



REPUBLIC OF SINGAPORE

# GOVERNMENT GAZETTE

## ACTS SUPPLEMENT

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The following Act was passed by Parliament on 18th February 2014 and assented to by the President on 17th March 2014:—

### **PUBLIC ORDER (ADDITIONAL TEMPORARY MEASURES) ACT 2014**

**(No. 12 of 2014)**

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**REPUBLIC OF SINGAPORE**

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**No. 12 of 2014.**

I assent.

TONY TAN KENG YAM,

*President.*

*17th March 2014.*



An Act to make temporary provisions for the area within Singapore commonly known as Little India so as to continue to maintain public order in that area following the violence on 8th December 2013 in that area.

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 Public Order (Additional Temporary Measures) Act 2014.

(2) This Act shall continue in force until the end of 12 months after the date of its commencement.

**Interpretation**

2. In this Act, unless the context otherwise requires —

“alcohol” means —

- (a) a beverage containing more than 0.5% ethanol by mass or volume;
- (b) a mixture of ethanol and some other substance or liquid (including water) and containing more than 0.5% ethanol by mass or volume; or
- (c) any other beverage or substance or liquid that is prescribed by the regulations as alcohol;

“approved person”, in relation to any power under section 9, 10 or 11, means any auxiliary police officer approved by the Commissioner in writing to exercise such power under that provision at or in relation to the special zone specified in that approval;

“authorised officer”, in relation to any provision in this Act or the regulations, means any police officer authorised in that behalf by the Commissioner for the purposes of that provision;

“Commissioner” means the Commissioner of Police appointed under the Police Force Act (Cap. 235), and includes any police officer for the time being executing the duties of that office;

“entrant”, in relation to a special zone, means a person who is about to enter or is in the special zone;

“freeze period” means the period starting on the date of commencement of this Act and ending at the end of

12 months after that date (or such earlier date as the Minister may prescribe in substitution);

“licensed premises” means any premises that is the subject of and specified in a liquor licence;

“liquor licence” means a licence specified in section 74(1) of the Customs Act (Cap. 70) relating to any premises, and includes such a licence for a specified period of not more than 30 days;

“Liquors Licensing Board” means the Liquors Licensing Board constituted under section 70(1) of the Customs Act;

“permit” means a permit granted by the Commissioner under section 5(1), and includes a class permit that is the subject of a notification published in the *Gazette* under section 5(2);

“permit holder” includes a person to whom a class permit applies;

“place” includes any motor vehicle, train, vessel, aircraft or other conveyance;

“premises” means any house, building or structure, and any place (whether open to the air or enclosed);

“prohibited item” means —

(a) any weapon, substance or other thing the possession of which (for any purpose) would constitute an offence under the Arms and Explosives Act (Cap. 13), the Corrosive and Explosive Substances and Offensive Weapons Act (Cap. 65) or the Dangerous Fireworks Act (Cap. 72); or

(b) any other article, substance or thing that the Minister prescribes to be a prohibited item;

“public place” means —

(a) any place (whether open to the air or enclosed) to which members of the public have access as of right or by virtue of express or implied permission, whether or not on payment of a fee and whether or not access to the place may be restricted at particular times or for

particular purposes, whether or not it is an “approved place” within the meaning of the Public Entertainments and Meetings Act (Cap. 257); or

- (b) a part of a place that the occupier of the place allows members of the public to enter, but only while the place is ordinarily open to members of the public;

“special zone banning notice” means a banning notice under section 13;

“subject licence” means any one of the following licences granted or issued or held in respect of any premises in a special zone:

- (a) a licence under the Environmental Public Health Act (Cap. 95) for any of the following retail food establishments:
  - (i) an eating establishment, such as a restaurant;
  - (ii) a market-produce shop (including any premises used for the sale of fish or crustacean, or meat, fruit or vegetable); or
  - (iii) a supermarket;
- (b) a licence under the Environmental Public Health Act for a catering food establishment;
- (c) a hawker licence (whether or not itinerant) under the Environmental Public Health Act for the sale of any food;
- (d) a licence under the Environmental Public Health Act for a private market;
- (e) a registration of premises as a hotel under the Hotels Act (Cap. 127);
- (f) a licence for an approved place under the Public Entertainments and Meetings Act;
- (g) a licence for a food processing establishment or other food establishment under the Sale of Food Act (Cap. 283);

- (h) a licence for a processing establishment or cold store under the Wholesome Meat and Fish Act (Cap. 349A);
- (i) a licence, a permit, an approval or other similar document issued or granted under such written law as may be prescribed by the Minister;

“trading hours”, in relation to a liquor licence for any licensed premises, means the hours during which the sale of alcohol at those premises is permitted by or under the Customs Act.

