



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

Published by Authority

NO. 31]

FRIDAY, NOVEMBER 19

[2021

First published in the *Government Gazette*, Electronic Edition, on 18 November 2021 at 5 pm.

The following Act was passed by Parliament on 3 November 2021 and assented to by the President on 16 November 2021:—

REPUBLIC OF SINGAPORE

No. 32 of 2021.

I assent.



HALIMAH YACOB,
President.
16 November 2021.

An Act to amend the Constitution of the Republic of Singapore.

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

Short title and commencement

1. This Act is the Constitution of the Republic of Singapore (Amendment) Act 2021 and comes into operation on a date that the President appoints by notification in the *Gazette*.

Amendment of Article 2

2. Article 2(1) of the Constitution of the Republic of Singapore (called in this Act the Constitution) is amended by inserting, immediately after the definition of “high judicial office”, the following definition:

““Judicial Service Commission” means the Judicial Service Commission constituted under this Constitution;”.

Amendment of Article 22

3. Article 22(1) of the Constitution is amended by deleting paragraph (fa) and substituting the following paragraphs:

“(fa) a member of the Judicial Service Commission (other than the President and the Vice-President of that Commission) and a member of a personnel board established under Article 111I;

(fb) a member of the Legal Service Commission (other than the President and the Vice-President of that Commission) and a member of a personnel board established under Article 111Q;”.

Repeal and re-enactment of Article 96

4. Article 96 of the Constitution is repealed and the following Article substituted therefor:

“Qualifications of Supreme Court Judges

96. A person is qualified for appointment as a Supreme Court Judge if the person has for an aggregate period of 10 or more years been one or more of the following:

(a) a qualified person within the meaning of section 2 of the Legal Profession Act;

- (b) an officer in the Singapore Judicial Service;
- (c) an officer in the Singapore Legal Service.”.

New Chapter 1 heading of Part IX

5. The Constitution is amended by inserting, immediately above Article 102, the following Chapter heading:

“Chapter 1 — General provisions”.

Amendment of Article 102

6. Article 102 of the Constitution is amended —

- (a) by inserting, immediately after paragraph (b) of clause (1), the following paragraph:

“(ba) the Singapore Judicial Service;”; and

- (b) by deleting clause (2).

Repeal and re-enactment of Article 103

7. Article 103 of the Constitution is repealed and the following Article substituted therefor:

“Interpretation of this Part

103.—(1) Subject to clause (2), in this Part, unless the context otherwise requires —

“appointed member” means —

- (a) in Chapter 3 — a member of the Judicial Service Commission appointed under Article 111B(2)(c); and
- (b) in Chapter 4 — a member of the Legal Service Commission appointed under Article 111J(2)(c);

“award” means any pension, gratuity or other similar allowance;

“Commission” means —

- (a) in Chapter 2 — the Public Service Commission;

(b) in Chapter 3 — the Judicial Service Commission;

(c) in Chapter 4 — the Legal Service Commission; and

(d) in Chapter 5 — the Public Service Commission, the Judicial Service Commission or the Legal Service Commission;

“public office” does not include the following offices, and “public officer” has a corresponding meaning:

(a) any high judicial office;

(b) the office of Attorney-General or Deputy Attorney-General;

(c) the office of member of the Public Service Commission, the Judicial Service Commission or the Legal Service Commission;

(d) the office of any police officer below the rank of Inspector;

(e) any office the remuneration of the holder of which is calculated on a daily rate;

“public service” does not include service otherwise than in a civil capacity.

(2) The definitions of “public office”, “public officer” and “public service” in clause (1) do not apply for the purposes of Articles 112, 114 and 115.”.

Amendment of Article 104

8. Article 104 of the Constitution is amended —

(a) by renumbering the Article as clause (1) of that Article, and by inserting immediately thereafter the following clauses:

“(2) Except as otherwise expressly provided by this Constitution, the qualifications for appointments and conditions of service of persons in the public services

may be regulated by law and, subject to the provisions of any such law, by the President.

(3) The promotion of public officers is to be based on official qualifications, experience and merit.

(4) A public officer must not be dismissed or reduced in rank under this Part without being given a reasonable opportunity to be heard.

(5) Subject to Article 110D, an officer in any of the services mentioned in Article 102(1)(b), (ba), (c) and (d) must not be dismissed or reduced in rank by an authority subordinate to that which, at the time of the dismissal or reduction, has power to appoint an officer of that service of equal rank.”; and

(b) by deleting the Article heading and substituting the following Article heading:

“Provisions about public service”.

New Chapter 2 heading of Part IX

9. The Constitution is amended by inserting, immediately above Article 105, the following Chapter heading:

“Chapter 2 — The Public Service Commission”.

Amendment of Article 108

10. Article 108(2) of the Constitution is amended by deleting the words “prescribed by the President” in paragraph (b) and substituting the words “determined by the President”.

Amendment of Article 110

11. Article 110 of the Constitution is amended —

(a) by inserting, immediately after the words “public officers” in clause (1), the words “(but not officers in the Singapore Judicial Service or the Singapore Legal Service)”;

(b) by deleting clauses (2), (3) and (4); and