(6) In this regulation, “infectious disease” has the same meaning as in the Infectious Diseases Act (Cap. 137).

Segregation of detainees and military prisoners by types and rank

22. Every detainee and military prisoner shall be detained in a cell or ward according to his rank or classification.

Category Upgrading Board

23.—(1) The Commanding Officer, Provost shall appoint a panel known as the Category Upgrading Board.

(2) The Category Upgrading Board shall consist of —

- (a) the Commandant who shall be the Chairman;
- (b) the Head Disciplinary Supervisor;
- (c) the Senior Disciplinary Supervisor;

- (d) the Detention Platoon Commander; and
- (e) the Detention Platoon Warrant.

(3) The Commandant shall convene a meeting of the Category Upgrading Board once every month to determine the suitability of any serviceman under sentence to be upgraded to a higher category based on his receptiveness to rehabilitation and discipline.

Permitted articles

24.—(1) Every detainee and military prisoner shall be allowed to keep such items in his cell as may be permitted by the Commandant for the purposes of maintenance of health and rehabilitation, except that he shall not keep any knife, razor, fork, spoon or other sharp or offensive object.

(2) No detainee or military prisoner shall be allowed to wear any decoration, insignia or badge of rank on his person or on any item of his clothing.

Food

25. Every detainee and military prisoner shall be provided with food in accordance with the Singapore Armed Forces Ration Scale for detainees.

Letters

26.—(1) Every detainee and military prisoner shall be allowed to write one letter per week.

(2) Notwithstanding paragraph (1), the Commandant may permit a detainee or military prisoner to write additional letters.

(3) Subject to paragraph (4), there shall be no limit to the number of letters a detainee or military prisoner may receive.

(4) The Commandant or a person acting under his authority shall read every letter written by or addressed to a detainee or military prisoner, and shall withhold any letter or any part thereof from the detainee or military prisoner if he is of the opinion that the content of that letter has infringed security or is undesirable in any way.

Parcels

27.—(1) No parcel addressed to a detainee or military prisoner shall be allowed to be brought into the premises of a detention barrack or military prison.

(2) Any parcel addressed to a detainee or military prisoner shall be directed to the unit commander or a family member of that detainee or military prisoner or be re-directed to the sender of such parcel.

Searches

28. The Commandant may at any time order a search to be conducted on any detainee or military prisoner and his cell or personal belongings.

Visits by friends and relatives

29.—(1) A detainee or military prisoner shall be allowed one visit per week from immediate members of his family.

(2) The Commandant may allow visits to the detainee or military prisoner from friends and relatives of the detainee or military prisoner as he may consider consistent with security and discipline.

(3) Visits shall be made during official visiting hours.

(4) No visit shall be allowed on Sundays and public holidays.

Visits by legal counsel

30.—(1) There shall be no limit to the number of visits by the legal counsel of any detainee or military prisoner.

(2) Subject to paragraph (3), any written communication between a detainee or military prisoner and his legal counsel shall be confidential and shall not be read by the Commandant or any person acting under his authority.

(3) Where the Commandant has reason to believe that any communication between a detainee or military prisoner and his legal counsel may contain material unrelated to the purposes of the investigation, trial or appeal for which the legal counsel has been engaged, the communication may be screened by the Commandant in accordance with these Regulations.

(4) The Commandant shall provide reasonable facilities for a detainee or military prisoner to be visited by his legal counsel in connection with any investigation, trial or appeal for which the legal counsel has been engaged.

(5) Any visit under paragraph (4) shall be within sight, but not within the hearing, of the Commandant or any staff of the detention barrack or military prison.

Visits by parent unit and kit exchange

31.—(1) At least one person who shall be of the rank of warrant officer or above from the formation or parent unit of the detainee or military prisoner, as the case may be, shall visit the detainee or military prisoner at least once every month and conduct kit exchange for the detainee or military prisoner when required.

(2) The person who visits a detainee or military prisoner under paragraph (1) shall submit a report to his unit commander upon the completion of every visit.

Training and work of detainees and military prisoners

32.—(1) Every detainee and military prisoner shall engage in such physical training or work commensurate with his rank, as the Commandant may specify from time to time in accordance with these Regulations and any general order applicable to the detention barrack or military prison in which he is detained.

(2) The training and work referred to in paragraph (1) shall be for the purpose of education, instruction, preservation of health or for the maintenance of military installations.

(3) No detainee or military prisoner shall engage in physical training or work —

- (a) for more than 9 hours a day;
- (b) on Sundays and public holidays, except such work or training which is necessary for the service and maintenance of the detention barrack or military prison; or
- (c) while he is —
 - (i) in solitary confinement;
 - (ii) undergoing restricted diet as a punishment; or

- (iii) excused from training or work on medical grounds on the advice of a medical officer.