### **Special zone**

3.—(1) In this Act, “special zone” means any part of Singapore which is more particularly described in the Schedule.

(2) Subject to subsections (3) and (4), the Minister may, by order published in the *Gazette*, amend the Schedule —

- (a) to declare an area as ceasing to be part of a special zone; or
- (b) to declare as part of a special zone, any additional area in Singapore that is adjacent to any area described in the Schedule.

(3) In deciding whether to make an order under subsection (2) with respect to any area, the Minister shall have regard —

- (a) to incidents of any crime in or near the area, whether or not these incidents are related to alcohol consumption;
- (b) to information about the consumption of alcohol in or near the area (including the amount and type of alcohol sold under each liquor licence in or near the area and the conditions of the liquor licence);
- (c) to any circumstances in the area that increases the likelihood of, or prejudices the prevention of or preparedness against, any riot or other civil disturbance in the area or prejudices the recovery by the community in the area from the riot that occurred on 8th December 2013 or other riot or civil disturbance in a special zone; or
- (d) to any other information the Minister considers relevant to maintaining public order in a special zone.

(4) The Minister may make an order under subsection (2) with respect to any additional area only if the Minister is satisfied —

- (a) that the declaration of the additional area as part of a special zone is needed for the well-being of the communities in or near the additional area concerned;
- (b) that violence (whether or not alcohol-related) has occurred in a public place in or in the vicinity of the additional area in Singapore and the exercise of powers under this Act is reasonably likely to be an effective way of preventing or reducing the occurrence of such violence in that additional area or a special zone; or
- (c) that it is otherwise in the public interest to make the declaration and the declaration is consistent with the objects of this Act.

(5) Once an order under subsection (2) is made, the Minister must, within 7 days after the publication of the order in the *Gazette* and before the date the order comes into force, cause to be published a notice of the making of the order, describing briefly the special zone in the order in such manner as will secure adequate publicity for the zone.

(6) However, failure to comply with subsection (5) in respect of any declaration shall not invalidate the declaration.

### **Prohibited activities in special zone**

4.—(1) Subject to subsection (3) and sections 6 and 7, an individual who consumes any alcohol in any public place within a special zone shall be guilty of an offence and —

- (a) shall be liable on conviction to a fine not exceeding \$1,000; and
- (b) where the person is a repeat offender, shall be liable on conviction to a fine of not less than \$1,000 but not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both.



(2) Subject to subsection (3) and sections 6 and 7, a person who sells or supplies any alcohol on any premises (whether or not licensed premises) in a special zone shall be guilty of an offence and —

(a) shall be liable on conviction to a fine not exceeding \$5,000; and

(b) where the person is a repeat offender, shall be liable on conviction to a fine of not less than \$5,000 but not exceeding \$10,000 or to imprisonment for a term not exceeding 3 months or to both.

(3) It shall be a defence to a prosecution for an offence under subsection (1) or (2) if the accused proves, on the balance of probabilities, that —

(a) the act constituting the offence occurred in an emergency and was necessary to preserve life or prevent injury;

(b) the act constituting the offence was carried out for a religious service conducted by a person approved by the Commissioner; or

(c) the act constituting the offence was carried out in a special zone in accordance with a permit for that special zone.

(4) For the purposes of this section —

(a) a person is a repeat offender in relation to an offence under subsection (1) if the person who is convicted, or found guilty, of an offence under that subsection (referred to in this paragraph as the current consumption offence) has been convicted or found guilty of an offence under that same subsection on at least one other occasion before the date on which the person is convicted or found guilty of the current consumption offence; or

(b) a person is a repeat offender in relation to an offence under subsection (2) if the person who is convicted, or found guilty, of an offence under that subsection (referred to in this paragraph as the current supply offence) has been convicted or found guilty of an offence under that same subsection on at

least one other occasion before the date on which the person is convicted or found guilty of the current supply offence.

