

## LEGISLATION WATCH

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### Subsidiary Legislation published in July and August 2006

The **Regulation of Imports and Exports (Chewing Gum) (Amendment) Regulations 2006** (GN No S 407/2006, wef 7 July 2006) amend the Regulation of Imports and Exports (Chewing Gum) Regulations (Cap 272A, Rg 4) to provide that a person who is registered under the Control of Manufacture Act (Cap 57) in respect of the manufacture of chewing gum and is permitted to import chewing gum into Singapore for research and development purposes shall —

- (a) use the chewing gum in accordance with the conditions of his registration under the Control of Manufacture Act; and
- (b) comply with such other conditions as the Director-General of Customs may impose.

The **Housing and Development (Polling for Upgrading Works) (Amendment) Rules 2006** (GN No S 408/2006, wef 10 July 2006) amend the Housing and Development (Polling for Upgrading Works) Rules (Cap 129, R 7) to provide, among other things —

- (a) for the beneficiary flats of special upgrading works;
- (b) for the number of votes that every registered owner whose name appears in a special register for any special upgrading works in a building or for two or more buildings within a precinct will have for the purposes of a special poll relating to those special upgrading works;
- (c) for the value of the vote of every registered owner (whether the Housing and Development Board is the registered owner or otherwise) entitled to vote in a special poll relating to any special upgrading works in a building or for two or more buildings within a precinct; and
- (d) for the formula used to ascertain the results of a special poll to establish the opinions about proposals to carry out special upgrading works in a building or for two or more buildings.

The **Common Gaming Houses (Exemption) (Amendment) Notification 2006** (GN No S 409/2006, wef 1 July 2006) amends the Common Gaming Houses (Exemption) Notification (Cap 49, N 4) to provide that any lottery promoted by an organisation which is an approved institution of public character under the Income Tax Act (Cap 134) shall be exempted from the 30/70 rule for lotteries under the Common Gaming Houses Act if the lottery is promoted in any financial year commencing on or after 1 July 2006 or in any subsequent financial year.

The **National Registration (Amendment) Regulations 2006** (GN No S 413/2006, wef 15 July 2006) amend the National Registration Regulations (Cap 201, Rg 2) to provide that any person registered thereunder —

- (a) who intends to leave Singapore permanently;
- (b) who ceases to be a citizen of Singapore;
- (c) whose re-entry permit has expired while he is overseas; or
- (d) whose entry permit has been cancelled under the Immigration Act (Cap 133),

shall surrender his identity card to a registration officer or, in exceptional circumstances, to an immigration officer or to a diplomatic or consular officer of the Government of Singapore in a foreign country —

- (i) within 14 days of the date of his intended departure, if he is leaving Singapore permanently; or
- (ii) immediately, after ceasing to be a citizen of Singapore or after the expiry or cancellation of his re-entry or entry permit.

The **Competition (Appealable Decisions) Regulations 2006** (GN No S 421/2006, wef 14 July 2006) provide that the following decisions are decisions prescribed for the purposes of s 71 of the Competition Act (Cap 50B):

- (a) a decision made under reg 5(1) or reg (4), reg 6(1) or reg 7 of the Competition (Transitional Provisions for Section 34 Prohibition) Regulations 2005 (GN No S 869/2005); and
- (b) a decision for or in relation to the cancellation of a block exemption in respect of an agreement.

The **Competition (Amendment) Regulations 2006** (GN No S 422/2006, wef 14 July 2006) amend the Competition Regulations 2005 (GN No S 866/2005) principally to provide for —

- (a) where the Competition Commission of Singapore (the Commission) proposes to make a decision for or in relation to the cancellation of a block exemption in respect of an agreement, a notice to be given to each person whom the Commission considers is or was a party to the agreement;
- (b) reasonable opportunity for a relevant person to inspect certain documents in the Commission's file that relate to the matters referred to in the notice given to him;

- (c) reasonable opportunity for a relevant person to make oral representations if requested; and
- (d) where the Commission has made a decision for or in relation to the cancellation of a block exemption in respect of an agreement, a notice to be given to each person whom the Commission considers is or was a party to the agreement, stating the facts on which the Commission relies and the Commission's reasons for making the decision.

