



THE STATUTES OF THE REPUBLIC OF SINGAPORE

REGISTRATION OF CRIMINALS ACT

(CHAPTER 268)

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Registration of Criminals Act

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An Act to provide for the registration of criminals.

[29th June 1949]

PART I
PRELIMINARY

Short title

1. This Act may be cited as the Registration of Criminals Act.

Interpretation

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

“authorised officer” means —

- (a) a police officer;
- (b) an officer of customs of the Singapore Customs in any case concerning an offence or alleged offence against any law or provision of law which is the function of the Singapore Customs to enforce;
[4/2003]
- (c) an immigration officer;
- (d) an officer of any law enforcement agency in any case concerning an offence or alleged offence against any law or provision of law which it is the function of that agency to enforce; and
- (e) any other person who is duly appointed in writing by the Commissioner of Police as an authorised officer for the purposes of this Act or any provision thereof;
[45/2002]

“crime” means any offence included for the time being in the First or Second Schedule;

“DNA” means deoxyribonucleic acid;

[45/2002]

“DNA database” means the database maintained under section 13F;

[45/2002]

“DNA information” means genetic information derived from the forensic DNA analysis of a body sample;

[45/2002]

“finger impression” includes thumb impression and palmar impression;

“law enforcement agency” means any body or organisation which is prescribed by the Minister to be a law enforcement agency for the purposes of this Act;

[45/2002]

“other particulars”, in relation to a person, means any particulars, information or description of that person, other than his registrable particulars, that may be relevant or useful in the identification of that person;

[45/2002]

“photograph”, in relation to a person, includes the photograph of any distinguishing feature or mark on the body of that person;

[45/2002]

“principal registration area” means Singapore and Malaysia;

“register” means the register of criminals maintained in accordance with section 4;

“registrable particulars” means the particulars of any conviction, sentence, banishment, expulsion or deportation, and any name, description, photograph, or finger impression of, or document relating to, any person so convicted, sentenced, banished, expelled or deported, as the case may be, and includes particulars of any outstanding offence, whether that offence be a crime or not, taken into consideration of determining and passing sentence on any conviction for a crime;

“Registrar” means the Registrar of Criminals appointed under section 3, and includes an Assistant Registrar of Criminals.

Appointment of Registrar of Criminals and Assistant Registrars

3.—(1) The President may appoint a Registrar of Criminals and such Assistant Registrars as he may consider necessary for the purposes of this Act.

(2) The President may, with the concurrence of the government of Malaysia, appoint an officer in the service of that government to be a Registrar of Criminals or an Assistant Registrar for the purposes of this Act.

PART II

REGISTRATION OF CRIMINALS

Register of criminals

4.—(1) The Registrar shall keep a register of —

- (a) persons convicted of any crime within Singapore;
- (b) persons convicted of any offence committed within, and registrable under the law of, Malaysia;
- (c) persons ordered to be banished, expelled or deported from Singapore or Malaysia;
- (d) persons convicted of any offence in, or banished, deported or expelled from, any place outside the principal registration area, whose registration may be approved under section 5,

and shall record therein registrable particulars as hereinafter provided.

(2) The register shall be kept at such place or places within or without Singapore and in such manner as the Minister may direct.

Registration of persons convicted in or banished from places outside principal registration area

5.—(1) The Minister may approve the registration under this Act of any person convicted of any offence in, or banished, deported or expelled from, any place outside the principal registration area in respect of whom any registrable particulars are furnished to the

Registrar by the officer in charge of any criminal records, register of criminals or person in such place.

(2) Any approval given under this section may be either general, in respect of any place or of any class of case, or special in respect of a particular case.

(3) Every general approval given under this section shall be signified by notification in the *Gazette*.

Particulars to be recorded in register

6. Subject to section 7, the Registrar shall record in the register any registrable particulars which are forwarded to him —

- (a) under section 9, 11 or 12;
- (b) by any officer of Malaysia who is authorised by the law of that territory to forward those particulars for registration; or
- (c) by the officer in charge of any criminal records, register of criminals or prison in any place outside the principal registration area and which relate to a person whose registration has been approved under section 5.

Discretionary power to dispense with registration

7.—(1) The Commissioner of Police may in his discretion direct, either generally or in particular cases, that any person who —

- (a) has been convicted of an offence included in the Second Schedule;
- (b) has upon such conviction been sentenced to a fine not exceeding \$1,000 and not to imprisonment except in default of payment of the fine; and
- (c) has not previously been registered as a criminal,

need not be registered as hereinbefore provided.

(2) When any such direction has been given, the Registrar shall retain the registrable particulars of that person for 6 months from the date of receipt thereof and shall then destroy them:

Provided that the Commissioner of Police may, at any time before the expiration of that period of 6 months, revoke the direction, and thereupon the Registrar shall enter that person in the register, together with the registrable particulars relating to him, in accordance with sections 4 and 6.

[17/80]

PART IIA

SPENT CRIMINAL RECORDS

[20/2005]

Interpretation and application of this Part

7A.—(1) In this Part, unless the context otherwise requires —

“appointed day” means the date of commencement of the Registration of Criminals (Amendment) Act 2005;

“criminal record”, in relation to a person, means the record which is kept in the register before, on or after the appointed day of his conviction for —

(a) any crime within Singapore; or

(b) any offence outside Singapore registrable under this Act,

and the registrable particulars related thereto;

“term of imprisonment” does not include a term of imprisonment imposed by a court in default of payment of a fine or penalty.

(2) For the purposes of this Part, a person who is subject to a home detention order under section 52 of the Prisons Act (Cap. 247) is deemed to be in legal custody.

(3) This Part shall bind the Government.

Criminal record of Singapore crime may become spent

7B.—(1) Subject to section 7C, all records in the register of any person convicted within Singapore of any crime shall be capable of

becoming spent in accordance with this Part, whether the conviction is before, on or after the appointed day.