### **Permits for special zone**

5.—(1) Subject to this section, the Commissioner or an authorised officer may grant a permit to any individual on the individual's application, authorising the individual to do the following during the freeze period:

- (a) to consume alcohol in such public place within such special zone as is specified in the permit, subject to the terms and conditions specified in the permit; or
- (b) to bring a prohibited item into the special zone specified in the permit, subject to the terms and conditions specified in the permit.

(2) In addition, the Commissioner may, by a notification published in the *Gazette*, grant a permit (referred to as a class permit) in respect of a special zone authorising, subject to the terms and conditions specified in the class permit, any conduct referred to in section 4 or 8 during the freeze period —

- (a) by different classes of persons who reside within the special zone;
- (b) by different classes of persons who have a place of business within the special zone;
- (c) by different classes of persons who in the course of lawful business perform a service within the special zone; or
- (d) at different periods or on different occasions within the special zone,

and may from time to time during the freeze period, modify the conditions specified in, or specify additional terms and conditions for, any class permit.

(3) Without prejudice to the generality of subsection (2), the terms and conditions of a class permit may restrict the sale, supply or consumption of alcohol on any premises (whether or not licensed premises) in a special zone during the freeze period, the trading hours

for such licensed premises in a special zone during the freeze period, and the kinds of alcohol that may be sold or supplied, and the way it is sold or supplied, on licensed premises in a special zone during the freeze period.

(4) The Commissioner or an authorised officer may cancel or suspend any permit granted to an individual under subsection (1), or cancel or suspend the application of the class permit to any particular person, if the Commissioner or authorised officer is satisfied —

- (a) that the permit holder has failed to comply with any of the terms and conditions specified in his permit or the class permit applicable to that person; or
- (b) that cancellation or suspension of the individual's permit, or of the application of the class permit to that person, is otherwise necessary or expedient to prevent or reduce the occurrence of violence in a special zone.

(5) Before exercising any powers under subsection (4), the Commissioner or an authorised officer must —

- (a) give notice to the permit holder concerned —
  - (i) stating that the Commissioner or authorised officer proposes to cancel or suspend the permit or the application of the class permit in the manner as specified in the notice; and
  - (ii) specifying the time (being not less than 3 days from the date of service of notice on the permit holder) within which written representations may be made to the Commissioner or authorised officer with respect to the proposed cancellation or suspension; and
- (b) upon receipt of any written representation pursuant to paragraph (a)(ii), consider that written representation.

(6) Any person who is aggrieved by the decision of the Commissioner or an authorised officer refusing him a permit under subsection (1), or the decision of the Commissioner or an authorised officer cancelling or suspending the person's permit or the application of the class permit to that person under subsection (4), may, within

14 days after the notice of the refusal, cancellation or suspension (as the case may be) is so given to that person, appeal to the Minister in the prescribed manner; and the Minister's decision on appeal shall be final.

(7) The decision of the Commissioner or an authorised officer refusing a permit under subsection (1), or cancelling or suspending a person's permit or the application of the class permit to a person under subsection (4), shall take effect notwithstanding that an appeal against that decision is made to the Minister under subsection (6).

(8) The Minister may designate any Minister of State for his Ministry, or any Parliamentary Secretary to his Ministry, to hear, in his place, any appeal to him under subsection (6).

### **Guests of permit holder may consume alcohol**

6. Notwithstanding section 4, an individual who is a guest of the holder of a permit on or at premises which are owned, occupied or hired by that holder of the permit, may consume alcohol at the invitation of that holder of the permit on or at those premises.

### **Delivery of alcohol to permit holder**

7. Notwithstanding section 4, a person may, at the request of the holder of a permit, supply within the special zone alcohol which is owned by, or ordered under a contract of purchase by, that holder of the permit, for the purpose only of delivering the alcohol to the holder of that permit.

### **Prohibited item cannot be brought into special zone**

8.—(1) A person shall not take a prohibited item into, or possess a prohibited item in, a special zone, unless the person has a permit and does so in accordance with the terms of the permit.

(2) Any person who fails to comply with subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) It shall not be an offence under this section if the person disposes of the prohibited item before entering the special zone.