The Minister for Trade and Industry has, *vide* the **Delegation of Powers (Ministry of Trade and Industry) (Economic Expansion Incentives for Biomedical Sciences Sector) Notification 2006** (GN No S 424/2006, wef 1 February 2006), deputed Mr Philip Yeo, Chairman of the Agency for Science, Technology and Research, to exercise the powers of the Minister for Trade and Industry under Pts II, III, IIIB, VIII, IX, X and XIIC of the Economic Expansion Incentives (Relief from Income Tax) Act (Cap 86), in respect of applications relating to the biomedical sciences sector, subject to the terms and conditions specified in the letter dated 14 July 2006 and any subsequent letter addressed to Mr Philip Yeo.

The Minister for Trade and Industry has, *vide* the **Delegation of Powers (Ministry of Trade and Industry) (Economic Expansion Incentives) Notification 2006** (GN No S 425/2006, wef 21 July 2006), deputed the Chairman of the Economic Development Board (the Chairman) to exercise the powers of the Minister for Trade and Industry under Pts II, III, IIIB, VIII, IX, X and XIIC of the Economic Expansion Incentives (Relief from Income Tax) Act (Cap 86) and Pt XIII A of that Act in force before 28 April 2004, subject to the terms and conditions specified in the letter dated 14 July 2006 and any subsequent letter addressed to the Chairman.

The **Films (Exemption) (Amendment) Notification 2006** (GN No S 430/2006, wef 21 July 2006) amends the Films (Exemption) Notification 2005 (GN No S 431/2005) to provide that a person holding a valid licence granted under s 7 of the Films Act (Cap 107) or any other person who has obtained written approval from the Board of Film Censors (the Board) is exempted from having to obtain the Board's approval for film advertisements provided that the following additional conditions are met:

- (a) the advertisement does not contain any matter which denigrates or is offensive to any race or religion in Singapore; and
- (b) the advertisement shall not be displayed in a manner or place likely to cause offence to any section of the public.

The **Medical Registration Act (Amendment of Schedule) (No 2) Order 2006** (GN No S 440/2006, wef 1 August 2006) amends the Schedule to the Medical Registration Act (Cap 174) to include the additional foreign medical schools whose degrees the Singapore Medical Council will recognise for persons to be registered as medical practitioners with conditional registration in Part II of the Register of Medical Practitioners.

The **Central Provident Fund (Topping Up of Medisave Account) (Amendment) Regulations 2006** (GN No S 465/2006) and the **Central Provident Fund (Specified Amount for Medisave Account) (Amendment) Order 2006** (GN No S 466/2006) (both wef 1 January 2007) amend the Central Provident Fund (Topping Up of Medisave Account) Regulations (Cap 36, Rg 30) and the Central Provident Fund (Specified Amount for Medisave Account) Order (O 5), respectively, to provide that, on 1 January 2007 —

- (a) in relation to retired public officers under the Co-payment on Ward Charges Scheme and Central Provident Fund members who are, in the opinion of the Minister for Health, entitled to medical benefits equivalent to those under the Co-payment on Ward Charges Scheme, the Medisave specified amount will be raised by \$1,600 to \$5,750; and
- (b) in relation to any other person, the Medisave specified amount will be raised by \$3,200 to \$11,500.

The **Passports (Amendment) Regulations 2006** (GN No S 468/2006, wef 15 August 2006) amend the Passports Regulations (Cap 220, Rg 1) to provide, in relation to a Singapore passport to be issued on or after 15 August 2006 (Singapore passport) —

- (a) that every application for such Singapore passport must be accompanied by one photograph of the applicant and, unless expressly dispensed with by an authorised officer, the following fingerprints:
  - (i) the applicant's left and right thumbprints;
  - (ii) where it is possible to furnish only one thumbprint, the applicant's only thumbprint and one other fingerprint; or
  - (iii) where it is not possible to furnish any thumbprint, the fingerprint of any two of the applicant's other fingers;
- (b) that all such Singapore passports shall be Singapore biometric passports;

- (c) that the fee for such Singapore passport shall be —
  - (i) \$70 where the application is made in Singapore by post or through deposit boxes designated by the Controller of Immigration for the receipt of passport applications and the application is made (in Singapore or elsewhere) using an electronic application service; and
  - (ii) \$80 where the application is made in any other manner; and
- (d) for additional specifications that an applicant's photograph must comply with.