(2) The record in the register of a person's conviction within Singapore for a crime shall become spent on the expiration of the crime-free period applicable to the person, unless he is disqualified under section 7C.

(3) A record of a person's conviction that is spent in accordance with this section shall not be revived by the subsequent conviction of the person for any offence after the crime-free period.

(4) In this section —

“crime-free period” means a period of not less than 5 consecutive years starting from the relevant date applicable to a person, during which the person —

- (a) has not been convicted of a crime;
- (b) has not been unlawfully at large in relation to any crime;
- (c) has not been detained or subject to police supervision under section 30 of the Criminal Law (Temporary Provisions) Act (Cap. 67); and
- (d) has not been subject to a supervision order or admitted to an approved institution under the Misuse of Drugs Act (Cap. 185) or admitted to an approved centre under the Intoxicating Substances Act (Cap. 146A);

“relevant date”, in relation to a person, means —

- (a) where the sentence of the person does not include a term of imprisonment and is no longer subject to appeal, the date on which the sentence was passed;
- (b) where the sentence of the person includes a term of imprisonment and is no longer subject to appeal, the date of his release from legal custody; or
- (c) where a sentence of imprisonment has been wholly remitted or commuted to or substituted with a sentence other than a term of imprisonment, the date of that

remission, commutation or substituted sentence, as the case may be.

Person disqualified from having criminal record become spent

7C. A person is disqualified from having the record in the register of his conviction becoming spent under section 7B if —

- (a) that conviction was for any offence specified in the Third Schedule;
- (b) the sentence imposed on him for that conviction included —
 - (i) a term of imprisonment exceeding 3 months; or
 - (ii) a fine exceeding \$2,000;
- (c) that conviction was for a crime committed within 5 years after he had been released from —
 - (i) an approved institution under the Misuse of Drugs Act (Cap. 185); or
 - (ii) an approved centre under the Intoxicating Substances Act (Cap. 146A);
- (d) he has been detained or subject to police supervision under section 30 of the Criminal Law (Temporary Provisions) Act (Cap. 67) at any time before that conviction;
- (e) for the time being, he has a warrant of arrest for any offence issued against him which remains unexecuted;
- (f) he has records in the register of more than one conviction, whether or not those convictions arise from the same particular occasion; or
- (g) he has had any previous record in the register of any of his convictions become spent under section 7B or treated as spent under section 7D.

Application by disqualified person to have criminal record treated as spent

7D.—(1) A person who is disqualified under section 7C from having the record in the register of his conviction within Singapore for

any crime becoming spent may, at any time, apply to the Commissioner of Police to have the record treated as spent.

(2) An application by any person under subsection (1) shall be in such form and be accompanied by such documents, particulars and information as the Commissioner of Police may require.

(3) Upon receiving an application under subsection (1), the Commissioner of Police may —

(a) refuse to grant the application; or

(b) grant the application.

(4) In determining whether to grant an application to treat the record in the register of the applicant's conviction as spent, the Commissioner of Police shall have regard to the circumstances of the case, including the following factors:

(a) the severity of the conviction for which the record is to be spent;

(b) the severity of the sentence imposed for that conviction; and

(c) the applicant's conduct subsequent to the conviction.

(5) Where any document, particular or information given under subsection (2) is false in a material particular, the Commissioner of Police may, after giving the person concerned a reasonable opportunity to be heard (orally or in writing), revoke his grant of the application to treat the record in the register of the person's conviction as spent, and the Registrar shall, without delay, expunge any entry made under section 7E(1)(b) in respect of that record.

(6) Nothing in this section shall be construed to prevent the prosecution, conviction and punishment of any person according to the provisions of any other written law for the time being in force.

Criminal record rendered spent when community sentence completed

7DA. Notwithstanding any provisions in this Part, the record in the register of a person's conviction within Singapore for a crime for which a community sentence (as defined in section 336 of the

Criminal Procedure Code 2010) is passed by a court shall become spent on the date on which the community sentence is completed.

[15/2010]

Consequences of criminal record becoming or treated as spent

7E.—(1) Subject to subsection (2), if the record of a person's conviction in the register is spent or is treated as spent under this Part —

- (a) the person shall be deemed to have no record of that conviction, and it shall be lawful for him to answer a question asked of him on or after the appointed day about his criminal record or to disclose information about his criminal record in the manner as if he had no record of that conviction;
- (b) the Registrar shall, without delay, make an entry in the register to show that the record of that conviction is spent; and
- (c) any reference in any agreement or other document made on or after the appointed day to the person's criminal record shall be taken not to refer to the conviction the record of which is so spent, but to refer only to any of the person's convictions the records of which are not so spent.

(2) Subsection (1)(a) and (c) shall not apply in relation to —

- (a) any investigation into an offence by a person authorised under any written law to carry out such investigation;
- (b) any prosecution against the person for any offence;
- (c) any proceedings before a court, including the giving of evidence, or any decision by a court, including any decision as to sentence; and
- (d) any application by a person for an appointment to or employment in any office, or for admission to any profession or vocation, from which the person may be disqualified under any written law by reason of his conviction.

Reference to criminal record not to include record of offence not kept in register

7F.—(1) Where a person has been convicted of any offence the record of which is not kept in the register, it shall be lawful for the person —

- (a) to answer any question asked of him on or after the appointed day about his criminal record of any conviction (whether or not kept in the register) in the manner as if the question relates only to his criminal record defined under section 7A(1); and
- (b) not to disclose any information about any record of a conviction which is not kept in the register.

(2) Any reference in any agreement or other document made on or after the appointed day to the criminal record of any conviction (whether or not kept in the register) of a person to which this section applies, shall be taken to refer only to his criminal record defined under section 7A(1), and not to any record of a conviction which is not kept in the register.