**Inspection of entrant to special zone**

9.—(1) Subject to subsection (2), a police officer or an approved person may ask the entrant to a special zone to do one or more of the following:

- (a) allow the police officer or approved person to inspect the entrant's personal property for any container of alcohol or any prohibited item;
- (b) remove one or more garments worn by the entrant as specified by the police officer or approved person and allow the police officer or approved person to inspect the garments for any container of alcohol or any prohibited item;
- (c) remove all articles from the entrant's clothing and allow the police officer or approved person to inspect the articles for any container of alcohol or any prohibited item;
- (d) open an article for inspection and allow the police officer or approved person to inspect the article for any container of alcohol or any prohibited item;
- (e) open a vehicle or a part of it for inspection and allow the police officer or approved person to inspect the vehicle for any container of alcohol or any prohibited item;
- (f) remove an article from the vehicle as specified by the police officer or approved person and allow the police officer or approved person, as the case may be, to inspect the article for any container of alcohol or any prohibited item.

(2) A police officer or an approved person may make a request under subsection (1) only if the police officer or approved person reasonably considers it necessary to make a request under that subsection in relation to an entrant or the entrant's personal property, whether or not the entrant or the entrant's personal property have been subjected to screening.

(3) Any person who fails to comply with the request of a police officer or an approved person under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding

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\$2,500 or to imprisonment for a term not exceeding 3 months or to both.

(4) In this section —

“inspecting”, in relation to an article, includes handling the article, opening it and examining its contents;

“personal property”, in relation to a person, means things carried by the person or things apparently in the immediate control of the person, but does not include clothing being worn by the person.

### **Power to require reasons for entry to, etc., special zone**

**10.**—(1) A police officer or an approved person may ask an entrant to a special zone —

- (a) to state his name and residence, and his reason for being in, or about to enter, the special zone;
- (b) to state whether he is subject to a special zone banning notice relating to that special zone; and
- (c) if found in possession of alcohol, to state how or where he acquired the alcohol.

(2) Any entrant to a special zone who fails to comply with the request of a police officer or an approved person under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 3 months or to both.

(3) In this section, “residence”, in relation to an entrant, means the address of the place where the entrant usually lives in Singapore.

### **Refusal of entry to and removal from special zone**

**11.**—(1) This section shall apply if —

- (a) an entrant fails to comply with a request of a police officer or an approved person made under this Act;
- (b) a police officer or an approved person reasonably suspects that an entrant may contravene or has contravened section 4 or 8;

- (c) a police officer or an approved person reasonably believes that an entrant is the subject of a special zone banning notice; or
  - (d) a police officer or an approved person has reasonable cause to believe that an entrant has conducted or will conduct himself in a special zone that increases the likelihood of, or prejudices the prevention of or preparedness against, any riot or other civil disturbance in the special zone or prejudices the recovery by the community in the special zone from the riot that occurred on 8th December 2013 or other riot or civil disturbance in the special zone.
- (2) Unless the entrant is arrested —
- (a) if the entrant has entered a special zone — a police officer or an approved person may direct the entrant to leave and not re-enter the special zone within a stated reasonable time of not more than 24 hours; and
  - (b) if the entrant is about to enter a special zone — a police officer or an approved person may by direction refuse him entry to the special zone for a stated reasonable time of not more than 24 hours.
- (3) If an entrant contravenes any direction given by a police officer or an approved person under subsection (2) to leave a special zone, or attempts to enter or re-enter a special zone contrary to such a direction, the police officer or approved person (as the case may be) may use such force as is reasonable and necessary to arrest and detain the entrant for the purpose of removing him from, or preventing his entry or re-entry to, the special zone, or to remove the entrant from the zone, as the case may be.
- (4) Any entrant who, without reasonable excuse, contravenes any direction by a police officer or an approved person under subsection (2) to him shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 3 months or to both.

(5) For the avoidance of doubt, nothing in this Act prevents the exercise by a police officer of any power under the Public Order Act (Cap. 257A).

### **Powers of search and seizure**

**12.**—(1) Without prejudice to sections 9, 10 and 11 and any other written law, a police officer not below the rank of sergeant may, without warrant —

- (a) do one or more of the following if the police officer reasonably suspects that an offence under section 4, 8 or 13(11) has been, or is being or likely to be, committed:
  - (i) enter and search any premises or place that is within a special zone;
  - (ii) stop, enter, search, remove and retain any vehicle, vessel or aircraft (whether or not it is within a special zone);
  - (iii) stop, detain and search a person in connection with the exercise of any power under sub-paragraph (i) or (ii);
  - (iv) search any thing in connection with the exercise of any power under sub-paragraph (i), (ii) or (iii); and
- (b) seize a thing in connection with the exercise of a power referred to in paragraph (a)(i), (ii), (iii) or (iv) that the police officer reasonably believes to be related to an offence under section 4, 8 or 13(11).

