



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

Published by Authority

NO. 23]

FRIDAY, JUNE 7

[2019

First published in the *Government Gazette*, Electronic Edition, on 4 June 2019 at 5 pm.

The following Act was passed by Parliament on 6 May 2019 and assented to by the President on 27 May 2019:—

REPUBLIC OF SINGAPORE

No. 15 of 2019.

I assent.

HALIMAH YACOB,
President.
27 May 2019.



An Act to amend the Penal Code (Chapter 224 of the 2008 Revised Edition) and certain other Acts, to update the criminal offences, keep up with technological changes and emerging crime trends, enhance protection for minors and vulnerable victims, harmonise the criminal laws and update the sentencing framework.

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 Criminal Law Reform Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

PART 1**AMENDMENTS TO PENAL CODE****New sections 4A and 4B**

2. The Penal Code is amended by inserting, immediately after section 4, the following sections:

“Offences against State and genocide committed outside Singapore by citizen or permanent resident

4A. Every person who, being a citizen or permanent resident of Singapore, commits an act or omission outside Singapore that if committed in Singapore would constitute an offence under Chapter VI (Offences against the State) or VIB (Genocide), is deemed to have committed that act or omission in Singapore.

Punishment of specified offences with elements occurring in Singapore but others occurring outside Singapore

4B.—(1) A specified offence is deemed to have been committed in Singapore where —

- (a) a relevant act of the specified offence occurs in Singapore and any other relevant act of that specified offence occurs outside Singapore;
- (b) a relevant act of the specified offence occurs partly in Singapore and partly outside Singapore, whether or not other relevant acts of that specified offence occur in Singapore; or
- (c) the specified offence involved an intention to make a gain or cause a loss or exposure to a risk of loss or to cause harm to any person in body, mind, reputation or property, and that gain, loss or harm occurs in Singapore.

(2) In this section —

“relevant act”, in relation to a specified offence, means an act or omission (whether occurring wholly or partly in or outside Singapore) which is a physical element of the specified offence;

“specified offence” means an offence specified in the Schedule and includes an attempt to commit the offence, an abetment of the offence and a criminal conspiracy to commit the offence.

(3) The Minister may, by order in the *Gazette*, amend the Schedule.”.

Amendment of section 6

3. Section 6 of the Penal Code is amended —

(a) by deleting the words “Chapter entitled “General Exceptions” ” and substituting the words “Chapters entitled “General Exceptions” and “Right of Private Defence” ”; and

(b) by deleting the words “7 years” wherever they appear in *illustration (a)* and substituting in each case the words “10 years”.

New section 6A

4. The Penal Code is amended by inserting, immediately after section 6, the following section:

“Definitions to apply to this Code and other written law

6A. Every definition of a word or expression which is explained in sections 22A to 26H (except the definitions of “dishonestly” and “fraudulently” in sections 24 and 25, respectively) applies to any offence in this Code or in any other written law unless that written law expressly provides for a definition or explanation of that same word or expression.”.

Amendment of section 21**5. Section 21(1) of the Penal Code is amended —**

(a) by deleting paragraph (g) and substituting the following paragraph:

“(g) every officer of the Government and every officer or employee of a body corporate established by a public Act for the purposes of a public function whose duty, as such officer or employee, is any of the following:

- (i) maintaining law and order;
- (ii) preserving the public peace;
- (iii) preventing and detecting offences;
- (iv) apprehending offenders or otherwise bringing offenders to justice;
- (v) executing summonses, subpoenas, warrants, commitments and other legal processes issued by a court or Justice of the Peace;
- (vi) maintaining order in the premises of the courts of justice;
- (vii) escorting and guarding prisoners and accused persons in remand;
- (viii) protecting the public health or safety or prevention of public inconvenience;”;

(b) by deleting the full-stop at the end of paragraph (i) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

“(j) every person (other than a person mentioned in paragraph (g)) who is employed to carry out any of the duties, mentioned in paragraph (g)(i) to (vii), on

behalf of the Government or a body corporate established by a public Act for the purposes of a public function, when that person is performing such duties.”.

Repeal and re-enactment of section 22 and new section 22A

6. Section 22 of the Penal Code is repealed and the following sections substituted therefor:

““Property”

22. In this Code —

“immovable property” means land, benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth;

“movable property” includes property of every description, except immovable property;

“property” means money and all other property, movable or immovable, including things in action, other intangible or incorporeal property and virtual currency;

“virtual currency” means a digital representation of value in money or money’s worth that can be digitally traded and functions as a medium of exchange, a unit of account or store of value, regardless of whether it is legal tender in any country or territory including Singapore.

Illustration

Writings, relating to real or personal property or rights, are movable property.

“Fault element” and “physical element”

22A.—(1) A fault element of an offence refers to any state of mind, proof of which is needed to establish liability under that offence, including but not limited to intention, wilfulness, knowledge, rashness and negligence.