PART III**TAKING OF FINGER IMPRESSIONS, PHOTOGRAPHS AND PARTICULARS****Finger impressions, photographs and particulars of person under arrest**

8. Any authorised officer may —

- (a) take or cause to be taken the finger impressions and photographs of any person under arrest who is accused of any crime;
- (b) make or cause to be made a record of the registrable particulars and any other particulars of such person; and
- (c) send any finger impression, photograph or record so taken or made to the Registrar for identification and report.

[45/2002]

Finger impressions, photographs and particulars of convicted person

9. When a person has been convicted of a crime, the authorised officer in charge of the case shall —

- (a) take or cause to be taken the finger impressions and photographs of the person so convicted;
- (b) make or cause to be made a record of —
 - (i) the particulars of the conviction and the sentence or order made in respect of that person; and
 - (ii) any other particulars of that person as the authorised officer thinks necessary; and
- (c) send a copy of the finger impression, photograph and record so taken or made to the Registrar.

[45/2002]

Acquittal or discharge of person from whom finger impressions, etc., taken under section 8

10. Where the finger impressions, photographs and registrable particulars of a person have been sent to the Registrar under section 8(c) for identification and report and that person is subsequently acquitted or discharged without a conviction being recorded against him —

- (a) the authorised officer in charge of the case shall immediately inform the Registrar of the acquittal or discharge; and
- (b) the Registrar shall cause the finger impressions, photographs and registrable particulars that he had received in respect of that person under section 8(c) to be destroyed.

[45/2002]

Finger impressions of prisoners and banishees

11.—(1) The officer in charge of any prison shall cause the finger impressions and photograph of every prisoner convicted of a crime or ordered to be banished, expelled or deported to be taken as soon as possible, and shall attach a description of the prisoner, including his sex, age or apparent age, bodily appearance, height and any distinctive

marks appearing on the person, together with the name or names by which the prisoner is or is believed to have been known, and any other available information as to the personal identity of the prisoner, and also particulars of the crime of which the prisoner has been convicted or of the order of banishment, expulsion or deportation made against him.

(2) Such officer shall forthwith record in his own office one copy of such photograph, finger impressions and description, and shall forward to the Registrar —

- (a) in the case of a prisoner convicted of a crime, one copy of those finger impressions and description and, if required by the Registrar, one copy of the photograph;
- (b) in the case of a prisoner ordered to be banished, expelled or deported, 3 copies, or such greater number of copies as the Registrar may require, of the photograph, finger impressions and description.

(3) Every copy of a photograph, finger impressions or description recorded or forwarded under subsection (2) shall be authenticated with the signature of the officer recording or forwarding the same.

(4) This section shall not apply in the case of any prisoner in respect of whom the Commissioner of Police may have given any general or particular direction under section 7.

Particulars of removal of banishee

12.—(1) When a person is removed from Singapore or from any part thereof in execution of an order of banishment, expulsion or deportation, the police officer responsible for the execution of the order shall —

- (a) take or cause to be taken on the warrant of execution (if any) or on the order of banishment, expulsion or deportation, if no warrant of execution thereof has been issued, a thumb impression of the person being removed;
- (b) endorse on the warrant of execution (if any) or on the order of banishment, expulsion or deportation if no warrant of

execution thereof has been issued, particulars of the date, place and manner of removal;

- (c) authenticate the endorsement with his signature; and
- (d) return forthwith to the Minister the order of banishment, expulsion or deportation and the warrant of execution thereof (if any) duly endorsed and authenticated as aforesaid.

(2) The Minister shall cause every such order and warrant which is returned to him as aforesaid to be forwarded as soon as possible to the Registrar.

Duty to submit to taking of photographs and finger impressions

13.—(1) It shall be the duty of every person under arrest who is accused of a crime and every person who is convicted of a crime or ordered to be banished, expelled or deported —

- (a) to submit to the taking of his photograph and his finger impressions; and
- (b) to provide such registrable particulars and other particulars as may be required under this Act.

(2) Where a person to whom subsection (1) applies refuses, without reasonable excuse, to submit to the taking of his photograph or finger impressions or to provide any registrable particulars or other particulars when lawfully required by an authorised officer or by an officer in charge of a prison —

- (a) that person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding one month or to both; and
- (b) the authorised officer or officer in charge of the prison may, with such assistance as is required, use such force as is reasonably necessary for the purposes of taking the photograph or finger impressions of that person.

[45/2002]

PART IV
TAKING OF BODY SAMPLES

[45/2002]

Interpretation of this Part

13A.—(1) In this Part —

“appropriate consent” means —

- (a) in relation to a person who has attained the age of 16 years, the consent in writing of that person;
- (b) in relation to a person who has not attained the age of 16 years but has attained the age of 14 years, the consent in writing of both that person and of his parent or guardian; and
- (c) in relation to a person who has not attained the age of 14 years, the consent in writing of his parent or guardian,

given to the authorised officer in charge of the case after the person concerned or his parent or guardian (as the case may be) has been informed by the authorised officer of the purpose for which a body sample is required from such person and the manner by which such body sample is to be taken from him;

“authorised analyst” means a person appointed by the Commissioner of Police to be an analyst for the purposes of this Part;

“body sample” means —

- (a) a sample of blood;
- (b) a sample of head hair, including the roots thereof;
- (c) a swab taken from a person’s mouth; or
- (d) such other sample as may be prescribed under subsection (2);

“intimate sample” means any body sample that is obtained by means of any invasive procedure;

“registered medical practitioner” has the same meaning as in the Medical Registration Act (Cap. 174) and includes a dentist registered under the Dental Registration Act (Cap. 76);

“volunteer” means a person who voluntarily gives his consent under section 13D for the taking of a body sample from him.

(2) Subject to subsections (3) and (4), the Minister may prescribe additional types of body samples that may be taken under this Part.