Unauthorised work

33. No detainee or military prisoner shall be employed, directly or indirectly, for the private benefit or advantage of any person, or in any way contrary to these Regulations or the general orders of the Commandant.

Temporary release

34.—(1) The Commandant may, on the application of a detainee or military prisoner, as the case may be, or an immediate family member and on compassionate grounds, grant the detainee or military prisoner temporary release for a period not exceeding 48 hours from the detention barrack or military prison, as the case may be, in which he is detained.

(2) Such period of temporary release granted under paragraph (1) shall not be counted for the purpose of calculating the period of sentence served.

(3) A certificate of temporary release shall be in Form 5 in the Schedule.

Complaints

35.—(1) Any detainee or military prisoner who feels aggrieved about any matter may complain to the Commandant.

(2) The Commandant shall investigate any complaint made to him and take such steps as appear to him to be necessary to redress the matter complained of.

Mechanical restraint

36.—(1) The Commandant may issue an order in writing for the mechanical restraint of a detainee or military prisoner to prevent him from —

- (a) inflicting any bodily injury to himself or others;
- (b) damaging any property;

(c) creating any disturbance; or

(d) escaping from custody.

(2) A mechanical restraint shall not be ordered for the purpose of punishment.

(3) A mechanical restraint shall only be by means of handcuffs or a straitjacket.

(4) Where the mechanical restraint is by means of handcuffs, the handcuffs —

(a) shall be designed in the figure of eight, and be of the swivel or curb chain type; and

(b) shall not exceed 567 grams in weight.

(5) The Commandant may, when handcuffs or a straitjacket cannot efficiently secure the detainee or military prisoner, order other means or manner of restraint with the approval of, and subject to the conditions laid down by a medical officer in Part II of Form 6 in the Schedule.

(6) Where a detainee or military prisoner is restrained by means of handcuffs, the handcuffs shall not be attached to any object.

(7) Detainees and military prisoners may be handcuffed to one another in transit.

(8) An order made under paragraph (1) shall be in Part I of Form 6 in the Schedule and shall state —

(a) the type and manner of restraint that is to be applied; and

(b) the period during which it shall be applied.

(9) No detainee or military prisoner shall be mechanically restrained by means of handcuffs for more than 12 hours, except that the Commanding Officer, Provost may by order in writing in Part I of Form 6 in the Schedule authorise the use of handcuffs to be continued for a further period not exceeding 24 hours.

(10) A mechanical restraint may be applied to a detainee or military prisoner before an order under paragraph (1) has been issued in a case of extreme urgency when an order in writing cannot be obtained.

Isolation of detainee and military prisoner

37.—(1) A detainee or military prisoner may be isolated from other detainees or military prisoners for the following reasons:

- (a) he has been found to be infected, or he is suspected to be infected, with a communicable disease; or
- (b) his behavior and conduct is detrimental to the well-being of others and the security of the detention barrack or military prison in which he is detained.

(2) The detainee or military prisoner referred to in paragraph (1) shall be kept in a single cell.

(3) An order for the isolation of a detainee or military prisoner shall be in Form 7 in the Schedule.

Escape from custody

38.—(1) Any person who discovers the escape from custody of a detainee or military prisoner, or who has knowledge, which may assist in the apprehension of such detainee or military prisoner, shall immediately report such discovery or knowledge to the Commandant.

(2) The Commandant, upon being so informed under paragraph (1), shall immediately report such information to the Commanding Officer, Provost.

(3) The Commanding Officer, Provost shall immediately report any information obtained under paragraph (2) to a police officer and to the Head, Joint Manpower Department.

Physical violence

39.—(1) Subject to paragraph (2), no member of the staff of any detention barrack or military prison shall use physical force on any detainee or military prisoner, as the case may be.

(2) Such physical force as is necessary may be used —

- (a) to subdue an aggressive detainee or military prisoner; or
- (b) by a member of the staff in self-defence or in the defence of another staff member or another detainee or military prisoner.

(3) Where any weapon is used in the circumstances set out in paragraph (2), every possible attempt must be made to strike only on the non-vital parts of the body of the relevant detainee or military prisoner.

(4) A medical officer shall examine a detainee or military prisoner on whom physical force was used as soon as possible and a written report of the examination shall be submitted to the Commandant.