(2) In addition, and without prejudice to sections 9, 10 and 11 and any other written law, a police officer not below the rank of sergeant may, without warrant —

- (a) do one or more of the following on a random basis for the detection of an offence under section 4, 8 or 13(11) that he reasonably suspects has been, or is being or likely to be, committed:
  - (i) stop, enter, search, remove and retain any vehicle, vessel or aircraft (whether or not it is within a special zone);



(ii) stop, detain and search a person in connection with the exercise of any power under sub-paragraph (i);

(iii) search any thing in connection with the exercise of any power under sub-paragraph (i) or (ii); and

(b) seize a thing in connection with the exercise of a power referred to in paragraph (a)(i), (ii) or (iii) that the police officer reasonably believes to be related to an offence under section 4, 8 or 13(11).

(3) A woman may be searched under this section only by a woman police officer not below the rank of sergeant and with strict regard to decency.

(4) A police officer not below the rank of sergeant who seizes a container that he reasonably believes contains alcohol may immediately empty the container if opened or destroy the container (including its contents) if it is unopened; but if the container is not so emptied or destroyed, the police officer must ensure that it is taken to a police station outside of any special zone to be destroyed or to be returned at that police station to the person from whom the container was seized.

(5) A police officer not below the rank of sergeant may use any reasonable force or assistance in acting under this section.

(6) Any person who, without reasonable excuse, refuses to give access to, or obstructs, hinders or delays, a police officer in the exercise of any power under subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 3 months or to both.

(7) The fact that no alcohol or no prohibited item is found after a search under this section does not affect the power of a police officer to exercise powers under section 11 in relation to the individual searched.

### **Special zone banning notice**

**13.—**(1) Subject to subsections (2), (3) and (4), the Commissioner or an authorised officer may give —

- (a) an individual whom the Commissioner or authorised officer (as the case may be) suspects, on reasonable grounds, to be committing or have committed an offence under section 4 or 8 wholly or partly in a special zone; or
- (b) an individual whom the Commissioner or authorised officer (as the case may be) has reasonable cause to believe will conduct himself in a special zone in a manner that may increase the likelihood of, or prejudice the prevention of or preparedness against, any riot or other civil disturbance in the special zone or prejudice the recovery by the community in the special zone from the riot that occurred on 8th December 2013 or other riot or civil disturbance in the special zone,

a written notice (referred to in this Act as a special zone banning notice) banning the individual, for a period specified in the notice, from the special zone or from all licensed premises in the special zone.

(2) The period specified in a special zone banning notice must not exceed 30 days starting from the time the notice is given to the individual.

(3) In determining whether a special zone banning notice in relation to a special zone should be given under this section to an individual referred to in subsection (1), the Commissioner or authorised officer concerned must have regard to each of the following:

- (a) whether the individual is likely to continue to commit an offence, or to commit a further offence, under section 4 or 8 in the special zone;
- (b) whether the giving of the special zone banning notice would be an effective and reasonable way of preventing the individual from continuing to commit an offence under section 4 or 8, or committing a further offence under section 4 or 8 in the special zone;
- (c) whether the continuation of the commission of an offence under section 4 or 8, or committing a further offence under section 4 or 8 in the special zone may involve or give rise to a risk of riot, civil disturbance or any other violence in the special zone;

(d) whether the conduct in the special zone that the individual is reasonably suspected of may increase the likelihood of, or prejudice the prevention of or preparedness against, any riot or other civil disturbance in the special zone or prejudice the recovery by the community in the special zone from the riot that occurred on 8th December 2013 or other riot or civil disturbance in the special zone.

(4) If the Commissioner or an authorised officer intends to give a special zone banning notice to an individual, the Commissioner or authorised officer does not need to first give the individual an opportunity to be heard.

(5) Every special zone banning notice must contain all of the following particulars:

- (a) the name, residence and identification particulars of the individual to whom the notice applies;
- (b) the special zone to which it relates, the time when the notice is given to the individual and the specified period for which the notice applies;
- (c) whether the notice bans the individual from the special zone or only from licensed premises in the special zone;
- (d) whether the notice is absolute or with exceptions and if it is with exceptions, the details of the conditions or circumstances under which the individual may enter or remain in the special zone.

