

LEGISLATION WATCH

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Bill introduced in March

The **Moneylenders (Amendment) Bill** (No 12/2006) amends the Moneylenders Act (Cap 188) for the following purposes:

- (a) to provide that the definition of “moneylender” in the Act excludes a merchant bank which is an approved financial institution under s 28 of the Monetary Authority of Singapore Act (Cap 186);
- (b) to enable the Registrar of Moneylenders (the Registrar) to suspend a moneylender’s licence for such period as he considers appropriate instead of revoking it, and to enable the Registrar to suspend or revoke a licence for a contravention of rules made under the Act;
- (c) to empower the Registrar or an officer authorised by him to require a moneylender to provide any information or document or to enter premises used by the moneylender to carry on business in order to inspect the premises and any document found on the premises;
- (d) to provide that the Minister may revoke an exemption granted to a person on certain grounds; and
- (e) to enable the Minister to make rules for additional matters including the maximum amount that may be lent to a borrower or class or description of borrowers, the borrowers to whom a loan may be made and the conduct of the business of moneylending.

Subsidiary Legislation published in March and April

The **Parliamentary Elections (Declaration of Group Representation Constituencies) Order 2006** (GN No S 146/2006, wef 3 March 2006) sets out that —

- (a) any election in the group representation constituencies of Aljunied, Bishan-Toa Payoh, East Coast, Holland-Bukit Timah, Hong Kah, Jalan Besar, Jurong, Tampines and West Coast shall be held on the basis of a group of five candidates; and
- (b) any election in the group representation constituencies of Ang Mo Kio, Marine Parade, Pasir Ris-Punggol, Sembawang and Tanjong Pagar shall be held on the basis of a group of six candidates.

The **Parliamentary Elections (Designation of Group Representation Constituencies) Order 2006** (GN No S 147/2006, wef 3 March 2006) sets out that —

- (a) each group representation constituency of Aljunied, Bishan-Toa Payoh, East Coast, Hong Kah, Jalan Besar, Jurong, Marine Parade, Pasir Ris-Punggol and Tampines is designated under s 8A(1)(b)(i) of the Parliamentary Elections Act (Cap 218) as a constituency where at least one of the candidates in each group for election therein shall be a person belonging to the Malay community; and
- (b) each group representation constituency of Ang Mo Kio, Holland-Bukit Timah, Sembawang, Tanjong Pagar and West Coast is designated under s 8A(1)(b)(ii) of the Parliamentary Elections Act as a constituency where at least one of the candidates in each group for election therein shall be a person belonging to the Indian or other minority communities.

The **Companies (Central Depository System) (Amendment) Regulations 2006** (GN No S 164/2006, wef 17 March 2006) amend the Companies (Central Depository System) Regulations (Rg 2) to provide that the Central Depository (Pte) Limited shall not impose any depository fee or modify, restructure or otherwise change any existing depository fee without the approval of the Monetary Authority of Singapore.

The **Auxiliary Police Forces (Amendment No. 2) Regulations 2006** (GN No S 166/2006, wef 22 March 2006) amend the Auxiliary Police Forces Regulations 2004 (GN No S 625/2004) to provide that —

- (a) the Commissioner of Police (the Commissioner) or any person authorised by him in writing may from time to time carry out an audit of an Auxiliary Police Force in respect of certain specified areas; and
- (b) where an employer of an Auxiliary Police Force is required by the Commissioner under s 86(3)(c) of the Police Force Act (Cap 235) to pay an annual fee for any financial year or part thereof, the fee shall be an amount equal to \$0.10 multiplied by the total number of man-hours during which auxiliary police officers from the Auxiliary Police Force are deployed in that financial year or part thereof to carry out the purposes specified in s 86(1)(b) to (e) of the Police Force Act.

The **Passports (Authorised Officers) (Amendment No 2) Regulations 2006** (GN No S 169/2006, wef 22 March 2006) amend the Passports (Authorised Officers) Regulations (Rg 2) to specify the three officers of SembCorp Engineers and Constructors Pte Ltd in Teheran, Iran who are empowered to grant a visa or endorse any travel document requiring a visa for Singapore for

as long as they are in the service of the organisation and only in the absence of Mr Stephen John Brown of SYNA Petrochemical Engineering Company in Teheran, Iran.