(3) The additional types of body samples that may be prescribed under subsection (2) shall not include body samples to be obtained from —

- (a) the genital or anal area of a person’s body;
- (b) a person’s body orifice other than the mouth; or
- (c) the breasts of a woman.

(4) Where the Minister prescribes an intimate sample under subsection (2) as an additional type of body sample which may be taken under this Part, the provisions of section 13C (which requires consent for the taking of a sample of blood) shall apply in respect of the taking of such intimate sample in the same manner as they apply in respect of the taking of a sample of blood.

Body samples may be taken from arrested persons, convicted persons and prisoners

13B.—(1) Subject to the provisions of this Part, a body sample may be taken for forensic DNA analysis from any person who, on or after the date of commencement of the Registration of Criminals (Amendment) Act 2002 —

- (a) is arrested and accused of a crime;
- (b) is convicted of a crime; or
- (c) is serving his term of imprisonment in connection with a crime of which he has been convicted.

(2) A body sample may be taken from a person under subsection (1) in addition to any photograph or finger impression taken under Part III.

Consent for taking of blood sample

13C.—(1) No sample of blood shall be taken from a person who is arrested and accused of a crime unless the appropriate consent is given for the taking of the sample.

(2) If the appropriate consent required under subsection (1) for the taking of a sample of blood from a person is refused without good cause or cannot be obtained despite all reasonable efforts, that person may be taken before a Magistrate and the Magistrate may, if satisfied that there is reasonable cause to believe that the sample may confirm or disprove whether that person was involved in committing the crime, order that the person provide the sample required.

(3) Where it is shown that the appropriate consent required under subsection (1) for the taking of a sample of blood from a person was refused without good cause, the court, in determining —

- (a) whether to commit that person for trial in connection with the crime of which he is accused of committing;
- (b) whether there is a case to answer against that person; or
- (c) whether that person is guilty of the crime with which he has been charged,

may draw such inference from the refusal as it thinks proper and, based on such inference, may treat the refusal as corroboration or amounting to corroboration of any relevant evidence against that person.

Body samples given voluntarily

13D.—(1) Subject to subsections (2) and (3), any person who —

- (a) was present at the scene of a crime when it was committed; or
- (b) is being questioned in connection with the investigation of a crime,

may voluntarily consent to a body sample being taken from him for forensic DNA analysis.

(2) No body sample shall be taken from a volunteer under subsection (1) unless the appropriate consent is given for the taking of the sample.

(3) Notwithstanding subsection (2), if the consent of the parent or guardian of a volunteer who is below the age of 16 years is refused without good cause or cannot be obtained despite all reasonable efforts but the volunteer is still willing to give the body sample, the body sample may be taken from the volunteer with the sanction of a Magistrate.

Taking and analysis body samples

13E.—(1) For the purpose of this Part, a body sample may only be taken by —

- (a) a registered medical practitioner;
- (b) an authorised officer who has received training for the purpose; or
- (c) any other suitably qualified or trained person who is authorised by the Commissioner of Police for the purpose.

(2) Before taking any body sample under this Part, the person authorised under subsection (1) to take the sample must satisfy himself that the taking of the sample does not endanger the person from whom it is to be taken.

(3) The fact that a body sample has been taken under this Part shall be recorded by the person who took the sample in such form or manner as may be required by the Commissioner of Police.

(4) Every body sample taken under this Part shall be sent to an authorised analyst for forensic DNA analysis.

(5) Where a person from whom a body sample is lawfully required under this Part refuses, without reasonable excuse, to give the sample or to allow the sample to be taken from him, or otherwise hinders or obstructs the taking of the sample from him —

- (a) that person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding one month or to both; and

- (b) the person authorised under subsection (1) to take the sample may, with such assistance as is required, use such force as is reasonably necessary for the purposes of taking the sample.

DNA database

13F.—(1) The Registrar shall maintain (whether in computerised form or otherwise) a DNA database in which shall be stored all DNA information derived from a body sample taken from a person under this Part.

(2) Any information stored in the DNA database may be used for any of the following purposes:

- (a) for forensic comparison with any other DNA information in the course of an investigation of an offence conducted by a police officer;
- (aa) for comparison with DNA information in the DNA database established under —
- (i) section 27C of the Criminal Law (Temporary Provisions) Act (Cap. 67);
 - (ii) section 26D of the Intoxicating Substances Act (Cap. 146A); or
 - (iii) section 40D of the Misuse of Drugs Act (Cap. 185);
[2/2006]
- (b) for any proceedings for any offence;
- (c) for administering the DNA database for the purposes of this Part; and
- (d) for such other purposes as may be prescribed.

Removal of DNA information from register upon acquittal or discharge, etc.

13G. Where any body sample has been taken under section 13B(1)(a) from a person who is under arrest and accused of a crime, or under section 13D from a volunteer, and —

- (a) investigations reveal that he was not involved in the commission of any crime or, in the case of a volunteer, he is not suspected of committing any crime;
- (b) it is decided that he shall not be charged with any crime and he has neither admitted to, nor been dealt with by way of being cautioned by any police officer in respect of any crime;
- (c) the charge or all the charges against him in respect of any crime or crimes (as the case may be) is or are withdrawn;
- (d) he is discharged by a court before conviction of the crime or of all the crimes (as the case may be) with which he has been charged;
- (e) he is acquitted of the crime or of all the crimes (as the case may be) with which he has been charged, at trial or on appeal; or
- (f) he is subsequently convicted of the crime but the Commissioner of Police directs under section 7 that he need not be registered under Part II,

the authorised officer in charge of the case shall immediately inform the Registrar of the occurrence of the relevant event and the Registrar shall immediately remove the DNA information of that person from the DNA database.