(6) Notwithstanding anything in this Act or any special zone banning notice, a special zone banning notice for a special zone specified in the notice shall not operate to prevent the individual subject to the notice from entering or remaining in, or attempting to enter or remain in —

- (a) for a special zone banning notice that bans the individual from the special zone — the special zone or any licensed premises in the special zone for the purpose of the individual residing in or attending to the individual's usual place of residence or work in the special zone;

- (b) for a special zone banning notice that bans the individual from all licensed premises in the special zone — any licensed premises in the special zone for the purpose of the individual residing in or attending to the individual's usual place of residence or work in those licensed premises; or
- (c) for a special zone banning notice that is with exceptions — the special zone in accordance with all the conditions and circumstances specified in the notice for the individual to enter or remain in the special zone.

(7) The Commissioner or an authorised officer may, on the written application of an individual who is subject to a special zone banning notice —

- (a) cancel the special zone banning notice; or
- (b) vary the exceptions in the special zone banning notice,

where there are sufficient grounds for cancelling the notice or varying the exceptions, or it is otherwise appropriate to do so because of the individual's special circumstances.

(8) Any individual who is aggrieved by —

- (a) the decision of the Commissioner or an authorised officer under subsection (1) giving the individual a special zone banning notice; or
- (b) the decision of the Commissioner or an authorised officer under subsection (7) refusing to cancel a special zone banning notice or to vary the exceptions in the special zone banning notice,

may, within 14 days after the notice of the decision is so given, appeal to the Minister in the prescribed manner; and the Minister's decision on appeal shall be final.

(9) The decision of the Commissioner or an authorised officer —

- (a) under subsection (1) giving the individual a special zone banning notice; or

- (b) under subsection (7) refusing to cancel a special zone banning notice or to vary the exceptions in the special zone banning notice,

shall take effect notwithstanding that an appeal against that decision is made to the Minister under subsection (8).

(10) The Minister may designate any Minister of State for his Ministry, or any Parliamentary Secretary to his Ministry, to hear, in his place, any appeal to him under subsection (8).

(11) If an individual subject to a special zone banning notice, without reasonable excuse, does any one of the following in contravention of the special zone banning notice or any exceptions specified in the notice:

- (a) enters a special zone or licensed premises in a special zone;
- (b) remains in a special zone or licensed premises in a special zone;
- (c) attempts to enter or remain in a special zone or licensed premises in a special zone,

that individual shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 3 months or to both.

### **Closing of roads**

**14.—**(1) If it appears to a police officer present in any part of a special zone that, in order to restore or maintain public order in that part or the special zone, it is necessary to do so, the police officer may, by order or by giving directions or in any other manner he thinks fit —

- (a) regulate, restrict, control or prohibit the use of any road, street, footpath or waterway or any public place in the special zone; or
- (b) close any road, street, footpath or waterway or any public place in the special zone.

(2) No order under subsection (1) shall be valid after the expiration of a period of 24 hours from the time when it was made unless earlier confirmed by the Commissioner or the police officer in charge of the

division having authority in the special zone to be in force for a period of 48 hours from the time it was made.

(3) In subsection (1), “police officer” means a police officer not below the rank of sergeant.

### **Power of arrest**

**15.** Any police officer may arrest without warrant any person offending in his view against any of the provisions of this Act, and take him before a Magistrate’s Court to be dealt with according to law.

### **Composition of offences**

**16.—**(1) The Commissioner or an authorised officer may, in his discretion, compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

- (a) one half of the amount of the maximum fine that is prescribed for the offence;
- (b) \$2,000.

(2) On payment of such sum of money, no further proceedings shall be taken against that person in respect of the offence.