PART VII

MAINTENANCE OF DISCIPLINE AND DETENTION OFFENCES

Discipline and regimentation

40. Every detainee and military prisoner —

- (a) shall comply with these Regulations and such general orders as may be issued by the Commandant in relation to the detention barrack or military prison in which he is detained; and
- (b) shall be subject to the military regimentation of the detention barrack or military prison.

Minor detention offences

41. Any detainee or military prisoner who commits any of the following offences shall be guilty of a minor detention offence:

- (a) showing disrespect to a guard or an officer of the detention barrack or military prison in which he is detained or to a visitor thereto;
- (b) being idle, careless or negligent;
- (c) using any abusive, insolent, threatening or other improper language;
- (d) communicating with any person without authority;
- (e) leaving his cell or place of work or other appointed place without permission;
- (f) committing any nuisance;

- (g) having in his cell or possession any unauthorised article;
or
- (h) giving or receiving from any person any unauthorised article.

Aggravated detention offences

42. Any detainee or military prisoner who commits any of the following offences shall be guilty of an aggravated detention offence:

- (a) mutiny;
- (b) escape or attempt to escape;
- (c) inflicting injuries on himself;
- (d) assault, behaving with contempt, using vulgarities, threatening or striking a superior or a military policeman;
- (e) smuggling or possession of prohibited items, medication, controlled drugs or weapons;
- (f) vandalising or damaging barrack properties;
- (g) repeated commission of minor offences; and
- (h) abetting the commission of any aggravated detention offence.

Punishment for minor detention offences

43.—(1) Any detainee or military prisoner who is found after due enquiry by the Commandant to be guilty of a minor detention offence may be punished by the Commandant with any of the following punishments or any combination thereof:

- (a) such number of push-ups or sit-ups, as may be ordered by the Commandant;
- (b) standing parade;
- (c) extra physical training regime, whether with simulated load or otherwise;
- (d) defaulters' punishment or extra drills;
- (e) restriction of specific privileges related to the specific offence he committed;
- (f) restriction of bedding items for a duration not exceeding 10 days;

- (g) restricted diet (which is half that of the normal diet entitlement as specified in the Singapore Armed Forces Ration Scale for detainees) for a duration not exceeding 7 days;
- (h) reduction in grade or postponement of upgrading for such period as the Commandant may specify;
- (i) solitary confinement for a term not exceeding 3 days with restricted diet.

(2) The Commandant may authorise in writing any member of the staff of the detention barrack or military prison to exercise the power conferred on the Commandant under paragraph (1).

Punishment for aggravated detention offences

44. Any detainee or military prisoner who is found after due enquiry by the Commandant to be guilty of an aggravated detention offence —

- (a) may be punished by the Commandant with either or both of the following punishments:
 - (i) solitary confinement for a term not exceeding 7 days with restricted diet;
 - (ii) withdrawal of any remission of sentence not exceeding such period as specified in regulation 49 (3);
- (b) may, subject to sections 68 and 69 of the Act, be summarily tried by the Commandant; or
- (c) may be referred by the Commandant for a general court martial.

Offences and punishments records

45.—(1) The Commandant shall cause to be entered in a register a record of the punishments imposed on every detainee and military prisoner, showing, in respect of each detainee and military prisoner punished, the name of the detainee or military prisoner, the nature of the offence and the extent of the punishment.

(2) The register referred to in paragraph (1) shall be open for the inspection of the Board of Visitors.

Corporal punishment

46. No corporal punishment shall be executed on a detainee or military prisoner unless ordered by a Subordinate Military Court.

Infliction of corporal punishment

47.—(1) A sentence of caning ordered under section 118 (15) of the Act shall be carried out in the presence of the Commanding Officer, Provost, the Commandant and a medical officer.

(2) A sentence of caning shall be inflicted —

- (a) as soon as possible after the approval of the Armed Forces Council has been obtained under section 118 (15) of the Act; or
- (b) where an appeal is lodged under section 129 of the Act, as soon as possible after the order of the Military Court of Appeal confirming the sentence has been received and the approval of the Armed Forces Council has been obtained.

(3) The medical officer who is present at the execution of a sentence of caning on a detainee or military prisoner shall, before a sentence of caning is carried out —

- (a) examine the detainee or military prisoner to ensure that the detainee or military prisoner is fit to undergo the punishment;
- (b) issue a medical certificate to certify that the detainee or military prisoner is fit to be caned if the medical officer has formed the opinion that the detainee or military prisoner is fit to be caned; and
- (c) give such directions for the conduct of the caning as he thinks necessary for preventing any injury to the health of the detainee or military prisoner.

(4) The person executing the sentence of caning shall comply with all directions given by the medical officer under paragraph (3) (c).