The Controller of Immigration has, *vide* the **Notification relating to Immigration Depot** (GN No S 175/2006, wef 1 April 2006), designated Marina South Pier, 31 Marina Coastal Drive, Singapore 018988 to be an Immigration Depot for the examination, inspection and detention of persons under the Immigration Act (Cap 133).

The **Public Entertainments and Meetings (Arts Entertainment) (Amendment) Rules 2006** (GN No S 177/2006, wef 24 March 2006) amend the Public Entertainments and Meetings (Arts Entertainment) Rules (R 4) to provide that every application for a licence for any arts entertainment shall be made electronically using the form prescribed for such an application through the electronic application service provided by the Licensing Officer at <https://licences.business.gov.sg>, except in the event of a malfunction or failure of the electronic application service.

The **Public Transport Council (Licensing of Ticket Payment Services) (Exemption) Order 2006** (GN No S 214/2006) provides that Part IVB of the Public Transport Council Act (Cap 259B) shall not be applicable to all persons from 3 April 2006 to 30th June 2006 (both dates inclusive).

The **Legal Profession (Qualified Persons) (Amendment) Rules 2006** (GN No S 217/2006, wef 7 April 2006) amend the Legal Profession (Qualified Persons) Rules (R 15) to provide that any citizen or permanent resident of Singapore who, on or after 1 January 2004, is conferred any of the degrees of Doctor of Jurisprudence by any of the following institutions of higher learning in the United States of America shall be an qualified person if he meets certain requirements:

- (a) Harvard University;
- (b) Columbia University;
- (c) New York University; and
- (d) University of Michigan.

The **Police (Amendment) Regulations 2006** (GN No S 231/2006, wef 1 May 2006) amend the Police Regulations 2004 (GN No S 633/2004) to set out the new rates of charges that are payable for the services of Police Officers and officers of the Gurkha Contingent and the Special Constabulary employed for private purposes.

The **Parliamentary Elections Act (Amendment of First Schedule) Regulations 2006** (GN No S 232/2006, wef 19 April 2006) amend the Parliamentary Elections Act (Cap 218) to set out the new Forms relating to the following:

- (a) a notice of the issue of the writ and of the day, time and place of the nomination of candidates;
- (b) a notice of contested election in an electoral division and the day and hours of the poll at the polling stations (including overseas polling stations); and
- (c) a statement of the poll stating the results of the poll in an electoral division and the name or names of the members so elected.

The **Parliamentary Elections (Composition of Offences) Regulations 2006** (GN No S 233/2006, wef 19 April 2006) set out the offences which may be compounded by the Returning Officer, or any officer of the Elections Department who is authorised by the Returning Officer, in accordance with s 109(1) of the Parliamentary Elections Act (Cap 218).

The **Parliamentary Elections (Overseas Voting) Regulations 2006** (GN No S 234/2006, wef 19 April 2006) set out, amongst other things —

- (a) the manner of the conduct of a poll;
- (b) the appointment and duties of election staff for overseas polling stations;
- (c) the election materials and facilities for the overseas election officers; and
- (d) provisions relating to the following:
 - (i) voting procedure;
 - (ii) commencement and closing of poll;
 - (iii) counting of overseas votes; and
 - (iv) post-election procedures.

The **Miscellaneous Offences (Public Order and Nuisance) (Election Meetings) Rules 2006** (GN No S 236/2006, wef 21 April 2006) set out, amongst other things, that —

- (a) a permit is required for the holding of an election meeting;
- (b) an application for a permit to hold an election meeting may be delivered to a licensing officer not later than —

- (i) 2.30pm on the eve of the day fixed for the election meeting, even if the eve is a Sunday or public holiday; or
 - (ii) where the eve of the day fixed for the election meeting is the day of nomination in a presidential election or parliamentary election, 4.00pm on the day of nomination;
- (c) a permit to hold an election meeting is not renewable or transferable, and if any attempt is made to transfer the benefit of the permit, the permit shall be deemed to have been cancelled on the date of the attempted transfer;
- (d) police officers may take such crowd control measures as are necessary for the safety and well-being of persons attending an election meeting; and
- (e) the most senior police officer present at an election meeting may order the election meeting to immediately stop and direct the evacuation and exclusion of all persons from the premises at which the election meeting is held if the police officer considers that an emergency situation is, or is likely to pose, a threat to health or the safety of persons present at that election meeting or that there are reasonable grounds for doing so for the purpose of protecting those persons from injury or death threatened by an emergency situation.