### **Offences by bodies corporate, etc.**

**17.—**(1) Where an offence under this Act committed by a body corporate is proved —

- (a) to have been committed with the consent or connivance of an officer; or
- (b) to be attributable to any act or default on his part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(3) Where an offence under this Act committed by a partnership is proved —

(a) to have been committed with the consent or connivance of a partner; or

(b) to be attributable to any act or default on his part,

the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by a limited liability partnership is proved to have been committed with the consent or connivance of, or to be attributable to any act or default on the part of, a partner or manager of the limited liability partnership, the partner or manager (as the case may be) as well as the partnership shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(5) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

(a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or

(b) to be attributable to any act or default on the part of such an officer or a member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(6) In this section —

“body corporate” and “partnership” exclude a limited liability partnership within the meaning of the Limited Liability Partnerships Act (Cap. 163A);

“officer” —

(a) in relation to a body corporate, means any director, member of the committee of management, chief executive, manager, secretary or other similar officer

of the body corporate and includes any person purporting to act in any such capacity; and

- (b) in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, or any person holding a position analogous to that of the president, secretary or member of the committee and includes any person purporting to act in any such capacity;

“partner” includes a person purporting to act as a partner.

(7) The regulations may provide for the application of any provision of this section, with such modifications as the Minister considers appropriate, to any body corporate or unincorporated association formed or recognised under the law of a territory outside Singapore.

#### **Freeze on new liquor licences, etc.**

**18.—**(1) During the freeze period, the Liquors Licensing Board must not —

- (a) grant any liquor licence that is held for any premises in a special zone; or
- (b) approve any extension in the trading hours relating to any licensed premises in a special zone.

(2) During the freeze period, the conditions to which a liquor licence is subject, being a licence that is held in respect of premises in a special zone, must also not be varied or revoked by the Liquors Licensing Board if any such variation or revocation would be inconsistent with any of the restrictions imposed by or under this Act.

(3) Without prejudice to any powers vested in the Liquors Licensing Board under the Customs Act (Cap. 70), the Liquors Licensing Board may, in its discretion, cancel or suspend any liquor licence the holder of which is convicted of, or is reasonably suspected of having committed, any offence under this Act.

(4) Before exercising any powers under this section, the Liquors Licensing Board shall give notice to the holder of the liquor licence concerned —



- (a) stating that it proposes to cancel or suspend the liquor licence in the manner as specified in the notice; and
- (b) specifying the time (being not less than 3 days from the date of service of notice on such holder) within which written representations may be made to the Liquors Licensing Board with respect to the proposed cancellation or suspension of the liquor licence, as the case may be.

(5) Upon receipt of any written representation referred to in subsection (4)(b), the Liquors Licensing Board shall consider such written representation and may —

- (a) reject the written representation; or
- (b) decline to cancel or suspend the liquor licence,

and, in either event, the Liquors Licensing Board must give notice in writing to that holder of the liquor licence of its decision.

### **Restrictions in Act apply despite other written laws**

- 19.—**(1) The restrictions in this Act shall apply notwithstanding —
- (a) that a person holds a liquor licence authorising the person to sell by retail or offer for sale by retail, alcohol for consumption (whether on or off the premises where it is sold);
  - (b) that a person holds a liquor licence to sell by wholesale alcohol;
  - (c) that a person is exempted from the requirements of the Customs Act (Cap. 70) to have a liquor licence;
  - (d) that the trading hours prescribed under the Customs Act for any liquor licence relating to premises in the special zone are different from the trading hours imposed by or under this Act for those same premises; or
  - (e) that a person holds any licence or permit under any other written law authorising the person to be in possession of any prohibited item.

(2) This Act shall have effect notwithstanding any other law relating to the movement of traffic or pedestrians on roads or the use or obstruction of any public place.

(3) No liability shall be incurred by the Government because of the enactment of this Act or for anything which is done or intended to be done in good faith and with reasonable care, in the exercise or purported exercise of any power, or the performance or purported performance of any function or duty, under this Act.

### **Additional powers as regards subject licences**

**20.**—(1) Without prejudice to any powers vested in any other written law, the relevant authority for a subject licence may, in its discretion, cancel, revoke or suspend any subject licence the holder of which is convicted of any offence under this Act, or is reasonably suspected of having committed any offence under this Act.

(2) Before exercising any powers under this section, the relevant authority for a subject licence shall give notice to the holder of the subject licence concerned —

- (a) stating that the relevant authority proposes to cancel, revoke or suspend the subject licence in the manner as specified in the notice; and
- (b) specifying the time (being not less than 3 days from the date of service of notice on such holder) within which written representations may be made to the relevant authority for the subject licence with respect to the proposed cancellation, revocation or suspension of the subject licence, as the case may be.