PART V

MISCELLANEOUS

[45/2002]

Removal of registrable particulars, etc., of person upon death or attainment of 100 years of age

13H. The Registrar shall remove from the register and from the DNA database the registrable particulars and DNA information of any person —

- (a) whose death has been registered under the Registration of Births and Deaths Act (Cap. 267); or
- (b) who, the Registrar is satisfied, has attained 100 years of age.

Evidence

14.—(1) Subject to subsection (2) —

- (a) any photograph, finger impression or registrable particulars recorded in the register;
- (b) any record from the DNA database;
- (c) any certificate or report purporting to have been compiled from particulars recorded in the register or DNA database under the provisions of this Act; and
- (d) any document purporting to be a report upon any matter or thing relating to finger impressions or DNA information duly submitted to the Registrar for report,

shall, if duly produced from proper custody and authenticated by the signature of the Registrar, be admissible in evidence in any court, and shall be sufficient proof of the facts thereon stated or appearing unless the same is disproved.

(2) Notwithstanding subsection (1), in any trial at which any of the matters referred to in subsection (1) is tendered in evidence, the court or the accused may require that the Registrar shall be called as a witness.

(3) Where the accused requires the Registrar to be called as a witness, the accused shall give notice to the Public Prosecutor not less than 3 clear days before the commencement of the trial.

[45/2002]

Rules

14A.—(1) The Minister may make rules for carrying out the purposes of this Act and for any matter which is required under this Act to be prescribed.

(2) All rules made under this Act shall be presented to Parliament as soon as possible after publication in the *Gazette*.

Power to vary Schedules

15. The Minister may by order delete any provision from, or add to or vary the provisions of, the Schedules.

Saving

16. The Registrar shall have the custody of all records of criminals and particulars which would be registrable particulars under this Act held immediately before the commencement of this Act by any Registrar of Criminals in Singapore, and such records and particulars whether taken, received or registered in accordance with the provisions of any written law for the time being in force or not, shall be deemed to have been duly taken or received and, when registered, shall, for all purposes of this Act, be deemed to be comprised in and form part of the register maintained under this Act.

FIRST SCHEDULE

Section 2.

REGISTRABLE CRIMES

PART I

OFFENCES UNDER THE PENAL CODE INCLUDED BEFORE 1ST FEBRUARY 2008

<i>Chapters and Sections</i>	...	<i>Offences</i>
Chapter VI, the whole	...	Against the state.
Sections 131-136	...	Relating to the armed forces.
Section 226	...	Unlawful return from banishment.
Chapter XII, the whole	...	Relating to coins and stamps.
Sections 302, 304-308	...	Affecting life.
Sections 312-318	...	Relating to birth.
Sections 363-373A	...	Kidnapping, slavery.
Sections 376-377A	...	Rape, unnatural offences, outrages on decency.
Sections 379-424	...	Theft, cheating, etc.
Sections 429-433, 435-440	...	Mischief.
Sections 447-462	...	Trespass, house-breaking, etc.
Sections 465-477A	...	Forgery.
Sections 489A-489D	...	Relating to currency notes and bank notes.

FIRST SCHEDULE — *continued*

<i>Chapters and Sections</i>	<i>Offences</i>
Chapters V and VA and section 511 ...	Abetment of, conspiracy to commit and attempt to commit any of the above.

PART IA

OFFENCES UNDER THE PENAL CODE INCLUDED WITH EFFECT FROM
1ST FEBRUARY 2008

<i>Chapters and Sections</i>	<i>Offences</i>
Section 130E ...	Genocide.
Section 241A ...	Delivery to another of current coin as genuine, which when first possessed the deliverer did not know to be counterfeit.
Section 254A ...	Delivery to another of current coin as genuine, which when first possessed the deliverer did not know to be altered.
Section 363A ...	Abduction.
Section 364A ...	Kidnapping or abducting in order to compel the Government, etc.
Section 375 ...	Rape (as re-enacted with effect from 1st February 2008 by the Penal Code (Amendment) Act 2007).
Section 376 ...	Sexual assault by penetration.
Section 376A ...	Sexual penetration of minor under 16.
Section 376B ...	Commercial sex with minor under 18.
Section 376C ...	Commercial sex with minor under 18 outside Singapore.
Section 376D ...	Tour outside Singapore for commercial sex with minor under 18.
Section 376E ...	Sexual grooming of minor under 16.
Section 376F ...	Procurement of sexual activity with person with mental disability.

FIRST SCHEDULE — *continued*

Section 376G	...	Incest (as re-enacted with effect from 1st February 2008 by the Penal Code (Amendment) Act 2007).
Section 377	...	Sexual penetration of corpse.
Section 377B(4)	...	Causing another person to sexually penetrate a living animal or be sexually penetrated by a living animal.
Section 473A	...	Making or possessing equipment for making a false instrument.
Section 473B	...	Making or possessing equipment for making a false instrument with intent to induce prejudice.
Chapters V and section 511	VA and ...	Abetment of, conspiracy to commit and attempt to commit any of the above.

PART II

OFFENCES UNDER OTHER LAWS

Armed Offences Act	...	Sections 3 to 8.	Cap. 14
Banishment Act	...	Section 14.	Cap. 18
Bankruptcy Act 1995	...	The whole of Part X.	
			<i>Subst. by Act 15/95</i>
Broadcasting and Television Act	...	Section 5.	Cap. 28
Casino Control Act	...	Sections 105(3)(b), 125, 136, 171, 172, 173, 174, 175, 177 and 190.	Cap. 33A
Chit Funds Act	...	Sections 4, 18 and 20.	Cap. 39
Common Gaming Houses Act	...	Sections 4, 5, 6, 8(3) and 8(4).	Cap. 49
Companies Act	...	Sections 158(9), 338, 401(2), 402, 404 and 406.	Cap. 50