(5) A sentence of caning shall be executed in the following manner:

- (a) the caning shall be executed in a single session;

- (b) the medical officer who is present at the execution of the sentence shall, upon the completion of every stroke, examine the detainee or military prisoner to determine his suitability to continue with the punishment;
- (c) if the medical officer is of the opinion that the detainee or military prisoner is not fit to continue with the punishment, the medical officer shall report this to the Commandant, who shall immediately terminate the execution of the caning; and
- (d) where the execution of a sentence of caning is terminated under sub-paragraph (c), the Commandant shall thereafter write to the Armed Forces Council which shall determine whether any remaining strokes should be commuted to detention.

PART VIII

DISCHARGE OF DETAINEES, MILITARY PRISONERS AND SERVICEMEN UNDER SENTENCE

Remission of sentence

48.—(1) A serviceman under sentence of detention or imprisonment that exceeds 30 days shall be entitled to have part of his sentence remitted for either of the following periods:

- (a) if his sentence is more than 30 days but not more than 40 days — a period equal to the number of days by which the sentence exceeds 30 days; or
- (b) if his sentence exceeds 40 days — a period equal to one third of the period of his sentence except that where the period of detention or imprisonment after remission is less than 30 days, the maximum period of remission shall be equal to the number of days by which the sentence of detention or imprisonment exceeds 30 days.

(2) Any remission of sentence shall be awarded upon the sentencing of a detainee or military prisoner.

(3) For the purposes of calculating the remission, any fraction of a day shall be ignored.

(4) A detainee or military prisoner whose sentence of detention or imprisonment has been remitted under paragraph (1) shall be entitled to be released on the day after he has completed his sentence with remission.

Withdrawal of remission

49.—(1) The whole or any part of a remission granted under regulation 48 to a serviceman under sentence may be withdrawn by reason of any misbehaviour on his part.

(2) The Commanding Officer, Provost shall have power to withdraw up to 40 days of any remission granted to a serviceman under sentence.

(3) The Commandant shall have power to withdraw up to 10 days of any remission granted to a serviceman under sentence.

(4) Any withdrawal of remission which exceeds 40 days shall be made by the Director, Manpower on the recommendation of the Commanding Officer, Provost.

(5) Where any remission of sentence has been withdrawn under this regulation —

(a) the Commandant shall inform the Commanding Officer, Provost of any withdrawal of remission made on the Commandant's authority; and

(b) the Commanding Officer, Provost shall inform the Head, Joint Manpower Department of any withdrawal of remission made on the Commanding Officer, Provost's authority.

(6) Where any remission of sentence has been withdrawn under this regulation, no further withdrawal shall be made in relation to the remaining period of remission by the Commandant or Commanding Officer, Provost, as the case may be, except with the approval of the immediate superior officer of the Commandant or the Commanding Officer, Provost, as the case may be.

(7) A remission of sentence which has been withdrawn under this regulation may be restored to any detainee or military prisoner by the officer on whose authority the withdrawal of remission was made.

(8) For the purposes of paragraph (7) —

- (a) the period of remission which may be restored by the Commandant shall be a maximum of 5 days; and
- (b) the period of remission which may be restored by the Commanding Officer, Provost shall be a maximum of 20 days.

(9) The Director, Manpower may revoke any order to withdraw a period of remission made under this regulation and restore the full period of remission to the detainee or military prisoner against whom such order was made.

(10) An order for withdrawal of remission shall be in Form 8 in the Schedule.

PART IX

RELEASE OF DETAINEES AND MILITARY PRISONERS

Medical examination

50.—(1) Before his discharge, every detainee and military prisoner shall be examined by a medical officer for any fresh marks, injuries or tattoos on any part of his body which were not previously recorded upon his admission or during his detention.

(2) The medical officer shall immediately inform the Commandant if he finds any fresh marks, injuries or tattoos on the body of the detainee or military prisoner.

(3) For the purposes of investigating such fresh marks, injuries or tattoos as may be discovered on the body of the detainee or military prisoner by the medical officer, the Commandant may detain the detainee or military prisoner for a further period of detention not exceeding 48 hours from the scheduled date of release of the detainee or military prisoner.

(4) Where a detainee or military prisoner is detained for a further period under paragraph (3), the detainee or military prisoner shall be under the control of the Commandant.

(5) If the detainee or military prisoner who is detained for a further period under paragraph (3) is found not guilty of any offence, the additional 48 hours or any lesser period of detention shall count towards the discharge of his service liability.

Attire for release

51. Every detainee or military prisoner shall be released from a detention barrack or military prison, as the case may be, in his official working dress.