The **Road Traffic (Motor Vehicles, Registration and Licensing) (Amendment No. 3) Rules 2006** (GN No S 476/2006, wef 1 August 2006) amend the Road Traffic (Motor Vehicles, Registration and Licensing) Rules (Cap 276, R 5) to provide that the Registrar of Vehicles may —

- (a) upon application in an approved form by an owner of any of the following classes of business service passenger vehicles, re-register the business service passenger vehicle as a private hire car or a tuition car in the name of a private individual:
  - (i) a business service passenger vehicle which had been registered using a certificate of entitlement issued on or after 1 April 1998; and
  - (ii) a business service passenger vehicle which before 1 April 1998 was registered as a private motor car and, on or after that date, was transferred to and re-registered in the name of any statutory board, company, firm, society, association or club as a business service passenger vehicle; and
- (b) upon application in an approved form by the owner of a motor vehicle that has been registered as a private hire car or a tuition car, re-register that motor vehicle as a business service passenger vehicle.

The **International Organisations (Immunities and Privileges) (2006 Annual Meetings of Boards of Governors of International Monetary Fund and World Bank Group) Order 2006** (GN No S 485/2006, wef 11 September 2006) provides that during the 2006 Annual Meetings of the Boards of Governors of the International Monetary Fund and the World Bank Group and every meeting ancillary thereto (the Meetings) from 11 September to 21 September 2006 —

- (a) any person (other than a citizen or permanent resident of Singapore) who attends the Meetings as a representative of any government of a member state of the International Monetary Fund or any organisation in the World Bank Group (the government) during that period shall

enjoy the privilege of inviolability for all his papers and documents;  
and

- (b) any senior officer, officer or employee (other than a citizen or permanent resident of Singapore) of the International Monetary Fund or any organisation in the World Bank Group who attends and performs any function at the Meetings shall enjoy immunity from suit and legal process in respect of all acts done by him in the course of the performance of his official duties,

except where such privilege or immunity is waived by the government, the International Monetary Fund or the organisation in the World Bank Group, as the case may be.

The **Singapore Academy of Law (Amendment) Rules 2006** (GN No S 498/2006, wef 22 August 2006) amend the Singapore Academy of Law Rules (Cap 294A, R 1) to provide, amongst other things —

- (a) that the Executive Committee shall consist of the chairman of any committee appointed by the Senate of the Singapore Academy of Law, in addition to the President and Vice-Presidents of the Singapore Academy of Law;
- (b) for the change in constitution of members of the Professional Affairs Committee; and
- (c) that the chairman of any committee may co-opt any number of non-voting members, except that the number of non-voting members shall not exceed the number of voting members.

The **Casino Control (Designated First Site) Order 2006** (GN No S 501/2006) sets out in the Schedule thereto those parcels of land at Marina Bay, along Bayfront Avenue as shown delineated and marked on the Land Parcel Plan (Guide Plan B1.1C-C), which shall be designated the Marina Bayfront site on which a casino may be located for a period of 30 years commencing on 23 August 2006.

The **Housing and Development (Design-Build-and-Sell Scheme — Form of Contract) Rules 2006** (GN No S 508/2006, wef 28 August 2006) provide, amongst other things —

- (a) for an option to purchase in a prescribed form that an approved developer shall give to an intending purchaser of any flat under the Design-Build-and-Sell Scheme (DBSS flat);
- (b) for an agreement for the sale and purchase of a DBSS flat in a prescribed form that an approved developer shall give to a purchaser;

- (c) that an approved developer shall not make or cause to be made any amendment to any of the provisions in an option to purchase or an agreement for the sale and purchase except with the prior written approval of the Housing and Development Board (the Board);
- (d) that no purchaser of a DBSS flat shall assign to another all his rights, title and interest under an agreement made between him and the approved developer for the sale and purchase of the DBSS flat except with the prior written approval of the Board; and
- (e) that an approved developer shall not, without the prior written consent of the Board, seek from a purchaser of a DBSS flat, any waiver of the purchaser's rights or any release from the performance of the approved developer's duties and obligations under the agreement for the sale and purchase of the DBSS flat.

