

**Immigration (Amendment) Act 2004
(No. 53 of 2004)**

Table of Contents

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 Amendment of section 6

4 New section 6A

5 Amendment of section 10

6 New section 11A

7 New section 18B

8 Amendment of section 23A

9 Amendment of section 24

10 Amendment of section 25

11 Amendment of section 25A

12 Amendment of section 28

13 Amendment of section 31A

14 New section 38A

15 Amendment of section 43

- 16 New section 47A**
- 17 Amendment of section 49**
- 18 Amendment of section 55**
- 19 Amendment of section 57**
- 20 Amendment of section 57A**
- 21 New section 57B**
- 22 New section 61A**
- 23 New Schedule**

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The following Act was passed by Parliament on 16th November 2004 and assented to by the President on 29th November 2004:—

IMMIGRATION (AMENDMENT) ACT 2004

(No. 53 of 2004)

I assent.

S R NATHAN,
President.
29th November 2004.

Date of Commencement: 15th January 2005

An Act to amend the Immigration Act (Chapter 133 of the 1997 Revised Edition).

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 may be cited as the Immigration (Amendment) Act 2004 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Immigration Act is amended —

(a) by inserting, immediately after the definition of “Controller”, the following definition:

“ “Controller of Work Permits” means the Controller of Work Permits appointed under section 3 of the Employment of Foreign Workers Act (Cap. 91A);”;

(b) by deleting the word “and” at the end of paragraph (c) of the definition of “entry”, and by inserting immediately thereafter the following paragraph:

“(ca) in the case of a child born in Singapore on or after the date of commencement of the Immigration (Amendment) Act 2004 who is not a citizen of Singapore, his birth in Singapore; and”;

(c) by deleting the words “enter and remain” in the definition of “pass” and substituting the words “remain, or enter and remain,”; and

(d) by inserting, immediately after the definition of “permit”, the following definition:

“ “personal identifier” means an image, a measurement or a recording of a person or any part of a person, or any particulars, information or record for the purpose of

identifying or authenticating the identity of a person, as specified in the Schedule;”.

Amendment of section 6

3. Section 6 of the Immigration Act is amended —

(a) by deleting the words “this section” in subsection (1)(d) and substituting the words “this subsection”;

(b) by deleting subsection (2) and substituting the following subsection:

“(2) Every person departing from Singapore, other than a citizen of Singapore or a person exempted from this subsection by an order made under section 56, shall complete an embarkation form and submit it together with his passport or other travel document for examination by an immigration officer at the time he leaves Singapore.”; and

(c) by deleting paragraph (b) of subsection (3) and substituting the following paragraph:

“(b) in the case of an offence under subsection (2), shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.”.

New section 6A

4. The Immigration Act is amended by inserting, immediately after section 6, the following section:

“Non-citizens born in Singapore

6A.—(1) A child who —

(a) is born in Singapore on or after the date of commencement of the Immigration (Amendment) Act 2004; and

(b) is not a citizen of Singapore at the time of his birth,

shall be deemed to be issued with a special pass authorising him to remain in Singapore.

(2) A special pass referred to in subsection (1) shall be valid for 42 days from the date of the birth of the child and may be extended for such period as the Controller thinks fit.

(3) An application to renew a special pass referred to in subsection (1) —

(a) shall be made —

- (i) in the case of a legitimate child, by the father or mother; or
- (ii) in the case of an illegitimate child, by the mother; and

(b) shall be in such form as the Controller may determine.

(4) Upon an application made under subsection (3), the Controller may extend the special pass or issue the child with such permit or other pass as the Controller thinks fit.

(5) The father or mother in the case of a legitimate child, or the mother in the case of an illegitimate child, shall ensure that the child referred to in subsection (1) does not remain in Singapore after the expiry of the special pass or, where a permit or pass has been issued to the child under subsection (4), the expiry of the permit or pass, as the case may be.

(6) Any person who contravenes subsection (5) shall be guilty of an offence.”.

Amendment of section 10

5. Section 10 of the Immigration Act is amended —

(a) by inserting, immediately after the words “remain in Singapore” in subsection (1), the words “after he had ceased to be a citizen of Singapore or”;

(b) by deleting subsection (3) and substituting the following subsections:

“(3) The Controller may, in his discretion —

(a) at the time of issuing an entry permit under subsection (2), impose any condition as he thinks fit; or

(b) at any time after the issue of an entry permit under subsection (2), vary or revoke any condition to which the entry permit is subject or impose any condition thereto.

(3A) For the avoidance of doubt, the power of the Controller to vary, revoke or impose any condition under subsection (3)(b) may be exercised whether or not he is entitled to cancel the entry permit under this Act.”;