

IMMIGRATION ACT
(CHAPTER 133)

(Original Enactment: M. Ordinance 12 of 1959)

REVISED EDITION 2008

(1st January 2008)

An Act relating to immigration into, and departure from, Singapore.

[16th September 1963]

Prohibited immigrants

8.—(1) Any person, not being a citizen of Singapore, who is a member of any of the prohibited classes as defined in subsection (3) or who, in the opinion of the Controller, is a member of any of the prohibited classes, is a prohibited immigrant.

[34/98]

(2) Subject to any exemption granted under section 56 —

- (a) no prohibited immigrant who is a member of the prohibited class defined in subsection (3)(o) shall enter Singapore; and
- (b) no other prohibited immigrant shall enter Singapore, unless he is in possession of a valid pass in that behalf issuable to a prohibited immigrant under the regulations.

(3) The following persons are members of the prohibited classes:

- (a) any person who is unable to show that he has the means of supporting himself and his dependants (if any) or that he has definite employment awaiting him, or who is likely to become a pauper or a charge on the public;
- (b) any person suffering from a contagious or infectious disease which makes his presence in Singapore dangerous to the community;

[Act 18 of 2012 wef 19/12/2012]

- (ba) any person suffering from Acquired Immune Deficiency Syndrome or infected with the Human Immunodeficiency Virus;
- (c) any person desiring to enter Singapore who refuses to submit to an examination after being required to do so under section 29(1);
- (d) any person who —
 - (i) has been convicted in any country or state of an offence for which a sentence of imprisonment has been passed for any term;
 - (ii) has not received a free pardon; and
 - (iii) by reason of the circumstances connected with that conviction is deemed by the Controller to be an undesirable immigrant;

- (e) any prostitute or any person who is living on or receiving or who, prior to entering Singapore, lived on or received the proceeds of prostitution;
- (f) any person who procures or attempts to bring into Singapore prostitutes or women or girls for the purpose of prostitution or other immoral purpose;
- (g) vagrants or habitual beggars;
- (h) any person whose entry into Singapore is, or at the time of his entry was, unlawful under this Act or any other written law for the time being in force;
- (i) any person who believes in or advocates the overthrow by force or violence of the Government or of any established government or of constituted law or authority or who disbelieves in or is opposed to established government, or who advocates the assassination of public officials, or who advocates or teaches the unlawful destruction of property;
- (j) any person who is a member of or affiliated with any organisation entertaining or teaching disbelief in or opposition to established government or advocating or teaching the duty, necessity or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or officers generally, of the Government or of any established government, because of his or their official character, or advocating or teaching the unlawful destruction of property;
- (k) any person who, in consequence of information received from any source or from any government through official or diplomatic channels, is considered by the Minister to be an undesirable immigrant;
- (l) any person who has been removed from any country or state by the government of that country or state on repatriation for any reason whatever and who, by reason of the circumstances connected therewith, is considered by the Controller to be an undesirable immigrant;
- (m) any person who, being required by any written law for the time being in force to be in possession of valid travel documents, is not in possession of those documents or is in possession of forged or altered travel documents or travel documents which do not fully comply with that written law;
- (n) the family and dependants of a prohibited immigrant; and
- (o) any person prohibited by an order made under section 9 from entering Singapore.

[38/93; 34/98]

(4) The burden of proof that any person seeking to enter Singapore is not a prohibited immigrant shall lie upon that person.

(4A) Where the Controller refuses to allow any person to enter Singapore on the ground that the person is a prohibited immigrant, the Controller shall, if so requested by the person, inform him of the class of prohibited immigrants of which, in the opinion of the Controller, he is a member.

(5) Subject to any exemption granted under section 56, if any prohibited immigrant enters Singapore otherwise than in accordance with a valid pass lawfully issued to him, he shall be guilty of an offence.

(6) Any person in possession of a permit issued to him under the provisions of this Act who, upon his arrival in Singapore, is refused permission to enter on the ground that he is a prohibited immigrant, may appeal against the refusal, within such time and in such manner as may be prescribed, to the Minister whose decision shall be final.

(7) Notwithstanding sections 24, 25, 25A and 26, any person who appeals against such refusal shall be permitted to disembark and shall be detained in an immigration depot pending the determination of his appeal, unless released on a pass issued at the discretion of the Controller on such conditions as to furnishing security or otherwise as the Controller may think fit.

[41/95]