FIRST SCHEDULE — *continued*

Constitution of the Republic of Singapore.	... Third	Schedule, Vol. 1 section 10(1)(a).	
Corrosive and Explosive Substances and Offensive Weapons Act	... The whole.		Cap. 65
Criminal Law (Temporary Provisions) Act	... The whole.		Cap. 67
Criminal Procedure Code	... Sections 15, 71 to 75 and 87.		Cap. 68
Criminal Procedure Code 2010	... Sections 41 to 45, 54 and 311.		
Customs Act	... The whole, except section 136(1).		Cap. 70
Employment Act	... Section 113.		Cap. 91
Explosive Substances Act	... The whole.		<i>Cap. 100.</i>
Foreign Recruiting Act	... Section 5.		Cap. 112
Hire-Purchase Act	... Section 37.		Cap. 125
Hostage-Taking Act 2010	... Section 3		Act 19 of 2010.
Hotels Act	... Section 17.		Cap. 127
House to House and Street Collections Act	... Sections 3(2), 3(3), 6, 7 and 8.		Cap. 128
Insurance Act	... Section 55.		Cap. 142
Internal Security Act	... The whole.		Cap. 143
Kidnapping Act	... Sections 3, 4 and 5.		Cap. 151
Land Titles Act	... Sections 20(4) and 153(1).		Cap. 157
Mental Disorders and Treatment Act	... Section 58.		Cap. 178
Merchant Shipping Act	... Sections 30, 48, 55, 97, 118, 124, 141(3), 157, 167, 213, 232 and 259.		Cap. 179

FIRST SCHEDULE — *continued*

Miscellaneous Offences (Public Order and Nuisance) Act	...	Sections 22, 25, 30, 31, 36, 36A, 37(1) and 37(5).	Cap. 184
Misuse of Drugs Act	...	Part II, sections 31(2), 33(3) and 33A.	Cap. 185
Moneylenders Act	...	Sections 8 and 32.	Cap. 188 of the 1985 Revised Edition
Moneylenders Act 2008	...	Sections 14, 27 and 28.	
Motor Vehicles (Third-Party Risks and Compensation) Act	...	Section 21.	Cap. 189
National Registration Act	...	The whole.	Cap. 201
Newspaper and Printing Presses Act	...	Sections 7, 11, 14, 20(1), 20(2) and 22.	Cap. 206
Official Secrets Act	...	The whole.	Cap. 213
Preservation of the Peace Act	...	Section 3(2).	Cap. 240
Prevention of Corruption Act	...	The whole.	Cap. 241
Prevention of Crimes Act	...	Sections 2, 4 and 5.	Cap. 242
Protected Areas and Protected Places Act	...	The whole.	Cap. 256
Public Order Act 2009	...	Sections 24(4), 25(3), 26(3), 27(3), 28(2), 31(2) and 32.	Act 15 of 2009
Public Order (Preservation) Act	...	The whole.	Cap. 258
Public Trustee Act	...	Section 22(10).	Cap. 260
Railways Act	...	Sections 86 and 87.	Cap. 263
Registration of Deeds Act	...	Sections 26 and 27.	Cap. 269
Road Traffic Act	...	Sections 66(1) and 96(1).	Cap. 276
Secondhand Dealers Act	...	Section 10(3).	Cap. 288 of the 1985 Revised Edition

FIRST SCHEDULE — *continued*

Secondhand Goods Dealers ... Act 2007	Section 10(6).	Cap. 288
Sedition Act	... Section 4.	Cap. 290
Societies Act	... Sections 14, 15, 23 and 29(4).	Cap. 311
Telecommunication Authority ... of Singapore Act	Sections 62, 70 to 74, 78, 79 and 83.	Cap. 323
Trade Disputes Act	... Sections 5, 6, 7, 8, 9 and 11.	Cap. 331
Undesirable Publications Act	... Sections 4 and 5.	Cap. 338
Vandalism Act	... Section 3.	Cap. 341
Women's Charter	... Sections 35 to 40 and the whole of Part X.	Cap. 353

*[S 667/2012; S 9/1987 wef 15/01/1987; 10/1989 wef
09/06/1989; 15/1995 wef 15/07/1995; 4/2007; 31/2008; S
548/2009; S 548/2009]*

SECOND SCHEDULE

Sections 2 and 7.

REGISTRABLE CRIMES IN RESPECT OF WHICH REGISTRATION MAY
BE DISPENSED WITH UNDER SECTION 7

PART I

OFFENCES UNDER THE PENAL CODE INCLUDED BEFORE 1ST
FEBRUARY 2008

<i>Chapters and Sections</i>	<i>Offences</i>
Sections 143-150, 152-158	... Unlawful assembly, rioting, etc.
Section 151A	... Posting placards, etc.
Sections 161, 162, 164 and 165	... Illegal gratification.
Sections 167, 169 and 170	... Relating to public servants.
Sections 177, 181 and 189	... False information, etc.
Sections 193-201	... False evidence.
Sections 203-222	... Screening offenders, etc.

SECOND SCHEDULE — *continued*

<i>Chapters and Sections</i>	<i>Offences</i>
Sections 224, 225, 225A, 227 and ... 229	Escapes, etc.
Sections 270, 281 and 295 ...	Public safety, religion.
Sections 324-333, 335-338 ...	Causing hurt.
Sections 343-348 ...	Wrongful confinement.
Sections 353-356 ...	Criminal force.
Sections 427-428 ...	Mischief.
Sections 493-496 and 498 ...	Offences relating to marriage.
Sections 504-507 ...	Criminal intimidation.
Chapters V and VA and section 511 ...	Abetment of, conspiracy to commit and attempt to commit any of the above.

PART IA

OFFENCES UNDER THE PENAL CODE INCLUDED WITH EFFECT FROM
1ST FEBRUARY 2008

<i>Chapters and Sections</i>	<i>Offences</i>
Section 204A ...	Obstructing, preventing, perverting or defeating course of justice.
Section 204B ...	Bribery of witnesses.
Section 298A ...	Promoting enmity between different groups on grounds of religion or race and doing acts prejudicial to maintenance of harmony.
Chapters V and VA and ... section 511	Abetment of, conspiracy to commit and attempt to commit any of the above.