### **Acts brought into operation in July and August**

1. **Central Provident Fund (Amendment) Act 2006** (Act 15 of 2006) (wef 1 July 2006 *vide* GN No S 358/2006)
2. **Moneylenders (Amendment) Act 2006** (Act 19 of 2006) (wef 11 August 2006 *vide* GN No S 442/2006)
3. **Enlistment (Amendment) Act 2006** (Act 14 of 2006) (wef 15 August 2006 *vide* GN No S 461/2006)
4. **National Research Fund Act 2006** (Act 17 of 2006) (wef 22 August 2006 *vide* GN No S 497/2006)

### **Revision of Acts**

The Law Revision Commissioners have prepared and published, in loose-leaf form, a revised edition of the following Acts, incorporating amendments up to 1 July 2006 (wef 31 July 2006 *vide* GN No S 429/2006):

1. CISCO (Dissolution) Act (Cap 47A)
2. Community Care Endowment Fund Act (Cap 49B)
3. Parks and Trees Act (Cap 216)
4. Trust Companies Act (Cap 336)

### **Revision of Subsidiary Legislation**

The Law Revision Commissioners have published, in loose-leaf form, the August 2006 Revised Edition of Subsidiary Legislation made under the following Acts (wef 31 August 2006 *vide* GN No S 514/2006), incorporating all the amendments up to 1 August 2006:

- (1) Accounting and Corporate Regulatory Authority Act (Cap 2A)  
*Accounting and Corporate Regulatory Authority (Composition of Offences) Rules (R 1) (S 169/2004)*
- (2) Building and Construction Industry Security of Payment Act (Cap 30B)  
*Building and Construction Industry Security of Payment Regulations (Rg 1) (S 2/2005)*
- (3) Business Trusts Act (Cap 31A)
  - (a) *Business Trusts (Summary Financial Statement) Regulations (Rg 1) (S 10/2005)*
  - (b) *Business Trusts Regulations (Rg 2) (S 11/2005)*
  - (c) *Business Trusts (Appeals) Regulations (Rg 3) (S 86/2006)*
- (4) Competition Act (Cap 50B)
  - (a) *Competition Regulations (Rg 1) (S 866/2005)*
  - (b) *Competition (Composition of Offences) Regulations (Rg 2) (S 867/2005)*
  - (c) *Competition (Fees) Regulations (Rg 3) (S 868/2005)*
  - (d) *Competition (Transitional Provisions for Section 34 Prohibition) Regulations (Rg 4) (S 869/2005)*
  - (e) *Competition (Appeals) Regulations (Rg 5) (S 129/2006)*
  - (f) *Competition (Appealable Decisions) Regulations (Rg 6) (S 421/2006)*
  - (g) *Competition (Block Exemption for Liner Shipping Agreements) Order (O 1) (S 420/2006)*
- (5) Control of Plants Act (Cap 57A)  
*Control of Plants (Import and Transhipment of Fresh Fruits and Vegetables) Rules (R 1) (S 9/99)*
- (6) Diplomatic and Consular Relations Act (Cap 82A)  
*Diplomatic and Consular Relations (Powers of Consular Officers) Order (O 1) (S 279/2005)*
- (7) Manufacture of Optical Discs Act (Cap 170C)  
*Manufacture of Optical Discs Regulations (Rg 1) (S 452/2004)*
- (8) Plant Varieties Protection Act (Cap 232A)  
*Plant Varieties Protection Rules (R 1) (S 368/2004)*
- (9) Police Force Act (Cap 235)
  - (a) *Police Regulations (Rg 1) (S 633/2004)*
  - (b) *Auxiliary Police Forces Regulations (Rg 2) (S 625/2004)*



- (c) *Police (Special Constabulary) Regulations (Rg 3) (S 634/2004)*
- (d) *Police Force (Transitional Provisions for Auxiliary Police Associations) Regulations (Rg 4) (S 281/2005)*
- (e) *Police Force (Transitional Provisions for Service Offences) Regulations (Rg 5) (S 314/2005)*
- (f) *Auxiliary Police Forces (N 1) (992/61)*
- (g) *Police Force (Intelligence Officers with Police Powers) Notification (N 5) (S 627/2004)*
- (h) *Powers, Privileges and Immunities of Auxiliary Police Officers (N 6) (S 626/2004)*