Date of release

52. If the date of release falls on a Sunday or on a public holiday, the detainee or military prisoner shall be released on the preceding Saturday or on the preceding day, as the case may be, not being a public holiday.

Immediate release

53. A serviceman under close arrest shall be immediately released on the same working day upon the instruction of the unit commander in writing when —

- (a) he is found not guilty of any offence for which he was kept in close arrest; or
- (b) he is offered bail by a bail officer.

Handing and taking over custody of detainee and military prisoner to unit

54.—(1) The Commandant shall inform the unit commander of the detainee or military prisoner in writing of the date of release of that detainee or military prisoner one week prior to the date of release.

(2) On the day of the release, the unit commander shall appoint a representative of a rank of corporal or above to take custody of the detainee or military prisoner and of any relevant documents from the detention barrack or military prison, as the case may be.

(3) At no time shall the detainee or military prisoner be released from the detention barrack or military prison, as the case may be, to his family or any other party.

PART X

MILITARY PRISON AND MILITARY PRISONERS

Place of custody

55.—(1) When a person is sentenced to imprisonment by a subordinate military court, he shall serve such sentence in a military prison or a civil prison.

(2) Every military prisoner serving his sentence of imprisonment in a military prison shall be segregated from detainees.

Imprisonment administration

56.—(1) A military prisoner who is detained in a military prison shall be managed in the same manner as a detainee except that he shall be clothed in the attire specified in the standing orders.

(2) A military prisoner who is detained in a civil prison shall for all purposes be subject to the Prisons Act (Cap. 247).

Place of custody of military prisoner under death sentence

57.—(1) A person sentenced to death under the Act shall be detained in a military or civil prison pending the execution of the sentence on the order of the commanding officer of the person to be committed or the President of the subordinate military court.

(2) The order of committal shall be in Form 10 in the Schedule.

Imprisonment of military prisoner under death sentence in civil prison

58. Where a military prisoner who is under a sentence of death is committed to a civil prison, he shall be dealt with in the same manner as a person who has been sentenced to death by a civil court.

Treatment of military prisoner under death sentence in military prison

59.—(1) The following provisions shall apply to a military prisoner who is detained under a sentence of death in a military prison:

- (a) he shall be deprived of every article which might be dangerous or inexpedient to leave in his possession;
- (b) he shall be confined in a separate cell and kept apart from all other persons under sentence of death or imprisonment or in custody;
- (c) he shall be under the constant charge of 2 servicemen of or above the rank of lance corporal;
- (d) he shall not be required to perform duties other than duties necessary to keep his person and cell clean;
- (e) he shall be allowed daily physical exercise;
- (f) he shall be granted the necessary facilities for corresponding with his relatives, friends and legal counsel;
- (g) he shall be permitted to smoke;
- (h) he shall be visited once daily by the Commandant and once daily by the medical officer; and
- (i) he may be visited at any time by —
 - (i) any person who is authorised by written order of the Commandant to visit him;
 - (ii) such relatives, friends and legal counsel as he may desire to see; and
 - (iii) a minister of any religion of his choice.

(2) Except as provided in paragraph (1), a military prisoner who is detained under a sentence of death shall not be visited by any person other than a member of the staff of the military prison.

(3) Every visit allowed under paragraph (1) shall take place within the sight of a member of the staff of the military prison.

Arrangements for carrying out sentence of death

60. Upon receiving the warrant to effect the sentence of death, the Director of Prisons or the Commandant of the military prison, as the case may be, shall immediately make arrangements for the sentence to be executed.

Procedure

61.—(1) There shall be present at the execution of the death sentence the officer in charge of the military prison and a medical officer of the prison.

(2) There may also be present any minister of religion in attendance at the prison if so requested by the person who is to be executed, and such other persons as the officer in charge of the military prison considers proper to admit.

(3) As soon as the sentence of death has been carried out, a medical officer of the military prison shall examine the body of the person executed and ascertain the fact of death and shall sign a certificate to this effect which shall be delivered to the officer in charge.

(4) The certificate referred to in paragraph (3) shall be in Form 11 in the Schedule.

(5) A Coroner shall, within 24 hours after the execution of the death sentence, hold an inquiry under section 277 of the Criminal Procedure Code (Cap. 68).

(6) A copy of the verdict of the Coroner shall be forwarded to the Registrar of the Military Court of Appeal and to the office of the Armed Forces Council.

(7) When a sentence of death is avoided by the escape of a person sentenced to death, execution of such sentence shall be carried into effect at such other time after his re-capture as the President of a subordinate military court shall order.

(8) No execution carried into effect or intended to have been carried into effect under any order or warrant shall be rendered illegal by reason of any omission or error as to time and place of execution, or any defect in form as to such order or warrant, or any omission to comply with these Regulations.

