

# **Minor Offences (Amendment) Bill**

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**Bill No: 16/1989**

***Read the first time: 19th January 1989***

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## **Minor Offences (Amendment) Bill**

**Bill No. 16/1989**

*Read the first time on 19th January 1989.*

An Act to amend the Minor Offences Act (Chapter 184 of the 1985 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 Minor Offences (Amendment) Act 1989 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### **Amendment of long title**

2. The long title of the Minor Offences Act (referred to in this Act as the principal Act) is amended by deleting the words “minor offences” and substituting the words “offences against public order, nuisance and property”.

### **Amendment of section 1**

3. Section 1 of the principal Act is amended by deleting the words “Minor Offences Act” and substituting the words “Miscellaneous Offences (Public Order and Nuisance) Act”.

### **Amendment of section 2**

4. Section 2 of the principal Act is amended by inserting, immediately after the definition of “in or near any public road”, the following definition:

“ “public place” means any place or premises to which at the material time the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission;”.

### **Amendment of section 4**

5. Section 4 of the principal Act is amended by inserting, immediately after the words “District Court”, the words “; and notwithstanding the provisions of any other written law, a Magistrate’s Court shall have the power to impose the maximum penalty prescribed for any such offence”.

### **Repeal and re-enactment of section 5**

6. Section 5 of the principal Act is repealed and the following section substituted therefor:

## **“Assemblies and processions**

**5.—**(1) The Minister may make rules —

- (a) regulating assemblies and processions in public roads, public places and places of public resort;
- (b) providing for the grant of permits for holding assemblies and processions in public roads, public places and places of public resort, and the fees to be charged therefor;
- (c) for keeping order and preventing obstruction or inconvenience in public roads, bridges, landing places, and all public places and places of public resort; and
- (d) prescribing the punishment by a fine not exceeding \$5,000 or imprisonment for a term not exceeding 3 months or both for any act or omission in contravention of the provisions of any such rules.

(2) The Minister may by order prohibit or restrict, subject to such conditions as may be specified in the order, the holding of any assembly or procession in any public road, public place or place of public resort specified in the order.

(3) A Deputy Commissioner of Police may, with the concurrence of the Minister, prohibit or restrict the holding of any assembly or procession in any specified public road, public place or place of public resort in any particular case where the Deputy Commissioner is satisfied that the holding of such assembly or procession may result in public disorder, damage to property or disruption to the life of the community.

(4) Any person who —

- (a) organises or assists in organising any assembly or procession in any public road, public place or place of public resort in contravention of any order under subsection (2) or any prohibition or restriction under subsection (3) 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 6 months or to both; or
- (b) participates in any assembly or procession in any public road, public place or place of public resort where he knows or ought reasonably to have known that the assembly or procession is held in contravention of an order under subsection (2) or any prohibition or restriction under subsection (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.”.

### **Amendment of section 6**

7. Section 6 of the principal Act is amended by deleting the words “authorised in writing by the Deputy Commissioner of Police” in the proviso.

### **Amendment of section 11**

8. Section 11(1)(b) of the principal Act is amended by deleting the words “, the use of which for bathing has been forbidden by the Deputy Commissioner of Police”.

### **Amendment of section 12**

9. Section 12 of the principal Act is amended —

- (a) by deleting the words “, or allows any pig to root in any public road, or on the side thereof, or in any State lands, or lands in the possession of any public institution” in paragraph (a); and
- (b) by deleting paragraph (a)(ii) and (iii).

### **Amendment of section 13**

10. Section 13 of the principal Act is amended by deleting paragraphs (g), (h) and (i).

### **New sections 13A and 13B**

11. The principal Act is amended by inserting, immediately after section 13, the following sections:

#### **“Excessive noise**

**13A.**—(1) Any person who makes any noise by any instrument or other means in such a manner as to cause or be likely to cause annoyance or inconvenience to the occupier of any premises in the vicinity or to any person lawfully using any public road or in any public place shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(2) Any police officer, on any complaint that any person in any premises is making such noise as to cause annoyance or inconvenience to the complainant, may enter upon the premises and, after warning the person reasonably suspected of making the noise, stop the making of such noise whether by the removal of any instrument or object or in some other appropriate manner.

#### **Relief for occupier of premises from nuisance**

**13B.**—(1) A Magistrate’s Court may act under this section on a complaint made by the occupier of any premises on the ground that as occupier of the