(3) Upon receipt of any written representation referred to in subsection (2)(b), the relevant authority for a subject licence shall consider such written representation and may —

- (a) reject the written representation; or
- (b) decline to cancel, revoke or suspend the subject licence,

and, in either event, the relevant authority for the subject licence shall then give notice in writing to the holder of the subject licence of its decision.

(4) The holder of a subject licence who is aggrieved by any decision of a relevant authority under this section may, within 14 days after receiving the notice under subsection (3), appeal to the Minister charged with the responsibility for the relevant authority in the same manner prescribed under the written law governing that subject licence as if the decision was an appealable decision made under that written law.

(5) Notwithstanding any other written law, the decision of the relevant authority under this section shall take effect notwithstanding that an appeal against that decision is made under subsection (4) to the Minister charged with the responsibility for the relevant authority.

(6) In this section, “relevant authority” means —

- (a) the Director-General of Public Health — for a subject licence that is a licence for a retail food establishment or catering food establishment, a hawker licence (whether or not itinerant) for the sale of any food, or a licence for a private market under the Environmental Public Health Act (Cap. 95);
- (b) the Hotels Licensing Board — for a subject licence that is a registration of premises as a hotel under the Hotels Act (Cap. 127);
- (c) the Licensing Officer appointed under the Public Entertainments and Meetings Act (Cap. 257) — for a subject licence that is a licence for an approved place under that Act;
- (d) the Director-General, Agri-Food and Veterinary Services — for a subject licence that is a licence for a food processing establishment or other food establishment under the Sale of Food Act (Cap. 283) or a licence for a processing establishment or cold store under the Wholesome Meat and Fish Act (Cap. 349A); or
- (e) such person as the Minister may prescribe for a subject licence that is a licence, permit, approval or other similar document referred to in paragraph (i) of the definition of “subject licence” in section 2.

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## Regulations

**21.—**(1) The Minister may make regulations, prescribing matters necessary or convenient to be prescribed for carrying out this Act, including prescribing such saving and transitional provisions and such incidental, consequential or supplementary provisions as may be necessary or expedient.

(2) The Minister may, in making any regulations under subsection (1), provide that any contravention or failure to comply with any of the provisions of the regulations shall be an offence punishable with a fine not exceeding \$5,000 or with imprisonment for a term not exceeding 3 months or with both.

(3) All regulations made under this Act shall be presented to Parliament as soon as possible after publication in the *Gazette*.

## THE SCHEDULE

Section 3

### SPECIAL ZONE IN LITTLE INDIA

All that area the boundary of which starts at the junction of Jalan Besar and Petain Road and continues progressively —

- (a) generally north-west along Petain Road, past its junction with Somme Road until its junction with Sturdee Road;
- (b) generally north-east along Sturdee Road until its junction with Beatty Road;
- (c) generally north-west along Beatty Road until its junction with Serangoon Road, then in an imaginary straight line between Blocks 513 and 515 Serangoon Road, and Blocks 378 and 380 Race Course Road to the junction of Race Course Road, and then in an imaginary straight line between the Leong San See Temple, Blocks 371 and 375 Race Course Road to Tessensohn Road;
- (d) generally south-west along Tessensohn Road until its junction with Joo Avenue;
- (e) generally north-west along Joo Avenue until its junction with Sing Avenue;
- (f) generally west along Sing Avenue until its junction with Dorset Road;
- (g) generally south-west along Dorset Road until its junction with Rutland Road;

THE SCHEDULE — *continued*

- (h) generally south along Rutland Road until its junction with Hampshire Road;
- (i) generally south-east along Hampshire Road until its junction with Northumberland Road;
- (j) generally south-west in an imaginary straight line from the junction of Northumberland Road and Hampshire Road to the bend on Tekka Lane;
- (k) generally south-west along Tekka Lane in an imaginary straight line until it meets Bukit Timah Road, then in an imaginary straight line diagonally across Bukit Timah Road to its junction with Mayne Road;
- (l) generally south-west along Mayne Road until its junction with Mackenzie Road;
- (m) generally south-east along Mackenzie Road until its junction with Selegie Road;
- (n) generally south along Selegie Road until its junction with Short Street;
- (o) generally north-east along Short Street until its junction with Rochor Canal Road;
- (p) generally east along Rochor Canal Road until its junction with Jalan Besar; and
- (q) generally north-east along Jalan Besar to the point where the boundary begins,

and which is more particularly demarcated in the map below.

THE SCHEDULE — *continued*

