

Prisons (Amendment) Bill

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Bill No: 5/2000

Read the first time: 17th January 2000

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Expenditure of Public Money

Prisons (Amendment) Bill

Bill No. 5/2000

Read the first time on 17th January 2000.

An Act to amend the Prisons Act (Chapter 247 of the 1985 Revised Edition) and to make related amendments to the Intoxicating Substances Act (Chapter 146A of the 1988 Revised Edition) and the Misuse of Drugs Act (Chapter 185 of the 1998 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.—(1) This Act may be cited as the Prisons (Amendment) Act 2000 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

Amendment of section 2

2. Section 2 of the Prisons Act is amended —

(a) by inserting, immediately before the definition of “Director”, the following definition:

““Corporation” means the Singapore Corporation of Rehabilitative Enterprises established under the Singapore Corporation of Rehabilitative Enterprises Act (Cap. 298);”;
and

(b) by deleting the definition of “prison officer” and substituting the following definition:

““prison officer” means any prison officer appointed under section 8 but does not include the Director or any Superintendent;”.

Repeal and re-enactment of section 7

3. Section 7 of the Prisons Act is repealed and the following section substituted therefor:

“Administration of prisons

7.—(1) Subject to the orders of the Director, the administration of each prison shall be vested in a Superintendent.

(2) If the Superintendent of a prison is temporarily absent or temporarily

incapacitated, the powers and duties of the Superintendent under the Act or any regulations made thereunder may, during the period of absence or incapacity, be exercised and performed by any prison officer appointed by the Director.”.

New Part IIA

4. The Prisons Act is amended by inserting, immediately after section 7, the following Part:

“PART IIA

COMMITTEE OF INQUIRY

Committee of inquiry

7A.—(1) Where it is expedient that the Minister, or such other person as the Minister may appoint to exercise the powers conferred upon the Minister by this Part, should be informed on any matter connected with the discipline, administration or functions of any prison or affecting any prisoner, the Minister or the person appointed by the Minister may convene a committee of inquiry.

(2) A committee of inquiry shall inquire into and report on the facts relating to any matter referred to it and, if directed by the Minister to do so, express its opinion on any question arising out of any such matter.

(3) In this Part, “Minister” includes the person appointed by the Minister under subsection (1) to act on his behalf for the purposes of this Part.

Composition of committee of inquiry

7B.—(1) A committee of inquiry shall consist of one or more persons who shall be appointed by the Minister.

(2) Where a committee of inquiry consists of more than one person, the Minister shall appoint one of the members to be the chairman.

(3) Where a committee of inquiry consists of one member only, he shall be vested with the powers of a chairman.

(4) Every member of a committee of inquiry appointed under this section shall be deemed to be a public servant within the meaning of the Penal Code (Cap. 224).

Powers of committee of inquiry

7C. A committee of inquiry may —

- (a) summon any person to give evidence on oath or on affirmation or to produce any document or material necessary for the purpose of the inquiry; and
- (b) visit any place in order to inquire into any matter which may arise in the course of the inquiry.

Disobedience to summons an offence

7D.—(1) A person who is summoned to give evidence before a committee of inquiry shall not, without lawful excuse, fail to appear in obedience to the summons.

(2) A person who is required by a committee of inquiry to produce any document or material for the purpose of the inquiry shall not, without lawful excuse, fail to produce the document or material.

(3) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and 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.

Refusal to give evidence an offence

7E.—(1) A person who appears before a committee of inquiry shall not, without lawful excuse, refuse to be sworn or to make an affirmation, or to produce any document or material, or to answer any question, which he is lawfully required to produce or answer.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and 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.

Giving of false evidence an offence

7F. Every person who wilfully gives false evidence when examined on oath or on affirmation before a committee of inquiry shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 7 years or to both.

Evidence and procedure

7G. Except as otherwise provided in this Act or any regulations made