The **Mutual Assistance in Criminal Matters (Brunei Darussalam) Order 2006** (GN No S 239/2006, wef 15 February 2006) sets out that Brunei Darussalam is declared as a prescribed foreign country for the purposes of Pt III of the Mutual Assistance in Criminal Matters Act (Cap 190A).

Acts brought into operation in March and April

1. **Endangered Species (Import and Export) Act 2006** (Act 5 of 2006) (wef 1 March 2006 *vide* GN No S 97/2006)
2. **Intoxicating Substances (Amendment) Act 2006** (Act 3 of 2006) (wef 1 March 2006 *vide* GN No S 107/2006)
3. **Misuse of Drugs (Amendment) Act 2006** (Act 2 of 2006) (wef 1 March 2006 *vide* GN No S 108/2006)
4. **Workplace Safety and Health Act 2006** (Act 7 of 2006) (wef 1 March 2006 *vide* GN No S 133/2006)
5. **Supplementary Supply (FY 2005) Act 2006** (Act 12 of 2006) (wef 21 March 2006)
6. **Residential Property (Amendment) Act 2006** (Act 9 of 2006) (wef 31 March 2006 *vide* GN No S 161/2006)

7. **Statutes (Miscellaneous Amendments) (No. 2) Act 2005** (Act 42 of 2005) (Items (2) to (7), (9), (11), (12), (13), (15), (16), (22), (25), (31), (34)(a) and (36) in the First Sched and the Third Sched wef 1 April 2006 *vide* GN No S 81/2006)
8. **Road Traffic (Amendment) Act 2006** (Act 4 of 2006) (Sections 17, 22 and 23 wef 1 April 2006 *vide* GN No S 101/2006)
9. **Mutual Assistance in Criminal Matters (Amendment) Act 2006** (Act 8 of 2006) (wef 1 April 2006 *vide* GN No S 165/2006)
10. **Supply Act 2006** (Act 13 of 2006) (wef 1 April 2006)
11. **Nurses and Midwives (Amendment) Act 2005** (Act 15 of 2005) (wef 1 April 2006 *vide* GN No S 180/2006)
12. **National University of Singapore (Corporatisation) Act 2005** (Act 45 of 2005) (wef 1 April 2006 *vide* GN No S 189/2006)
13. **Nanyang Technological University (Corporatisation) Act 2005** (Act 46 of 2005) (wef 1 April 2006 *vide* GN No S 190/2006)
14. **Singapore Management University (Amendment) Act 2005** (Act 47 of 2005) (wef 1 April 2006 *vide* GN No S 191/2006)
15. **Public Transport Council (Amendment) Act 2005** (Act 37 of 2005) (wef 3 April 2006 *vide* GN No S 213/2006 except s 14)

Revision of Acts

The Law Revision Commissioners have prepared and published a revised edition of the following Acts (wef 1 April 2006 *vide* GN No S 174/2006):

1. Boundaries and Survey Maps Act (Cap 25)
2. Diplomatic and Consular Relations Act (Cap 82A)
3. Land Surveyors Act (Cap 156)
4. Securities and Futures Act (Cap 289)
5. Stamp Duties Act (Cap 312)

This revised edition of Acts contain all the amendments which have been made to these Acts up to 1 March 2006, with the exception of the Diplomatic and Consular Relations Act and the Securities and Futures Act which contain all the amendments which have been made up to 1 April 2006.

Revision of Subsidiary Legislation

The Law Revision Commissioners have published, in loose-leaf form, the 2006 revised edition of the Rules of Court (R 5) made under the Supreme Court

of Judicature Act (Cap 322) (wef 1 April 2006 *vide* GN No S 185/2006), incorporating all the amendments up to 1 April 2006.