Person responsible for execution

62. The Commandant shall nominate a person, approved by the Director, Manpower, who shall be responsible for the due execution of any sentence of death passed under the Act.

Method of execution

63.—(1) A sentence of death passed under the Act shall be carried out by a method which shall be stated in the death warrant.

(2) A sentence of death shall, in a military prison, be carried out by hanging or by a shooting squad.

PART XI**MISCELLANEOUS****Regulations to be displayed**

64. A copy of these Regulations or a sufficient abstract as approved by the Director, Manpower shall be displayed conspicuously in every detention barrack and military prison, and in such other places so as to be clearly visible to every detainee and military prisoner.

Revocation and saving

65.—(1) The Singapore Armed Forces (Detention and Imprisonment) Regulations (Rg 3, 2001 Ed.) are revoked.

(2) Any detainee or military prisoner who, immediately before 12th March 2003, is detained in any detention barrack or military prison shall continue to be detained as if he had been detained under these Regulations.

THE SCHEDULE

Regulation 13 (d)

FORM 1

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONS

MEDICAL CERTIFICATE OF FITNESS

I, ¹ after the examination
(No., rank, name, appointment)
of ² hereby certify him
(No., rank, name and unit)
medically fit to be kept in custody under close arrest/under a sentence of detention
or imprisonment.³

I further certify that ⁴
is/is not⁵ medically fit to be engaged in authorised work and training subject to the
following conditions:

⁶
.....
.....
.....

Dated this day of 20.....

.....
Signature of Medical Officer.

¹ Particulars of medical officer to be filled by him within 24 hours after admission of close arrestee, serviceman under sentence, corrective detainee or military prisoner in the detention barrack or military prison.

² Particulars of close arrestee, serviceman under sentence, corrective detainee or military prisoner.

³ Delete where inapplicable.

⁴ Particulars of close arrestee, serviceman under sentence, corrective detainee or military prisoner.

⁵ Delete where inapplicable.

⁶ To be filled whenever certificate of fitness for work and training is given subject to any special condition.

THE SCHEDULE — *continued*

Regulation 14 (1)

FORM 2

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONS

COMMITTAL ORDER TO DETENTION BARRACKS

To the Commandant or other person in charge of ¹Whereas ² was on*(No., rank, name and unit)*the day of year of awarded detention for a period of
day by ³*(No., rank and name)*

a disciplinary officer/Subordinate Military Court for the offence(s) of

⁴

.....

.....

.....

⁵[And whereas on the day of 20..... the sentence was suspended under section 120 of the Singapore Armed Forces Act (after a period of of the sentence had been undergone)⁶ and the suspension of the sentence was determined under that section on the day of 20..... by an order committing the said person to detention (and it was ordered that the sentence should run concurrently/consecutively with a sentence of
passed on the day of, 20.....⁷];

¹ Insert name of detention barracks.

² Particulars of person to be committed.

³ Particulars of disciplinary officer.

⁴ State offences and relevant section of the Singapore Armed Forces Act (no particulars required).

⁵ Omit this recital if the sentence has not been suspended.

⁶ Omit these words where the person has not been committed prior to suspension of sentence. If he has been committed and the sentence has been subsequently suspended, insert the period of detention undergone from the date of sentence to the date of suspension.

⁷ Omit these words where inapplicable. A separate committal order is required for each sentence.

THE SCHEDULE — *continued*

FORM 2 — *continued*

Now, therefore, in pursuance of the Singapore Armed Forces Act, this is to authorise and require you the said officer to receive the said⁸ into your custody and to retain him to undergo his sentence according to law and for so doing this shall be your warrant.

Dated this day of 20.....

.....
*Signature, rank and name of
Commanding Officer of person
to be committed/President of
Subordinate Military Court.*

⁸ Name of person to be committed.

THE SCHEDULE — *continued*

Regulation 19 (2)

FORM 3

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONS

COMMITTAL ORDER FOR TEMPORARY DETENTION
IN A MILITARY/CIVIL PRISON

To

The Director of Prisons/Commandant¹

The Commandant or person in charge of ²

Whereas³

(No., rank, name and unit)

was on the day of 20..... awarded detention for a period of days
by⁴ a disciplinary officer/President of Subordinate Military Court.

Now, therefore, in pursuance of the Singapore Armed Forces Act, this is to
authorise and require you the said officer to receive the said ⁵
into your custody and to retain him for a period not exceeding 7 days from
..... to and for so doing this shall be your warrant.

Dated this day of 20.....

