



THE STATUTES OF THE REPUBLIC OF SINGAPORE

DESTITUTE PERSONS ACT

(CHAPTER 78)

(Original Enactment: Act 8 of 1989)

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Destitute Persons Act

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An Act to provide for the care and rehabilitation of destitute persons
and to provide for matters connected therewith.

[1st May 1989]

Short title

1. This Act may be cited as the Destitute Persons Act.

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“destitute person” means —

- (a) any person found begging in a public place in such a way as to cause or be likely to cause annoyance to persons frequenting the place or otherwise to create a nuisance; or
- (b) any idle person found in a public place, whether or not he is begging, who has no visible means of subsistence or place of residence or is unable to give a satisfactory account of himself;

“Director” means the Director of Social Welfare appointed under section 3(1) of the Children and Young Persons Act (Cap. 38) and includes any person who is authorised by him to perform any of the duties or exercise any of the powers of the Director under this Act or any rules made thereunder;

“public place” includes any place to which the public is admitted without payment or on payment;

“superintendent” means a person having the management or control of any welfare home established under the provisions of, and for the purposes of, this Act;

“welfare home” means any institution or part thereof for the reception, care and rehabilitation of destitute persons established under the provisions of, and for the purposes of, this Act.

[20/2001]

(2) For the purposes of this Act, a person shall be deemed to be begging if his conduct is calculated to induce the giving of alms, whether or not there is any pretence of singing, playing, performing, offering anything for sale or otherwise.

Power to require destitute person to reside in welfare home

3.—(1) Any public officer acting under the direction of the Director or any police officer may take in his charge any destitute person and deliver him to the custody of the Director.

(2) If the Director has reasonable cause to believe that any person so delivered into his custody has no visible means of subsistence, he may arrange for that person to be temporarily admitted into a welfare home until an inquiry has been held by him.

(3) Every such inquiry shall be completed within a period of 30 days from the date of that person's admission into a welfare home or such further period, not exceeding 30 days, as the Minister may approve.

(4) If after holding such inquiry the Director is satisfied that that person is a destitute person within the meaning of this Act, he may by warrant under his hand require that person to reside in a welfare home.

Penalty for begging

4.—(1) Any person being a habitual beggar found begging in a public place in such a way as to cause or be likely to cause annoyance to persons frequenting the place or otherwise to create a nuisance shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 2 years.

(2) In this section, "habitual beggar" means a person who on at least 2 previous occasions was found begging in a public place in such a way as to cause or be likely to cause annoyance to persons frequenting the place or otherwise to create a nuisance and was in consequence thereof required on those 2 occasions to reside in a welfare home.

Voluntary admission into welfare home

5. Any destitute person who voluntarily seeks admission into a welfare home shall be required to undertake that, if admitted, he will abide by the conditions of admission imposed under this Act or any rules made thereunder.

Taking of finger impressions and photographs

6.—(1) The Director may authorise the taking of finger impressions and photographs of any destitute person residing in a welfare home.

(2) Subject to subsection (3), after the expiry of 2 years from the date of discharge of a destitute person from a welfare home, the Director shall, on the application from that person, deliver to him the sheet upon which his finger impressions have been made together with the negatives and copies of the photographs taken of him, and if no such application is received after that period of 2 years and before the expiry of 3 years from the date of discharge, those records shall be destroyed.

(3) The Director may retain 3 copies of the photographs taken of the destitute person for maintaining a register of destitute persons admitted to and discharged from welfare homes.

Minister may establish welfare homes

7.—(1) The Minister may, by notification in the *Gazette*, establish welfare homes at such places within Singapore as he thinks proper for the reception, care and rehabilitation of destitute persons in accordance with the provisions of this Act.

(2) The Minister may appoint superintendents and other officers for the management of such welfare homes.

(3) Every superintendent or officer shall be deemed to be a public servant within the meaning of the Penal Code (Cap. 224).

Board of Visitors

8.—(1) The Minister may, by notification in the *Gazette*, appoint a Board of Visitors to advise and make recommendations to the Director on all matters pertaining to the welfare of the residents and such other matters as the Minister may refer to the Board.

(2) A Board of Visitors may be appointed for one or more welfare homes as the Minister thinks fit.

Rules for management of welfare homes

9. The Minister may make rules —

- (a) for prescribing the constitution and functions of the Board of Visitors;
- (b) for regulating the management of welfare homes and the admission of persons to welfare homes;
- (c) for the care, control and rehabilitation of persons residing in welfare homes;
- (d) for prescribing the forms to be used for the purposes of this Act; and
- (e) generally for carrying out the purposes of this Act.

Review Committee

10.—(1) The Minister may, by notification in the *Gazette*, appoint a Review Committee which shall review the case of every resident at intervals of not more than 12 months to assess his suitability for discharge from the welfare home.