PART II

OFFENCES UNDER OTHER LAWS

Arms and Explosives ... Act	Sections 5, 8, 19, 23 and Cap. 13 31(2).
Betting Act ...	Sections 3, 4 and 5. Cap. 21

SECOND SCHEDULE — *continued*

Common Houses Act Gaming ... Sections 7 and 8(2). Cap. 49

Dangerous Act Fireworks ... Section 5. Cap. 72

Cap. 91A of Foreign Act Employment of Manpower ... Sections 5(6) and 22(1)(c), (d), (e) and (f).

Section 20 in respect of any officer of a body corporate, or other person in such capacity, guilty of any of the above offences.

Section 23 in respect of any person who abets the commission of any of the above offences.

Immigration Act ... Sections 5, 6, 8(5), 9(4), 19, 26, 36 and 57. Cap. 133

Trade Marks Act 1998 ... Sections 46, 48 and 52.

[46/98 wef 15/01/99; S 374/2007; 17/80]

THIRD SCHEDULE

Section 7C(a)

OFFENCES FOR WHICH CRIMINAL RECORD CANNOT BE SPENT

PART I

OFFENCES UNDER THE PENAL CODE INCLUDED BEFORE 1ST FEBRUARY 2008

<i>Offences</i>	<i>Section</i>
Rioting	... Section 147 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Rioting, armed with a deadly weapon	... Section 148 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed.,

THIRD SCHEDULE — *continued*

		Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Culpable homicide not amounting to murder	...	Section 304 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Attempt to murder	...	Section 307 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Voluntarily causing grievous hurt	...	Section 325 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Voluntarily causing grievous hurt by dangerous weapons or means	...	Section 326 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Outraging of modesty	...	Section 354 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Outraging modesty in certain circumstances	...	Section 354A (Cap. 224 of the 1985 Ed. and Cap. 103 of the 1970 Ed. <i>vide</i> Act 23 of 1984).
Kidnapping	...	Section 363 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Kidnapping or abducting in order to murder	...	Section 364 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Rape	...	Section 376 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871) (repealed with effect from 1st February 2008 by the Penal Code (Amendment) Act 2007).

THIRD SCHEDULE — *continued*

Incest committed by men ...	Section 376B (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed. and Cap. 20 of the 1936 Ed. vide Ordinance 11 of 1939) (repealed with effect from 1st February 2008 by the Penal Code (Amendment) Act 2007).
Incest committed by women ...	Section 376C (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed. and Cap. 20 of the 1936 Ed. vide Ordinance 11 of 1939) (repealed with effect from 1st February 2008 by the Penal Code (Amendment) Act 2007).
Unnatural offences ...	Section 377 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871) (repealed with effect from 1st February 2008 by the Penal Code (Amendment) Act 2007).
Gang-robbery ...	Section 395 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Belonging to gang-robbers ...	Section 400 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871).
Escaping or attempting to escape from any custody in which he is lawfully detained for an offence of which he has been charged or convicted ...	Section 224 (Cap. 224 of the 1985 Ed., Cap. 103 of the 1970 Ed., Cap. 119 of the 1955 Ed., Cap. 20 of the 1936 Ed. and Ordinance 4 of 1871) in relation to such escape or attempt to escape.

PART IA

OFFENCES UNDER THE PENAL CODE INCLUDED WITH EFFECT FROM
1ST FEBRUARY 2008*Offences**Section*

THIRD SCHEDULE — *continued*

Genocide	...	Section 130E (Cap. 224 of the 1985 Ed.).
Abduction	...	Section 363A (Cap. 224 of the 1985 Ed.).
Kidnapping or abducting in order to compel the Government, etc.	...	Section 364A (Cap. 224 of the 1985 Ed.).
Rape	...	Section 375 (Cap. 224 of the 1985 Ed.) (as re-enacted with effect from 1st February 2008 by the Penal Code (Amendment) Act 2007).
Sexual assault by penetration	...	Section 376 (Cap. 224 of the 1985 Ed.).
Sexual penetration of minor under 16	...	Section 376A (Cap. 224 of the 1985 Ed.).
Procurement of sexual activity with person with mental disability, where the sexual activity involves sexual penetration	...	Section 376F(3) (Cap. 224 of the 1985 Ed.).
Incest	...	Section 376G (Cap. 224 of the 1985 Ed.) (as re-enacted with effect from 1st February 2008 by the Penal Code (Amendment) Act 2007).
Causing another person to sexually penetrate a corpse	...	Section 377(4) (Cap. 224 of the 1985 Ed.).
Causing another person to sexually penetrate a living animal or be sexually penetrated by a living animal	...	Section 377B(4) (Cap. 224 of the 1985 Ed.).

PART II

OFFENCES UNDER OTHER LAWS

Misuse of Drugs Act	...	Trafficking in controlled drugs – Section 5 (Cap. 185 of the 2001 Ed., 1998 Ed., 1997 Ed. and 1985 Ed.), Section 3 (Act 5 of 1973).
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THIRD SCHEDULE — *continued*

Hostage-Taking Act Hostage-taking — Section 3.
2010
(Act 19 of 2010)

[S 674/2010; S 32/2008]

LEGISLATIVE HISTORY
REGISTRATION OF CRIMINALS ACT
(CHAPTER 268)

This Legislative History is provided for the convenience of users of the Registration of Criminals Act. It is not part of this Act.

1. Act 20 of 1949 — Registration of Criminals Act 1949

Date of First, Second and Third Readings : Date not available.

Date of commencement : 29 June 1949

2. 1949 Revised Edition — Registration of Criminals Act

Date of operation : 29 June 1949

3. Act 2 of 1953 — Short title unknown

Date of First, Second and Third Readings : Date not available.