.....
*Signature, rank and name of
Commanding Officer of person
to be committed/President of
Subordinate Military Court.*

¹ Delete where inapplicable.

² Insert name of military prison or civil prison.

³ Particulars of person to be committed.

⁴ Particulars of disciplinary officer/President of Subordinate Military Court.

⁵ Name of person to be committed.

THE SCHEDULE — *continued*

Regulation 19 (4)

FORM 4

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONS

ORDER FOR THE RETURN TO
DETENTION BARRACKS

To

The Director of Prisons/Commandant¹

The Commandant or person in charge of ²

Whereas³

(No., rank, name and unit)

is now in your custody in pursuance of the Singapore Armed Forces Act.

Now, therefore, in pursuance of the said Act, this is to authorise and require you to deliver over the said person to the officer producing this order.

Dated this day of 20.....

.....
*Signature, rank and name of
Commanding Officer of person
to be committed/President of
Subordinate Military Court.*

¹ Delete where inapplicable.

² Name of military or civil prison.

³ Particulars of person committed.

THE SCHEDULE — *continued*

Regulation 34 (3)

FORM 5

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONSTEMPORARY RELEASE FROM
DETENTION/IMPRISONMENT

In pursuance of the Singapore Armed Forces (Detention and Imprisonment) Regulations, I hereby authorise the temporary release of serviceman under sentence or corrective detainee named below, for the reason given:

¹
(*No., rank, name and unit*)

Undergoing sentence of ²

Reasons for temporary release ³

.....

.....

.....

From⁴ hours on

until hours on

Dated this day of 20.....

.....
Signature of Commandant.

¹ Insert the name of the serviceman under sentence or military imprisonment to be temporary released.

² State the sentence of the detainee to be on temporary release.

³ State the reasons for the temporary release.

⁴ State the period of the release. Period shall not exceed 48 hours.

THE SCHEDULE — *continued*

FORM 5 — *continued*

Condition of release: This temporary release is subject to the condition that if the abovenamed person fails to return on the due date, he/she will be liable to arrest as an absentee and shall be liable to receive punishment for an offence under the Singapore Armed Forces Act.

I understand the condition under which temporary release has been granted to me and I hereby undertake to return to the
..... on the expiration of the time stated above.

.....
*Signature of person granted
temporary release.*

Regulation 36 (8) and (9)

THE SCHEDULE — *continued*

FORM 6 — *continued*

PART I — *continued*

This order is given for the following reasons:

⁷
.....
.....

Dated this day of 20.....

.....
Signature of Commandant.

⁷ State reasons for the order.

THE SCHEDULE — *continued*FORM 6 — *continued*

PART II

Regulation 36 (5)

APPROVAL OF A MEDICAL OFFICER⁸

I, ⁹ hereby approve
(*No., rank, name, appointment*)
the following means and manner of restraint¹⁰
.....
.....
to be applied to¹¹
(*No., rank, name and unit*)
from to provided that¹²
(*date/time*) (*date/time*)
.....

Made at hours this day of 20.....

.....
Signature of Medical Officer.

⁸ To be filled by a medical officer of the Singapore Armed Forces when the instrument of restraint is other than handcuffs or when arrested person or person serving detention or imprisonment is restrained in a manner other than with his hands handcuffed to the front or rear.

⁹ Particulars of medical officer.

¹⁰ State the instrument and manner of restraint.

¹¹ Particular of close arrestee or serviceman under sentence.

¹² State any condition relevant to the application of restraint.

THE SCHEDULE — *continued*

Regulation 37 (3)

FORM 7

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONS

ORDER FOR THE ISOLATION OF
A PERSON IN CUSTODY

I, ¹ hereby order
(*No., rank, name and appointment*)
²
(*No., rank, name and unit*)
to be isolated in a³ normal/single cell for the period from ⁴
(*date/time*)
to
(*date/time*)

This order is given for the following reasons:
⁵
.....
.....

The conditions of the isolation shall be as follows:
⁶
.....
.....

Dated this day of 20.....

.....
*Signature of Commandant/
Commanding Officer,
Provost/Director, Manpower.*

¹ Particulars of officer committing the person in custody to isolation.

² Particulars of the person in custody to be isolated.

³ Delete as applicable the types of cell.

⁴ State the period of the isolation.

⁵ State the reasons for the isolation.

⁶ State the conditions of the isolation.

THE SCHEDULE — *continued*

Regulation 49 (10)

FORM 8

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONS

ORDER FOR THE WITHDRAWAL OF
REMISSION OF SENTENCE BY THE DIRECTOR,
MANPOWER, COMMANDING OFFICER,
PROVOST OR COMMANDANT

In pursuance of the Singapore Armed Forces (Detention and Imprisonment) Regulations, I hereby order the withdrawal of the whole/part¹ of the remission of the sentence of ²

.....