(2) A Review Committee may be appointed for one or more welfare homes as the Minister thinks fit.

(3) The Review Committee shall have power to recommend to the Director that any resident may be discharged from a welfare home either conditionally or unconditionally.

Discharge from welfare homes

11. Any person admitted to a welfare home, either on his own application or otherwise, may be discharged by the Director either conditionally or unconditionally on the advice of the Review Committee.

Discharge to care of relative or other person

12.—(1) Whenever any relative or friend of a destitute person who, in the opinion of the Director is willing and able to provide care and support for the destitute person, desires that the destitute person be discharged from a welfare home to his care and support, the Director

shall, upon the application of the relative or friend and on his giving security to the satisfaction of the Director that the destitute person will be properly taken care of and that he will ensure that destitute person's compliance with any condition of discharge from the welfare home, order that destitute person to be discharged to the care of the relative or friend.

(2) Where for any reason the care and support of the relative or friend for the destitute person ceases, the relative or friend shall inform the Director in writing within 24 hours of the cessation of such care and support.

(3) Any person who, having undertaken the care and support of a person discharged from a welfare home, fails to inform the Director in writing within 24 hours of his ceasing to care and support for such discharged person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 2 months.

Persons in welfare home may be required to work

13.—(1) Any person residing in a welfare home may be required to engage in any suitable work for which the medical officer of the home certifies him to be capable of, either with a view to fitting him for an employment outside the welfare home or with a view to contributing to his maintenance in the welfare home.

(2) Any person residing in a welfare home who attends work outside the welfare home shall be deemed, while engaged in such employment, to be a resident of the welfare home.

Persons in welfare home may be sent to hospital

14. Any person residing in a welfare home may, if so directed by the medical officer of the home, be sent to a hospital or other medical institution for treatment, and shall be deemed, while receiving such treatment, to be a resident of the welfare home.

Director may transfer persons in welfare homes

15. Any person residing in a welfare home may, if so directed by the Director, be removed from that welfare home and admitted to another welfare home.

Penalty for escape from lawful custody of welfare home

16. Any person who —

- (a) escapes from the police while committed to the charge of the police under this Act;
- (b) without permission of the superintendent, leaves a welfare home in which the person is required to reside in accordance with section 3 or to which the person has been admitted on his own application under section 5; or
- (c) having obtained the permission of the superintendent left a welfare home for a limited time or for a specified purpose, fails to return at the expiration of such time or when such purpose has been accomplished or found to be impracticable,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 6 months.

Penalty for behaving in disorderly manner

17. Any person residing in a welfare home who —

- (a) takes part in any assault or attack on any officer of the welfare home;
- (b) aggravates or repeatedly assaults any other person residing in the welfare home; or
- (c) wilfully destroys any property of the welfare home,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 2 years.

Arrest of escaped destitute person

18. Any person who is reasonably suspected of having committed an offence under section 16 or 17 and who refuses or fails to

accompany a police officer to, or to appear before, a Magistrate's Court when required to do so for the purposes of this Act may be arrested without a warrant.

Return to welfare home after serving sentence

19. A person who has completed serving a sentence imposed on him under section 16 or 17 shall be returned to a welfare home, and the Director shall have the power to take that person into custody for this purpose after he has served his sentence.

Discharge

20. The Minister may at any time order any person admitted to a welfare home to be discharged.

LEGISLATIVE HISTORY

DESTITUTE PERSONS ACT

(CHAPTER 78)

This Legislative History is provided for the convenience of users of the Destitute Persons Act. It is not part of the Act.

1. Act 30 of 1965 — Destitute Persons Act 1965

Date of First Reading : 13 December 1965
(Bill No. 62/65 published on
20 December 1965)

Date of Second and Third Readings : 31 December 1965

Date of commencement : 9 May 1966

2. 1970 Revised Edition — Destitute Persons Act (Chapter 98)

Date of operation : 15 April 1971

3. 1985 Revised Edition — Destitute Persons Act (Chapter 78)

Date of operation : 30 March 1987

4. Act 8 of 1989 — Destitute Persons Act 1989

Date of First Reading : 16 January 1989
(Bill No. 6/89 published on
16 January 1989)

Date of Second and Third Readings : 26 January 1989

Date of commencement : 1 May 1989

Note: The Destitute Persons Act 1989 repealed and re-enacted with amendments the Destitute Persons Act (Chapter 78, 1985 Revised Edition).

5. 1990 Revised Edition — Destitute Persons Act (Chapter 78)

Date of operation : 15 March 1990

6. Act 20 of 2001 — Children and Young Persons (Amendment) Act 2001 (Consequential amendments made to Act by)

Date of First Reading : 22 February 2001
(Bill No. 12/2001 published on
23 February 2001)

Date of Second and Third Readings : 20 April 2001

Date of commencement : 1 October 2001