Date of commencement : Date not available

4. Act 12 of 1954 — Short title unknown

Date of First, Second and Third Readings : Date not available.

Date of commencement : Date not available

5. G. N. No. S 6/1956

Date of commencement : Date not available

6. Act 54 of 1959 — Short title unknown

Date of First, Second and Third Readings : Date not available.

Date of commencement : Date not available

7. G. N. No. S 177/1959

Date of commencement : Date not available

8. G. N. No. S 178/1959

Date of commencement : Date not available

9. G. N. No. S 179/1959

Date of commencement : Date not available

10. G. N. No. S 188/1961

Date of commencement : Date not available

11. G. N. No. S 114/1962

Date of commencement : Date not available

12. G. N. No. S 206/1966

Date of commencement : Date not available

13. Act 14 of 1969 — Short title unknown

Date of First, Second and Third Readings : Date not available.

Date of commencement : Date not available

14. 1970 Revised Edition (Cap. 119) — Registration of Criminals Act 1970

Date of operation : 1 January 1970

15. Act 17 of 1980 — Short title unknown

Date of First, Second and Third Readings : Date not available.

Date of commencement : Date not available

16. 1985 Revised Edition — Registration of Criminals Act

Date of operation : 1 January 1985

17. G. N. No. S 9/1987

Date of commencement : Date not available

18. Act 10 of 1989 — Minor Offences (Amendment) Act 1989

Date of First Reading : 19 January 1989
(Bill No. 16/1989 published on 9 June 1989)

Date of Second and Third Readings : 16 February 1989

Date of commencement : 9 June 1989

19. G. N. No. S 337/1987

Date of commencement : 25 March 1992

20. Act 15 of 1995 — Bankruptcy Act 1995

Date of First Reading : 25 July 1994
(Bill No. 16/1994 published on 21 April 1995)

- Date of Second and Third Readings : 23 March 1995
- Date of commencement : 15 July 1995
- 21. Act 7 of 1997 — Statutes (Miscellaneous Amendments) Act 1997**
- Date of First Reading : 11 July 1997
(Bill No. 6/1997 published on
12 September 1997)
- Date of Second and Third Readings : 25 August 1997
- Dates of commencement : 1 October 1997
1 September 1998
- 22. Act 20 of 1998 — Misuse of Drugs (Amendment) Act 1998**
- Date of First Reading : 20 April 1998
(Bill No. 17/1998 published on
17 July 1998)
- Date of Second and Third Readings : 1 June 1998
- Date of commencement : 20 July 1998
- 23. Act 46 of 1998 — Trade Marks Act 1998**
- Date of First Reading : 12 October 1998
- Date of Second and Third Readings : 26 November 1998
- Date of commencement : 15 January 1999
- 24. Act 72 of 1959 — Reciprocal Enforcement of Foreign Judgments Act 1959**
- Date of First, Second and Third Readings : Date not available.
- Date of commencement : 31 July 2001
- 25. Act 45 of 2002 — Registration of Criminals (Amendment) Act 2002**
- Date of First Reading : 31 October 2002
(Bill No. 43/2002 published on
27 December 2002)
- Date of Second and Third Readings : 5 December 2002
- Date of commencement : 13 February 2003
- 26. Act 4 of 2003 — Customs (Amendment) Act 2003**
- Date of First Reading : 10 March 2003
(Bill No. 6/2003 published on
4 April 2003)

- Date of Second and Third Readings : 21 March 2003
Date of commencement : 1 April 2003
- 27. Act 20 of 2005 — Registration of Criminals (Amendment) Act 2005**
- Date of First Reading : 18 April 2005
(Bill No. 10/2005 published on 17 June 2005)
- Date of Second and Third Readings : 16 May 2005
Date of commencement : 17 October 2005
- 28. Act 2 of 2006 — Misuse of Drugs (Amendment) Act 2006**
- Date of First Reading : 21 November 2005
(Bill No. 40/2005 published on 24 February 2006)
- Date of Second and Third Readings : 16 January 2006
Date of commencement : 1 March 2006
- 29. G. N. No. S 374/2007 — Registration of Criminals Act (Amendment of Second Schedule) Order 2007**
- Date of commencement : 1 July 2007
- 30. Act 4 of 2007 — Secondhand Goods Dealers Act 2007**
- Date of First Reading : 8 November 2006
(Bill No. 16/2006 published on 18 May 2007)
- Date of Second and Third Readings : 22 January 2007
Date of commencement : 1 December 2007
- 31. Act 22 of 2007 — Dentists (Amendment) Act 2007**
- Date of First Reading : 27 February 2007
(Bill No. 9/2007 published on 11 May 2007)
- Date of Second and Third Readings : 12 April 2007
Date of commencement : 1 January 2008
- 32. G. N. No. S 32/2008 — Registration of Criminals Act (Amendment of First, Second and Third Schedules) Order 2008**
- Date of commencement : 1 February 2008

33. Act 31 of 2008 — Moneylenders Act 2008

Date of First Reading : 20 October 2008
 Date of Second and Third Readings : 18 November 2008
 Date of commencement : 1 March 2009

34. G. N. No. S 548/2009 — Registration of Criminals Act (Amendment of First Schedule) Order 2009

Date of commencement : 5 November 2009

35. G. N. No. S 674/2010

Date of commencement : 21 November 2010

36. Act 15 of 2010 — Criminal Procedure Code 2010

Date of First Reading : 26 April 2010
 (Bill No. 11/2010)
 Date of Second Reading : Date not available.
 Date of Third Reading : 31 December 9999
 Date of commencement : 2 January 2011

37. G.N. No. S 667/2012 — Registration of Criminals Act (Amendment of First Schedule) Order 2012

Date of commencement : 1 January 2013