(*No., rank, name and unit*)

who is undergoing a sentence of ³ months/days⁴ of detention/imprisonment on the grounds of his misbehaviour, particulars of which are set forth below:

⁵

.....

.....

.....

(Summary of particulars of above serviceman's misbehaviour)

Dated this day of 20.....

.....
*Signature of Director, Manpower/
Commanding Officer/
Provost/Commandant.*

¹ Delete where inapplicable.

² Particulars of detainees with remission to be withdrawn.

³ Length of sentence.

⁴ Delete where inapplicable.

⁵ State reasons for the withdrawal of remission.

THE SCHEDULE — *continued*

FORM 8 — *continued*

I, ², hereby
(*No., rank, name and unit*)
acknowledge receipt of the Order for the Withdrawal of Remission of Sentence
dated

.....
*Signature of Serviceman
under sentence.*

THE SCHEDULE — *continued*

Regulation 14 (2)

FORM 9

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONSORDERS FOR THE COMMITTAL OF
A PERSON SENTENCED TO IMPRISONMENT
BY A SUBORDINATE MILITARY COURT

To

The Director of Prisons/Commandant¹The Commandant or other person in charge of ²Whereas³
(*No., rank, name and unit*)was by a subordinate military court held at⁴convicted of the offence(s) of ⁵and, by a sentence passed on the day of 20..... sentenced to
imprisonment for a term of ⁶..... commencing on that day.

¹ Delete where inapplicable.² Insert name of military prison or civil prison.³ Particulars of person to be committed.⁴ Place where court martial is held.⁵ State nature of offences with relevant section of the Singapore Armed Forces Act (no particulars needed).⁶ State the period of imprisonment.

THE SCHEDULE — *continued*FORM 9 — *continued*

⁷[And whereas on the day of year of 20..... the sentence was suspended under section 120 of the Singapore Armed Forces Act (after a period of of the sentence had been undergone)⁸ and the suspension of the sentence was determined under that section on the day of 20..... by an order committing the said person to imprisonment (and it was ordered that the sentence should run concurrently/consecutively with a sentence of passed on the day of, 20.....⁹]:

Now, therefore, in pursuance of the Singapore Armed Forces Act, this is to authorise and require you the said officer to receive the said ¹⁰ into your custody and to retain him to undergo his sentence according to law and for so doing this shall be your warrant.

Dated this day of 20.....

.....
*Signature, rank and name of
Commanding Officer of person
to be committed.*

⁷ Omit the recital if sentence was suspended.

⁸ Omit these words where the person has not been committed prior to suspension of sentence. If he has been committed and the sentence has been subsequently suspended, insert the period of imprisonment undergone from the date of sentence to the date of suspension.

⁹ Omit these words where inapplicable. A separate committal order is required for each sentence.

¹⁰ Name of person to be committed.

THE SCHEDULE — *continued*

Regulation 57 (2)

FORM 10

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONS

ORDER FOR THE COMMITTAL OF
A PERSON SENTENCED TO DEATH BY
A SUBORDINATE MILITARY COURT TO
A CIVIL PRISON OR A MILITARY PRISON

To

The Director of Prisons/Commandant¹

The Commandant or person in charge of ²

Whereas ³

(No., rank, name and unit)

was by a subordinate military court held at ⁴

.....

.....

and by a sentence passed on the day of 20..... sentenced to suffer death:

Now, therefore, in pursuance of the Singapore Armed Forces Act, this is to authorise and require you to receive into your custody and to retain the said person until the sentence of death is carried out and for so doing this shall be your warrant.

Dated this day of 20.....

.....
*Signature, rank and name of
Commanding Officer of person
to be committed.*

¹ Delete where inapplicable.

² State the name of the military prison or civil prison.

³ State the particulars of the military prisoner sentenced to death.

⁴ State the location of the subordinate military court held.

THE SCHEDULE — *continued*

Regulation 61 (4)

FORM 11

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(DETENTION AND IMPRISONMENT)
REGULATIONS

CERTIFICATE OF MEDICAL OFFICER

I, ¹, a medical officer of
the Singapore Armed Forces, hereby certify that I have this day examined the body
of ² upon whom a sentence of death was
this day carried into effect at ³ and that
on examination I found that the said person was dead.

Dated this day of 20.....

.....
Signature of Medical Officer.

¹ Particulars of the medical officer.

² Particulars of the military prisoner being executed.

³ Location of the execution.